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## Regulations

**TITLE 6—AGRICULTURAL CREDIT**  
Chapter I—Farm Credit Administration  
**PART 4—DISCLOSURE OR USE OF OFFICIAL INFORMATION**  
INFORMATION REGARDING BORROWERS AND APPLICANTS FOR LOANS

Paragraph (g) of § 4.3 of Chapter I, Title 6, Code of Federal Regulations, published in the FEDERAL REGISTER on May 18, 1943 (8 F.R. 6391), is hereby amended to read as follows:

§ 4.3 *Information regarding borrowers and applicants for loans.* \* \* \*

(g) Credit information concerning any institutional borrower (including cooperative associations) may be given when such borrower consents thereto in writing: *Provided, however,* That opinions as to the ability of such borrower to meet its obligations and commitments may be given to creditors and prospective creditors of such borrower without its consent upon the following conditions: (1) that the opinion is to be held in strict confidence by the creditor or prospective creditor; (2) that the opinion is for the private use of the creditor or prospective creditor; and (3) that the opinion be accompanied by a statement that no responsibility for its accuracy is assumed.

(Sec. 6, 47 Stat. 14; sec. 17, 39 Stat. 375; sec. 2, 42 Stat. 1459; secs. 1-43, 48 Stat. 257, et seq., as amended; sec. 4, 46 Stat. 13; sec. 201 (e), 47 Stat. 713; sec. 6, 44 Stat. 803; 12 U.S.C. 665, 831, 1101, 1131-1138f, 1141b, 1148; 7 U.S.C. 456)

[SEAL] A. G. BLACK,  
Governor.

[F. R. Doc. 43-15315; Filed, September 18, 1943; 3:15 p. m.]

**PART 24—THE FEDERAL LAND BANK OF LOUISVILLE**

**FEEES FOR PARTIAL RELEASES**

Effective ten days after the date this document is published in the FEDERAL REGISTER, §§ 24.5 and 24.6 of Title 6, Code of Federal Regulations, are amended to read as follows:

§ 24.5 *Fees for partial releases.* Each application for a partial release of the mortgaged security in connection with a Federal land bank loan, a Land Bank Commissioner loan, or joint Federal land bank and Land Bank Commissioner loans, shall be accompanied by a fee of \$10.00 which will be retained by the Bank if an appraisal is made but will be returned to the applicant in its entirety if an appraisal is not made. (Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended, sec. 2, 48 Stat. 345; 12 U.S.C., 781 "Ninth," 723 (e), 1016 (e) and Sup., 1020a; 6 CFR 19.339) [Res. Bd. Dir. August 25, 1943]

§ 24.6 *Application fees for partial releases.* No fees, other than the fee established by § 24.5 of Title 6, Code of Federal Regulations, shall be charged in connection with partial releases. (Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended, sec. 2, 48 Stat. 345; 12 U.S.C. 781 "Ninth," 723 (e), 1016 (e) and Sup., 1020a; 6 CFR 19.339) [Res. Bd. Dir. August 25, 1943]

The Federal Land Bank of Louisville acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] E. RICE,  
President.

[F. R. Doc. 43-15330; Filed, September 20, 1943; 10:41 a. m.]

## TITLE 7—AGRICULTURE

**Chapter I—War Food Administration**  
(Standards, Inspections, Marketing Practices)

Subchapter C—Regulations Under the Farm Products Inspection Act

**PART 55—SAMPLING, GRADING, GRADE LABELING, AND SUPERVISION OF PACKAGING OF BUTTER, CHEESE, EGGS, POULTRY, AND DRESSED DOMESTIC RABBITS**

**ISSUANCE OF CERTIFICATES**

By virtue of the authority vested in the War Food Administrator, the following amendment to Title 7, Chapter I, Subchapter C, Part 55, and 1941 Supp., Code of Federal Regulations, as amended by

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7 F.R. 1123, 6804, and 7768, is promulgated:

Section 55.19 is amended to read as follows:

§ 55.19 *Certificates; issuance.* A separate certificate shall be issued for each lot of product, except that when grading is made to determine compliance with contract specifications, compliance or noncompliance may be indicated by an official stamp or mark placed by the official grader on the product or container. (Public Law 129—78th Congress; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 18th day of September 1943.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 43-15357; Filed, September 20, 1943; 11:27 a. m.]

Chapter VII—War Food Administration (Agricultural Adjustment)

PART 727—FLUE-CURED TOBACCO

ISSUANCE OF MARKETING CARDS

Pursuant to the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938, as amended, and in the War Food Administrator by Executive Order No. 9322, as amended by Executive Order No. 9334, the marketing quota regulations, flue-cured tobacco, 1943-44 marketing year, are hereby amended as follows:

§ 727.530 *Issuance of marketing cards* \* \* \*

(b) *Excess marketing card (MQ-757 flue-cured).* Except where the county committee determines that, by reason of flood, any crop on the farm has been destroyed or planting interfered with, an excess marketing quota card (MQ-757 Flue-cured) showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1943 is in excess of the farm acreage allotment and such excess tobacco is not disposed of in accordance with § 727.529 hereof, or if the operator of the farm also operates another farm on which the harvested acreage of tobacco in 1943 exceeds the farm acreage allotment and such excess is not disposed of in accordance with § 727.529 hereof.

(2) If a within quota marketing card could be issued for the farm but the county committee determines that a zero percent excess marketing card is necessary to protect the interest of the Government and to insure proper identification of and accounting for the disposition of tobacco produced on the farm and the proper use of the marketing card issued for the farm.

(3) If there is tobacco available for marketing from the farm but no tobacco acreage allotment was established and such tobacco is not disposed of as provided in § 727.529 hereof.

(4) If information required for preparation of the marketing card is not furnished or the county committee is prevented from obtaining the necessary information.

(5) If there is tobacco available for marketing from the farm carried over from a prior marketing year and the harvested acreage in 1943 is not less than the 1943 acreage allotment by an amount equivalent to the acreage of carry-over excess determined as provided in § 727.530 (c) hereof.

(6) If a farm operated by a publicly owned experiment station produces tobacco for other than experimental purposes and such tobacco is not disposed of as provided in § 727.529 hereof.

(52 Stat. 47, 48, 65, 66, 202; 53 Stat. 1261, 1262; 54 Stat. 393, 728; 55 Stat. 23; 7 U.S.C. 1940 ed. 1301 et seq.; Public Law 138, 78th Cong.)

Done at Washington, D. C., this 18th day of September 1943.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 43-15359; Filed, September 20, 1943; 11:27 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 77, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

DRY ONIONS

Food Distribution Order No. 77 issued by the War Food Administrator on the 27th day of August 1943 (8 F.R. 11669), § 1405.22, is amended as follows:

1. By deleting therefrom the provisions in paragraph (a) (4) of said order and inserting in lieu thereof the following:

(4) The term "storage" means storage space within 25 miles of the locality where the onions to be stored therein have been grown.

2. By deleting the word "common" from paragraph (b) (1) wherever said word appears therein.

With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order No. 77 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.

This order shall become effective at 12:01 a. m., e. v. t., September 23, 1943.

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

Issued this 18th day of September 1943.

GROVER B. HILL,  
Acting War Food Administrator.

[F. R. Doc. 43-15358; Filed, September 20, 1943; 11:27 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS CORRECTIONS

Sections 81.1402, 81.1405 and 81.1406, as published in the FEDERAL REGISTER 2 September 1943 (8 F.R. 12063, 12069) are corrected to read as follows:

§ 81.1402 *All requisitioning by or on behalf of the Army to be in accordance with §§ 81.1401 to 81.1453.* All property to be requisitioned by or on behalf of the Army under the authorities referred to in § 81.1401 will be requisitioned as provided in this procurement regulation, unless authority to requisition the property otherwise has been specifically granted. However, the procedure prescribed by this procurement regulation relates only to requisitioning under such authorities and does not apply to, or prescribe procedure for, any other methods of requisitioning or commandeering which may be available to officers in theaters of operations.

§ 81.1405 *Statutory authority to requisition property.* (a) The Act of October 10, 1940, as amended, authorizes the taking of property by requisition when it is determined that:

(1) The property is military or naval equipment or munitions, or component parts thereof, or machinery, tools, or materials, or supplies necessary for the manufacture, servicing, or operation thereof;

(2) The property was ordered, manufactured, procured, or possessed for export purposes, and that the exportation thereof has been prohibited or curtailed in accordance with the provisions of sec-

tion 6 of the Act of July 2, 1940 (54 Stat. 714) as amended (56 Stat. 463, 50 U.S.C. App. 701), or any other law; and

(3) It is necessary in the interest of national defense or prosecution of the war to requisition and take over the property for use or operation by the United States or in its interest.

(b) The Act of October 16, 1941, as amended, authorizes the taking of property, other than fire arms possessed by an individual for his personal protection or sport, possession of which is not prohibited by existing law, by requisition, if the taking will not impair or infringe in any manner the right of any individual to keep and bear arms, when it is determined that:

(1) The property is military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions;

(2) The use of the property is needed for the defense of the United States;

(3) Such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and

(4) All other means of obtaining the use of the property for the defense of the United States upon fair and reasonable terms have been exhausted.

§ 81.1406 *Initiation of requisition proceedings—(a) Preparation of proposal and statement by initial requisition officer.* Having satisfied himself as to the existence of statutory authority to requisition the property, the initiating requisition officer will prepare and execute a proposal and statement in the appropriate one of the forms set forth in §§ 81.1417 and 81.1418; the form set forth in § 81.1417 being used if the property is to be requisitioned under the 1940 Act and the form set forth in § 81.1418 being used if the property is to be requisitioned under the 1941 Act. Copies of such forms of proposal and statement may be obtained from the chief requisition officer or from the Legal Branch, Purchases Division but, to expedite the proceedings, the initiating requisition officer may type or otherwise appropriately reproduce such forms. The following will be observed in the preparation of proposals and statements regardless of which form is used, to the extent practicable under the particular circumstances of each case:

(1) The property proposed to be requisitioned will be described accurately, and, in the fullest detail possible as to size, shape, quantity, quality, finish, etc., in order that a complete, correct and precise description of the property may be set forth in the requisition.

(2) The names and addresses of the owner or owners of the property, of all persons who may claim an interest in the property or a right to share in the compensation to be paid (such as common carriers, warehousemen, forwarders and others having possessory liens, and collectors of customs, mortgagees, conditional sale vendors and the like), together with a statement of their respective interests or possible interests will

be included appropriately in the proposal, and the nature and extent of the inquiry made to ascertain such persons and their interests or possible interests, which will be as thorough as may be practicable consistent with the speed of action required, will be set forth in the statement.

(3) The allotment, appropriation or fund specified in the statement will be charged with an amount clearly sufficient to represent full, fair and just compensation for the property.

(4) The persons designated as available to serve the requisition if it issues will be persons who will be available to, and will, personally serve the requisition as provided in § 81.1408. Two or more persons should be designated in each case to assure that at least one of them will be available to serve the requisition when it issues.

(5) Directions for disposition of the property will be as full and explicit as necessary to permit the serving officer to make the desired disposition of the property immediately upon service of the requisition.

(6) The facts indicating statutory authority to requisition the property will be set forth in detail sufficient to permit an independent determination of the existence of statutory authority to be made by higher authority. The proposal and statement in this and other respects may incorporate by reference statements contained elsewhere in them or in written memoranda or correspondence annexed to the statement as exhibits.

(b) *Transmittal of proposal and statement.* The original and one copy of the proposal and statement will be forwarded by the initiating requisition officer to the chief of his technical service addressed to the attention of the chief requisition officer, and seven copies thereof will be forwarded to the Legal Branch, Purchases Division.

(c) *Approval of report and statement by chief requisition officer; preparation of requisition, notices of requisition and instructions to serving officer.* The chief requisition officer will, if the proposed requisition is approved by him on behalf of his technical service or service command and if he concurs in the statements and certifications made by the initiating requisition officer in the proposal and statement, designate the initial compensation officer, endorse his approval on the original of the proposal and forward it in the most prompt method available to the Legal Branch, Purchases Division. He will also prepare (1) six copies of a proposed requisition for signature, (2) Notices of requisition in the form of that set forth in § 81.1422, in as many copies as will be required by the serving officer for service, plus four additional, and (3) such instructions to the serving officer, as to the person or persons upon whom the requisition and such notices of requisition should be served, as to any investigation and inquiry to be made by the serving officer to ascertain other persons who may have, or assert, any interest in the property, or otherwise, as may be appropriate in the particular

case and, unless the chief requisition officer has been advised otherwise, will forward the same to the Legal Branch, Purchases Division, in such manner as to be received by it within twenty-four hours after it shall have received the original of the proposal and statement. If negotiable documents of title relating to the property are outstanding and the whereabouts thereof is known such documents should be included in the requisition as a part of the property to be requisitioned.

[SEAL]

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

[F. R. Doc. 43-15248; Filed, September 17, 1943; 2:45 p. m.]

## TITLE 12—BANKS AND BANKING

### Chapter II—Board of Governors of the Federal Reserve System

#### PART 211—BANKING CORPORATIONS AUTHORIZED TO DO FOREIGN BANKING BUSINESS UNDER THE TERMS OF SECTION 25 (A) OF THE FEDERAL RESERVE ACT

##### INVESTMENTS IN THE STOCK OF OTHER CORPORATIONS

On September 14, 1943, the Board of Governors of the Federal Reserve System amended § 211.9 of this part, effective November 1, 1943, to read as follows:

§ 211.9 *Investments in the stock of other corporations.* With the consent of the Board of Governors of the Federal Reserve System first obtained, a corporation may purchase and hold stock, or other certificates of ownership, of any other corporation organized:

(a) Under the provisions of section 25 (a) of the Federal Reserve Act;

(b) Under the laws of any foreign country or a colony or dependency thereof;

(c) Under the laws of any State, dependency, or insular possession of the United States;

*Provided, first,* That such other corporation is not engaged in the general business of buying or selling goods, wares, merchandise, or commodities in the United States; and second, that it is not transacting any business in the United States except such as in the judgment of the Board of Governors of the Federal Reserve System may be incidental to its international or foreign business.

Except with the approval of the Board of Governors of the Federal Reserve System first obtained, no corporation shall invest an amount in excess of 15 percent of its capital and surplus in the stock of any corporation engaged in the business of banking, or an amount in excess of 10 percent of its capital and surplus in the stock of any other kind of corporation.

No corporation shall purchase, own, or hold any stock or certificates of ownership in any other corporation organized under the terms of section 25 (a) of the Federal Reserve Act or under the

laws of any State, which is in substantial competition therewith, or which holds stock or certificates of ownership in corporations which are in substantial competition with the purchasing Corporation.

(Sec. 11 (i), 38 Stat. 262, 41 Stat. 378, 41 Stat. 1145, 42 Stat. 28, sec. 329, 49 Stat. 717; 12 U.S.C. 248 (i), 12 U.S.C. 611-631 and Sup.)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,  
S. R. CARPENTER,  
Assistant Secretary.

[F. R. Doc. 43-15269; Filed, September 18, 1943; 10:50 a. m.]

**TITLE 14—CIVIL AVIATION**

**Chapter I—Civil Aeronautics Board**

[Regulations, Serial No. 286]

**PART 251—OPERATING AGREEMENTS**

**AGREEMENTS BETWEEN AIR CARRIERS AND FOREIGN COUNTRIES**

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 11th day of September, 1943.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 407 (a), and 1102 thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective October 11, 1943, section 251.2 of the Economic Regulations is hereby amended in its entirety to read as follows:

§ 251.2 *Agreements between air carriers and foreign countries*—(a) *Filing required.* Every air carrier shall file with the Board true and complete evidence, as hereinafter specified, of each agreement in any way affecting or involving operating rights and in force on the effective date of this regulation or thereafter issued or entered into as between such air carrier, or any officer or representative thereof, and any foreign country or political subdivision thereof, or any department, agency, officer, or representative of such country or subdivision. For the purposes of this regulation, the term "agreement" means and includes any permit, concession, franchise, contract, understanding, or arrangement, and also any amendment, modification, renewal, rescission or revocation of any thereof.

(b) *Evidence of agreement.* The evidence of such agreement shall be as follows:

- (1) If written in English, three copies thereof;
- (2) If written in a foreign language, three copies and three translations thereof;
- (3) If oral, three copies of a descriptive memorandum thereof; or
- (4) If evidenced by correspondence only, three copies of such correspondence and, if such correspondence, in

whole or in part, is written in a foreign language, three translations of the part that is so written.

In any case where translations are required, the copies to be filed shall be copies of official translations if official translations have been made.

(c) *Form.* Evidence of agreements filed hereunder shall meet, insofar as possible, the requirements set forth in section 285.3 of the Economic Regulations as to verification and formal specifications of papers.

(d) *Time of filing.* Such evidence shall be filed within 60 days after such agreement has been issued or entered into, except that agreements which have been issued or entered into prior to the effective date of this regulation shall be filed within 60 days after such effective date.

(52 Stat. 1000, 1026; 49 U.S.C. 487, 672)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 43-16351; Filed, September 20, 1943; 11:00 a. m.]

**TITLE 31—MONEY AND FINANCE:  
TREASURY**

**Chapter I—Monetary Offices**

**PART 135—GENERAL LICENSES UNDER REGULATIONS OF THE GOVERNOR OF HAWAII RELATING TO SECURITIES**

**REVOCATION OF GENERAL LICENSE**

SEPTEMBER 7, 1943.

Revocation of General License No. HS-2 issued under regulations relating to securities, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

In view of the amendment of the regulations relating to securities on September 2, 1943, § 135.2 *General License No. HS-2* is hereby revoked.

[SEAL] INGRAM M. STAINBACK,  
Governor of Hawaii.

[F. R. Doc. 43-16312; Filed, September 18, 1943; 2:42 p. m.]

**PART 135—GENERAL LICENSES UNDER REGULATIONS OF THE GOVERNOR OF HAWAII RELATING TO SECURITIES**

**REVOCATION OF GENERAL LICENSE**

SEPTEMBER 7, 1943.

Revocation of General License No. HS-4 issued regulations relating to securities, as amended, under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

In view of the amendment of the regulations relating to securities on Sep-

tember 2, 1943, § 135.4 *General License No. HS-4* is hereby revoked.

INGRAM M. STAINBACK,  
Governor of Hawaii.

[F. R. Doc. 43-15313; Filed, September 18, 1943; 2:42 p. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter VIII—Office of Economic Warfare**

**Subchapter B—Export Control**

[Amdt. 103]

**PART 802—GENERAL LICENSES**

**MISCELLANEOUS AMENDMENTS**

Part 802 *General Licenses* is hereby amended in the following particulars:

Paragraph (a) of § 802.3 *General license country groups* is hereby amended to read as follows:

§ 802.3 *General license country groups.* (a) The following general license country groups are hereby designated:

**Group G**

Aldabra Islands (Seychelles Islands)  
Amirante Islands (Seychelles Islands)  
Anguilla (Leeward Islands)  
Antigua Island (Leeward Islands)  
Aruba (Curacao)  
Ascension Island (St. Helena Island)  
Ashanti (British West Africa)  
Australia, Commonwealth of  
Bahama Islands (Br. West Indies)  
Baluchistan (India)  
Barbados Island (Br. West Indies)  
Barbuda Island (Leeward Islands)  
Belgian Congo  
Bermuda Islands  
Bhutan (India)  
Blismarch Archipelago (New Guinea)  
Bonaire (Curacao)  
British East Africa (including Kenya, Uganda, Nyasaland, Zanzibar and Tanganyika Mandated Territory)  
British Gulana  
British Honduras  
British New Guinea or Papua (New Guinea)  
British Oceania (British Pacific Islands)  
British Pacific Islands (including Br. Solomon Islands, Fiji Islands, Gilbert and Ellice Islands, New Hebrides Islands, Pitcairn Island, and Togo or Friendly Islands)  
British Solomon Islands (British Pacific Islands)  
British Togoland (Br. West Africa)  
British Virgin Islands (Leeward Islands)  
British West Africa (including Gambia, Gold Coast with Togoland under Br. Mandate, Nigeria with Cameroons under Br. Mandate, and Sierra Leone)  
Burma  
Caiques Islands (Jamaica)  
Cameroons under Br. Mandate (British West Africa)  
Cayman Islands (Jamaica)  
Ceylon (including Maldives Islands)  
Chagos Island (Mauritius)  
Clipperton Island (French Oceania)  
Commonwealth of Australia  
Cook Islands (New Zealand)  
Curacao (including the Islands of Aruba, Bonaire, Saba, St. Eustache, and St. Martin (Southern Part)  
Diego Garcia Island (Mauritius)  
Dominica Island (Leeward Islands)  
Dominion of New Zealand (include Cook Island and Western Samoa Mandated Territory)  
Dutch Gulana (Surinam)  
England

Falkland Islands (including South Georgia, South Orkney, South Sandwich, South Shetland Is.)  
 Farquhar Islands (Seychelles Is.)  
 Fiji Islands (Br. Pacific Islands)  
 Friendly or Tonga Islands (British Pacific Islands)  
 Gambia (British West Africa)  
 Gamber Island (French Oceania)  
 Gibraltar  
 Gilbert and Ellice Islands (British Pacific Islands)  
 Gold Coast, including Ashanti and Togoland under Br. Mandate (British West Africa)  
 Gough Islands (St. Helena Island)  
 Great Britain (England, Scotland, and Wales)  
 Grenada Island (Windward Islands)  
 Grenadines (Windward Islands)  
 Guiana, British  
 Honduras, British  
 Inaccessible Island (St. Helena Island)  
 India (including Baluchistan, Bhutan, and Nepal)  
 Jamaica (including Caicos, Cayman, and Turks Island)  
 Kenya (British West Africa)  
 Labrador  
 Leeward Islands (including Antigua with Barbuda and Redonda, British Virgin Islands, Dominica, Montserrat, St. Christopher or St. Kitts, and Nevis with Anguilla)  
 Loyalty Islands (French Oceania)  
 Maldiv Islands (Ceylon)  
 Madagascar  
 Mandated Territory of New Guinea (including North East New Guinea, Bismarck Archipelago, and Solomon Islands)  
 Marquesas Islands (French Oceania)  
 Mauritius (including Chagos, Diego Garcia, and Rodriguez Islands)  
 Montserrat Island (Leeward Islands)  
 Nepal (India)  
 Netherlands Guiana  
 Netherlands West Indies  
 Nevis Island (Leeward Islands)  
 New Caledonia (including Loyalty Islands and Wallis Archipelago (French Oceania)  
 Newfoundland  
 New Guinea (including Papua or Br. New Guinea and Mandated Territory of New Guinea)  
 New Hebrides (British and French Condominium)  
 New Zealand, Dominion of (including Cook Island and Western Samoa Mandated Territory)  
 Nigeria (British West Africa)  
 Nightingale Island (St. Helena Is.)  
 Northern Ireland (Great Britain)  
 Northern Rhodesia  
 Nyasaland (British East Africa)  
 Oceania, British (Br. Pacific Islands)  
 Papua (British New Guinea)  
 Pitcairn Island (Br. Pacific Islands)  
 Ralatea Island (French Oceania)  
 Rapa Island (French Oceania)  
 Redonda Island (Leeward Islands)  
 Reunion  
 Rodriguez Island (Mauritius)  
 Russia  
 St. Christopher or St. Kitts and Nevis Islands (Leeward Islands)  
 St. Eustache (Curacao)  
 St. Helena Island (including Ascension, Gough, Inaccessible, Nightingale, and Tristan da Cunha Island)  
 St. Kitts (Leeward Islands)  
 St. Lucia Island (Windward Islands)  
 St. Martin (part) (Curacao)  
 St. Vincent (Windward Islands)  
 Saba (Curacao)  
 Samoa Western Mandated Territory (New Zealand)  
 Sandwich Islands (Falkland Islands)  
 Santa Cruz Islands (Br. Solomon Islands)  
 Scotland (Great Britain)  
 Seychelles Islands (including Amirantes, Aldabra, and Farquhar Island)  
 Sierra Leone (British West Africa)

Society Islands (French Oceania)  
 Solomon Islands (Br. Pacific Is.)  
 Solomon Islands, Mandated Territory of New Guinea (Australian)  
 Sombrero Island (Leeward Islands)  
 South Africa, Union of (include South West Africa Mandated Territory)  
 South Georgia Islands (Falkland Islands)  
 South Orkney Islands (Falkland Is.)  
 South Sandwich Islands (Falkland Islands)  
 South Shetland Islands (Falkland Is.)  
 Southern Rhodesia  
 South West Africa Mandated Territory (Union of South Africa)  
 Surinam  
 Tahiti (French Oceania)  
 Tanganyika Mandated Territory (British East Africa)  
 Tasmania (Australia)  
 Tobago and Trinidad (British W. Africa)  
 Togoland under British Mandate (British West Africa)  
 Tonga or Friendly Islands (Br. Pacific Is.)  
 Trinidad and Tobago (Br. West Africa)  
 Tristan da Cunha Island (St. Helena Is.)  
 Tuamotu (French Oceania)  
 Tubuai (French Oceania)  
 Turks Island (Jamaica)  
 Uganda (British East Africa)  
 Union of Soviet Socialist Republics  
 United Kingdom of Great Britain and Northern Ireland  
 Wallis Archipelago (French Oceania)  
 Western Samoa Mandated Territory (New Zealand)  
 Windward Islands (including Grenada, Grenadines, St. Lucia, and St. Vincent)  
 Zanzibar (British East Africa)

## GROUP K

Afghanistan  
 China (Free)  
 Cozumel Island (Mexico)  
 Cuba  
 Desrude (French West Indies)  
 French Guiana  
 French West Indies (including Desrude, Les Saintes, Martinique, Marie Galante, St. Martin (Northern Part), St. Bartholomew, and Guadeloupe)  
 Greenland  
 Guadeloupe (French West Indies)  
 Iceland  
 Les Saintes (French West Indies)  
 Liberia  
 Marie Galante (French West Indies)  
 Martinique (French West Indies)  
 Mexico  
 Miquelon & St. Pierre  
 Revilla Island (Mexico)  
 St. Bartholomew (French West Indies)  
 St. Martin (French West Indies)  
 St. Pierre and Miquelon  
 (Until October 1, 1943 Group K shall also include Surinam (Netherlands Guiana), and Curacao (including the Islands of Aruba, Bonaire, Saba, St. Eustache, and St. Martin (southern part)).

## GROUP M

Aden  
 Anglo-Egyptian Sudan  
 Arabia (Saudi)  
 Bahrain Islands  
 British Somaliland<sup>1</sup>  
 Cyprus  
 Egypt  
 Eritrea  
 Ethiopia  
 French Somaliland (French Somali Coast)  
 Iran  
 Iraq  
 Italian Somaliland  
 Kamaran Island (Aden)  
 Katar (Qatar)  
 Khorya-Morya Island (Aden)  
 Kuwait  
 Lebanon (Syria)

<sup>1</sup> Formerly listed as part Saudi Arabia.

Libya  
 Malta  
 Perim Island (Aden)  
 Qatar  
 Saudi Arabia  
 Sokotra Island (Aden)  
 Sudan, Anglo-Egyptian  
 Syria  
 Trans-Jordan and Palestine  
 Trucial Oman (Trucial Coast)  
 Yemen

## GROUP V

Argentina  
 Bay Island (Honduras)  
 Bolivia  
 Brazil  
 Chile  
 Colombia  
 Costa Rica  
 Cozumel Island (Mexico)  
 Cuba  
 Dominican Republic  
 Easter Island (Chile)  
 Ecuador  
 El Salvador  
 Fernando Noronha Island (Brazil)  
 Galapagos Islands (Ecuador)  
 Guatemala  
 Haiti  
 Honduras  
 Juan Fernandez Island (Chile)  
 Mexico  
 Nicaragua  
 Panama  
 Paraguay  
 Peru  
 St. Paul Island (Brazil)  
 Sala-y-Gomez Island (Chile)  
 San Ambrosio Island (Chile)  
 San Felix Island (Chile)  
 Tortue Island (Haiti)  
 Trinidad Island (Brazil)  
 Uruguay  
 Venezuela

Section 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended in the following particulars.

1. Paragraph (a) is hereby amended in the following particulars:

a. By inserting in the third line thereof after the letter "K," the words "Group G and Group V,".

b. By adding to the Schedule B numbers appearing directly opposite the commodity "Cerium, metal, salts, and compounds" listed therein, the number "8389.98" and by adding to the Schedule B number appearing directly opposite the commodity "Ergot" listed therein, the numbers "8124.98, 8127.98".

c. And by adding to the list of commodities and Schedule B numbers set forth therein the following:

Commodity:	Schedule B No.
Coal tar colors, dyes, stains and color lakes.....	8050.00
Silver salts and compounds.....	8124.08,
	8135.98, 8142.00, 8160.98, 8308.00

3. Paragraph (c) is hereby amended by deleting from lines two, three, four, and five the words "destinations in general license country group C as set forth in § 802.3 (a) of this subchapter" and inserting in lieu thereof the word "Ice-land".

Section 802.14 *Metal drums and containers* is hereby amended in the following particulars:

1. Paragraph (a) is hereby amended by deleting from lines three and four thereof the words "except Union of Soviet Socialist Republics".

2. Paragraph (b) is hereby amended by deleting the names of the countries Great Britain and Northern Ireland, Newfoundland and Greenland.

3. Paragraph (c) is hereby deleted.

4. Paragraph (d) is hereby designated as paragraph (c) and amended by deleting the names of the countries Great Britain and Northern Ireland, Newfoundland and Greenland.

5. Paragraph (e) is designated (d) and is hereby amended to read as follows:

(d) General licenses are hereby granted authorizing the exportation to any destination included in Country Group K, Group G, and Group V of metal drums and containers regardless of capacity when filled with any commodity the exportation of which to any said destination has been authorized pursuant to general license.

Section 802.19 *Return of empty containers to foreign country* is hereby amended by deleting from lines three and four the words "except Union of Soviet Socialist Republics in" and inserting in lieu thereof the words "Country Group V, Country Group G, and".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 8 F.R. 8529; E.O. 9361, 8 F.R. 9861 and Order No. 1, 8 F.R. 9938)

Dated: Sept. 17, 1943.

HECTOR LAZO,  
Assistant Director in Charge,  
Office of Exports.

[F. R. Doc. 43-15264; Filed, September 18, 1943; 10:01 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 16, 1943, 8 F.R. 6727.

### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Amdt. 4 to CMP Reg. 1, as Amended]

#### REGULATIONS FOR A CONTROLLED MATERIALS PRODUCER

Section 3175.1 (CMP Regulation No. 1) is hereby amended as follows:

(1) By striking "A delivery" from paragraph (s) (4) and inserting "An authorized controlled material".

(2) By striking paragraph (s) (6).

(3) By striking paragraph (t) (3) and inserting the following:

(3) A controlled materials producer must reject any new order for any controlled material unless he is permitted to fill it under this paragraph. A controlled materials producer shall not deliver any controlled material except to fill:

(i) An authorized controlled material order;

(ii) A sample order. A sample order must be supported by the purchaser's

certificate that he will use the material solely for testing purposes in connection with war production. On orders for steel (except stainless steel, tool steel and steel castings) the purchaser must also certify that the total amount received and on order for delivery within any calendar quarter does not exceed 1,000 pounds of any composition nor a total of 3,000 pounds of all compositions. On orders for other controlled materials (including stainless steel, tool steel and steel castings) the aggregate amount of any item delivered by any producer to any one purchaser in any one month shall not exceed 1% of the minimum mill quantity prescribed with respect to such item in Schedule IV of this regulation;

(iii) An order which he is required to fill by any written direction of the War Production Board.

If a controlled materials producer takes controlled materials which he has produced and processes them into a form other than a controlled materials form, such processing shall be considered a delivery for the purposes of this paragraph (t). In addition, if a controlled materials producer takes aluminum produced by him and processes it into certain other forms of controlled material as provided in Direction No. 8 under this regulation, such processing shall also be considered a delivery for the purposes of this paragraph (t).

(4) By striking the following from Schedule III:

**NOTE:** Delivery orders may be placed in advance of receiving allotments, and converted into authorized controlled material orders on receipt of allotments, as provided in paragraph (s) (6) of CMP Regulation No. 1.

Issued this 17th day of September 1943.

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

[F. R. Doc. 43-15263; Filed, September 17, 1943; 4:51 p. m.]

### PART 1114—TIRE RETREADING, RECAPPING AND REPAIR EQUIPMENT

[General Limitation Order L-61, as Amended Sept. 18, 1943]

The fulfillment of requirements for the national defense has created a shortage in the supply of certain critical materials used in the manufacture of retreading, recapping and repair equipment for the national defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1114.1 *General Limitation Order L-61*—(a) *Definitions.* For the purpose of this order:

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

(2) "Retreading, recapping or repair equipment" means any mechanical device used in connection with applying uncured rubber (in the form of camelback, patching rubber or otherwise) to

rubber casings or innertubes for the purpose of renewing or repairing a rubber casing or innertube. The term includes, but is not limited to; full circle molds, full circle matrices, holders, tables, steam chambers, kettle curing devices, curing rings, curing bands, pressure plates, spacer rings, curing rims, sectional molds, sectional matrices, tire and tube repair and spot equipment, tire spreaders, tire buffers, mechanical stitchers, mechanical rollers, regroovers. It does not include, however, small tools such as knives, hand rollers, hand stitchers, jacks, shears, and other miscellaneous shop tools and supplies.

(3) "Delivery" means any physical delivery of any item of retreading, recapping or repair equipment, or parts of such equipment to other persons.

(b) *Restrictions on production.* (1) No person shall manufacture any new retreading, recapping or repair equipment or parts or such equipment except to fill orders authorized by the War Production Board or as permitted by paragraph (e) of this order.

(2) On and after October 1, 1943, no person shall fabricate component parts for, or assemble them in the manufacture of any new full circle and sectional molds, matrices, curing tables, curing rings, steam chambers or kettle curing devices to fill orders which have been authorized before October 1, 1943, under the provisions of this order. Any manufacturer who has unfilled orders, authorized on Form WPB 2521 (Form PD-840) before October 1, 1943, for any items of new equipment enumerated above, may apply for special authorization by the War Production Board to continue his production by filing a list of his unfilled orders on Form WPB 3149. The orders which may be filled on and after October 1, 1943, will be authorized on the form which will be returned to the manufacturer.

(c) *Restrictions on delivery.* No person shall deliver or accept delivery of any new retreading, recapping or repair equipment, or parts of such equipment except as permitted by paragraph (e) or as specifically authorized by the War Production Board in accordance with paragraph (d) of this order, upon application of the purchaser.

(d) *Procedure for securing authorization.* Each person seeking to acquire new retreading, recapping or repair equipment or parts of such equipment shall apply on Form PD-840 for an authorization in writing on Form PD-840 by the War Production Board, which shall constitute permission to deliver and to accept delivery of any such equipment specifically authorized therein.

Preference ratings assigned to deliveries of retreading, recapping or repair equipment on Form PD-840 shall be applied in accordance with Priorities Regulation 3, as amended from time to time. In addition to the certification required by said regulation, each person authorized to accept delivery of such equipment

pursuant to this paragraph (d) shall endorse his purchase order or contract therefor: "PD-840, Serial No. \_\_\_\_\_," inserting in the blank his serial number of PD-840. The use of such endorsement shall constitute a representation to the supplier and to the War Production Board that the delivery of the retreading, recapping or repair equipment was specifically authorized on Form PD-840 in accordance with the provisions of this order.

(e) *Repair parts and certain items of equipment.* The restrictions of paragraphs (b) and (c) of this order shall not apply to the production, assembly, delivery or acceptance of delivery of:

(1) Parts to be used for the maintenance or repair of existing retreading, recapping or repair equipment, or to repair or maintain an item of retreading, recapping or repair equipment delivered in accordance with the provisions of this order.

(2) Any single item of new retreading, recapping or repair equipment having a retail value of \$85 or less, except curing bands, full circle and sectional matrices.

(3) New retreading, recapping or repair equipment in fulfillment of orders authorized in accordance with the provisions of General Limitation Order L-61, prior to April 29, 1943.

*Provided*, That defective repair and maintenance parts containing aluminum shall be disposed of in accordance with the provisions of Supplementary Order M-1-d, as amended from time to time: *And provided, further*, That no person shall produce or acquire any equipment or parts pursuant to this paragraph (e) except in quantities sufficient to maintain minimum practicable working inventories of such equipment or parts.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except to the extent that the provisions of this order may be inconsistent with Priorities Regulation 3, in which case the provisions of this order shall govern.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Office of Rubber Director, Washington 25, D. C., Ref.: L-61.

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

and may be deprived of priorities assistance.

(5) *Records.* Each manufacturer or distributor of new retreading, recapping and repair equipment affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales of such equipment.

Issued this 18th day of September 1943.

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

[F. R. Doc. 43-15303; Filed, September 18, 1943; 12:13 p. m.]

PART 1166—APPAREL FOR FEMININE WEAR  
[Interpretation 1 to Schedule III to General Limitation Order L-85]

The following interpretation is issued with respect to Schedule III to General Limitation Order L-85:

Using size 16 as an example, no coat or jacket may be made between 25 inches and 33 inches in length.

A coat, or a topper or reefer (a coat not shorter than 33 inches for any size, according to paragraph (a) (3)) may not exceed a 43-inch length, according to paragraph (e) (1). A jacket may not exceed a 25-inch length, according to paragraph (e) (2). Any outer garment shorter than 33 inches, usually worn over other outer apparel, would be a jacket, and would, accordingly, be subject to the jacket restrictions.

This interpretation does not affect the general exceptions from the provisions of General Limitation Order L-85 relating, for example, to official uniforms, apparel for persons with physical deformities, etc.

Issued this 18th day of September 1943.

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

[F. R. Doc. 43-15304; Filed, September 18, 1943; 12:13 p. m.]

PART 3014—ARMORED CABLE  
[Revocation of Limitation Order L-165]

It is ordered, That Limitation Order L-165 (§ 3014.1) be and it hereby is revoked effective September 18, 1943.

Issued this 18th day of September 1943.

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

[F. R. Doc. 43-15309; Filed, September 18, 1943; 12:18 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN  
[Direction 11 as Amended Sept. 18, 1943 to CMP Regulation 5]

SAFETY EQUIPMENT PURCHASED BY EMPLOYEES

The following amended direction is issued pursuant to CMP Regulation 5:

(a) CMP Regulation No. 5 (§ 3175.5) permits an employer to buy safety equipment for his employees only where the equipment will belong to the employer and will be checked

out to the employee or where the safety equipment will be resold by the employer to his employee. Where the employer is unwilling or unable to use one of these two methods, the employee is not permitted to use a preference rating under the regulation, since he is not in business. This direction is issued to provide a way for employees themselves to get safety equipment on their employer's ratings using the same procedure by which they may get hand tools under Direction No. 9 to CMP Regulation No. 5.

(b) The employee of any person producing any product or conducting any business listed on Schedule I or Schedule II of CMP Regulation No. 5 may use the preference rating assigned by the regulation to his employer to purchase safety equipment which he requires for use exclusively in his employer's business and which his employer requires him to furnish. The procedure which he should follow is the same as that used under Direction No. 9 to CMP Regulation No. 5 in purchasing hand tools.

(c) The rating will be valid only if the employee gives the seller of the safety equipment the certificate provided for in Direction No. 9 to CMP Regulation No. 5; changing the words "hand tool" and "tool" to "item of safety equipment", or the following certificate, which may also be used to buy hand tools, instead of the certificate in Direction No. 9, filled out and signed by his employer and then signed by himself:

"Preference rating ----- MRO. The following item ----- (specify rating)

----- (only one tool or item of safety equipment may be placed on each certificate; specify type and size of tool, or give item of safety equipment) is required by the undersigned employer for use only in the undersigned employer's business, and the undersigned employer requires the employee to furnish the item. The undersigned employer further certifies that he does not own or possess any similar item which will serve the same purpose.

-----  
Name and Address of employer

-----  
Authorized signature

-----  
Signature of employee

-----  
Position"

(d) The supplier who sells the safety equipment must keep the certificate for two years. He may extend the rating in the manner provided in Priorities Regulation No. 3.

(e) The cost of safety equipment bought by an employee by use of the preference rating must be included by the employer in computing the quantity restrictions of paragraph (f) of the regulation, but the employer may not include the cost of safety equipment bought by employees during the base period for the purpose of computing his quota under paragraph (f) of the regulation.

(f) The term "safety equipment" as used in this direction means the following items when they are specifically designed and used to furnish protection against specific occupational hazards (other than weather):

- (1) Asbestos clothing,
- (2) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves,
- (3) Metal mesh gloves, aprons and sleeves,
- (4) Other safety leather gloves or mittens, but only if steel stitched or steel reinforced,
- (5) Plastic and fibre safety helmets,
- (6) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives,
- (7) Safety industrial leather clothing other than shoes, gloves or mittens,

- (8) Safety industrial rubber gloves and hoods and linemens' rubber gloves and sleeves,
- (9) Gas masks and canisters,
- (10) Respirators,
- (11) Face and eye shields,
- (12) Welding helmets and shields,
- (13) Goggles.
- (14) Foot and shin guards (not including safety shoes),
- (15) Safety belts and harnesses, and
- (16) Protective creams.

(g) The following example is given to show how an employee may use his employer's rating to purchase safety equipment. Suppose that a shipyard requires certain employees to have a welding shield. The employee himself is not entitled to use a preference rating assigned by the regulation because he is not in business. The employee finds that he cannot buy the welding shield without a preference rating. Shipyards are in Schedule I of CMP Regulation No. 5 and consequently may use preference rating AA-1. Under this direction the employer may fill out the certification, putting down the preference rating "AA-1" and listing the item "welding shield." The proper official of the employer signs the certificate and gives it to the employee. The employee then signs the certificate and gives it to the seller of the welding shield.

Issued this 18th day of September 1943.

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

[F. R. Doc. 43-15305; Filed, September 18, 1943; 12:14 p. m.]

PART 3176—VALVES AND VALVE PARTS

[Limitation Order L-252, as Amended Sept. 18, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3176.1 *Limitation Order L-252*—(a) *Definitions.* Wherever used in this order:

- (1) "Producer" means any person who manufactures valves and valve parts.
- (2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".
- (3) "Valve parts" means parts for valves as defined above.
- (4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the War Production Board, no producer shall after May 1, 1943, put into process or cause to be put into

process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the Appendix attached to and a part of this order, or for the manufacture of:

- (1) Valves
  - (i) The bodies or bonnets of which were cast or forged before May 1, 1943;
  - (ii) For use as part of the equipment of aircraft or watercraft other than pleasure craft; or

(iii) For the conduction of liquid or gas having chemical or physical properties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the War Production Board:

- (1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and
- (2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L-42.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable priorities regulations.

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made

by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. 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.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, 25 D. C., Ref.: L-252.

Issued this 18th day of September 1943.

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

APPENDIX

Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These specifications do not purport to contain any recommendations regarding the most efficient or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L-252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Iron valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1

[All size ranges are inclusive]

Primary <sup>1</sup> pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
25	40		4 to 72	4 to 72							
	100		4 to 72	4 to 72							
125	150 to 250	2 to 6	2 to 72	2 to 72	2 to 4	2 to 10	2 to 4	3 to 6	2 to 6	2 to 24	4 to 24
150	250	1½ to 3	1 to 3		1½ to 3	1 to 3	1½ to 3		1½ to 3		
250	300	2 to 4	2 to 24		2 to 4	2 to 6			2 to 4	2 to 12	
300	350	1½ to 3	1 to 3		1½ to 3	1 to 3			1½ to 3		
	400	2 to 6	3 to 12							3 to 12	

<sup>1</sup> The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers practice frequently reduce the pressure ratings as size increases and may not always rate valves for both steam and water.

<sup>2</sup> In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2  
(Sizes in inches)

1/4	4	24
3/8	5	30
1/2	6	36
3/4	8	42
1	10	48
1 1/4	12	54
1 1/2	14	60
2	16	66
2 1/2	18	72
3	20	

2. General requirements for iron valves.

(a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP-2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Petroleum Institute standard #5-G-1 and American Standards Association standard B-16.10 for the pressure classes and types which these standards cover.

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

- Non-metallic disc.
- Iron or carbon steel.
- Brass or bronze.
- Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

- Non-metallic disc.
- Iron or carbon steel.
- Brass or bronze.
- Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel.

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal, either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All extension stems, couplings and gear housings shall be of ferrous metal.

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

3. Iron gate valves. (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class. Discs for non-rising stem valves may be

provided with brass or bronze bushing for stem thread.

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves.

(d) Facking gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel.

(f) For valve 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

4. Iron globe, angle, and cross valves. (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided.

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured.

5. Iron check valves. (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, or malleable iron.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronzed bushed.

PART 2

Brass or bronze gate, globe, angle, cross, and check valves and valve parts

1. Standard size schedule: Brass or bronze valves. (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1  
[All size ranges are inclusive]

Primary pressure classifications in lbs. per sq. in. <sup>1</sup>	Sizes <sup>2</sup> screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
100 Steam.....	1/2 to 2	-----	3/8 to 2
125 Steam.....	3/8 to 2	-----	1/4 to 2
150 Steam.....	1/2 to 2	1 to 2	1/4 to 2
200 Steam.....	3/8 to 2	1 to 2	1/4 to 2
300 Steam.....	1/2 to 2	1 to 2	1/4 to 2
Hydraulic 1000 & Higher.....	1/2 to 2	-----	1/4 to 1 1/2

<sup>1</sup> The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

<sup>2</sup> Only globe and angle valves may be made in the 1/2" size.

<sup>3</sup> These valves are rated 150#.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2  
(Sizes in inches)

1/4	1/2	1 1/4
3/4	3/4	1 1/2
1	1	2

2. General requirements for brass or bronze valves. (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing on end connecting flanges is prohibited.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be used in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

- Non-metallic disc.
- Brass or bronze.
- Chrome iron.
- Nickel alloy.

(f) Union bonnet rings and union rings for valve ends shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(g) Stuffing box packing nuts shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#-SP-2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#-SP-2.

(Depending upon rated pressure of the valve.)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade A or American Society for Testing Materials B-62 or EA-B62 brass or bronze for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200#. Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade B or American Society for Testing Materials B-61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze."

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service.

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18-8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature, or both.

1. Standard size schedule: Steel valves. (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1  
(All size ranges are inclusive)

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150.....	2 to 4	2 to 24	-----	2 to 4	2 to 8	-----	-----	-----	-----	2 to 4	2 to 8	-----
300.....	2 to 4	2 to 24	-----	2 to 4	2 to 12	-----	-----	2 to 8	-----	2 to 4	2 to 12	-----
600.....	1/2 to 2	1/2 to 24	1/2 to 24	3/8 to 2	3/8 to 14	3/8 to 14	1/2 to 2	3/8 to 14	1/2 to 14	1/2 to 2	1/2 to 14	1/2 to 14
900.....	-----	3 to 18	8 to 18	-----	3 to 14	3 to 14	-----	3 to 14	3 to 14	-----	3 to 14	3 to 14
1500.....	1/2 to 2	1 1/2 to 14	1/2 to 14	1/2 to 2	1 1/2 to 14	1/2 to 14	1/2 to 2	1 1/2 to 14	1/2 to 14	-----	3 to 14	3 to 14

(b) Detail of permitted sizes.

TABLE 2  
(Sizes in inches)

1/8	2	10
1/4	2 1/2	12
3/8	3	14
1/2	4	16
3/4	5	18
1	6	20
1 1/4	8	24
1 1/2	-----	-----

2. General requirements for steel valves.

(a) Valves covered by items 3, 4, and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, and with American Standards Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5-G-1 and American Standards Association B16.10 for the types covered by these standards except as modified by the specifications contained in paragraph 4 of part 3 of this appendix.

NOTE: Paragraph (2) (b) of appendix, part 3, amended August 16, 1943.

(c) Discs of valves 5" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 24" diameter and smaller shall be malleable iron, or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Cross valves shall not be manufactured.

3. 150 lb. Pressure class: Steel valves. (a) End flange faces shall have American Standards Association 1/16" raised face.

(b) Bodies and bonnets shall be carbon steel.

(c) Seating materials shall be any of the following:

- Carbon steel.
- Brass or bronze.
- 12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze.

(f) Bonnet bolting shall be either carbon steel or manganese steels of the SAE 1300 Series.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. 300 lb. Pressure class: Steel valves. (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme

corrosion or temperature conditions they may be 4% to 6% chrome, 1/2% molybdenum.

(c) The seating materials shall be any of the following:

- Same material as body.
- Brass or bronze.
- 12% chrome iron.
- Nickel copper alloy.
- Hard facing.

(d) Stems shall be any of the following:

- Brass or bronze.
- 12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

5. 600 lb., 900 lb. & 1500 lb. Pressure classes. Steel valves. (For 600 lb. and 1500 lb. general purpose valves, see paragraph 6)

(a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or 1/4" American Standards Association large male face.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions in which case they may be 4% to 6% chrome, 1/2% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be any of the following:

- Same material as body.
- Stainless (See definition in note under heading of Part 3).
- Nickel copper alloy.
- Hard facing.

(d) Stems shall be the following:

- Stainless (See definition in note under heading of Part 3).

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperature over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

6. General purpose steel valves: 600 lb. & 1500 lb.—2x and smaller. (a) End connections shall be:

1. Flanged American Standards Association standard with 1/4" large male face.
2. Screwed end.

3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards Association steel flange diameter, drilling, and/or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, 1/2% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

- Same material as body.
- Brass or bronze.
- Stainless. (See definition in note under heading of Part 3.)
- Nickel copper alloy.
- Hard facing.

[F. R. Doc. 43-15310; Filed, September 18, 1943; 12:13 p. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, as Amended Sept. 18, 1943]

For the purpose of facilitating the acquisition of materials for maintenance, repair, operating supplies and certain other requirements of transportation systems in the public interest and to promote the national defense, preference ratings are hereby assigned to deliveries of such materials upon the following terms:

§ 3216.1 Preference Rating Order P-142—(a) Definitions. For the purpose of this order:

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

(2) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(3) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation No. 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (g) (1) hereof; such person shall con-

tinue to operate under the provisions of CMP Regulation No. 5 and all other applicable regulations.

(4) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(5) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation No. 1, as amended from time to time.

(6) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary

(i) To keep the unit usable for the purpose intended in its existing design.

(ii) To restore parts of the unit to their original usefulness, or

(iii) To renew parts to restore the unit to its usefulness for the purpose intended in its existing design.

The term does not include the use of material for "heavy repair of locomotives" or "heavy repair of railroad cars" as those terms are defined hereinafter; except that the following may be deemed maintenance and repair: modernization of locomotives when the cost of labor and material per locomotive does not exceed \$500, and the new installation on railroad cars of truck snubbers, bottom rod guards and break beam safety devices.

(7) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith, but not including those items shown in List A of CMP Regulation No. 5, as amended from time to time. In addition there may be included as operating supplies minor items of productive capital equipment not exceeding \$500 per unit (excluding cost of labor).

(8) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(9) "Heavy repair of locomotives" means any of the following:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair);

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(10) "Heavy repair of railroad cars" means either of the following:

(i) Program repair for any group of cars, or, if the operator does not so program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

(b) *Preference ratings.* (1) Subject to the restrictions of this order, the following procedure is established for the assignment of preference ratings to orders to be placed by an operator after April 5, 1943, for material other than controlled materials for a use authorized by paragraph (d) hereof, except that preference ratings for Class A products for which an allotment is required will be assigned at the time the allotment is made:

(i) The War Production Board may assign in writing specific preference ratings to deliveries of specific materials essential for emergency repairs, upon application made pursuant to paragraph (g) (2) hereof;

(ii) The War Production Board may specifically assign in writing preference ratings to deliveries of materials, in the quantities, for the periods, and on the terms and conditions specified in the copy of Form WPB-2585 (formerly Form PD-844) returned to the operator, upon application made pursuant to paragraph (g) (3) hereof.

(2) *Certification.* The ratings assigned in accordance with paragraph (b) (1) of this order, and the CMP allotment symbol T-7 assigned by paragraph (c) (1), may be applied by an operator only by use of a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

*Preference rating—(specify rating); CMP allotment symbol T-7; P-142, serial No. —.*  
The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order; to receive, for transportation MRO under P-142, the item(s) ordered; and to use any preference rating or allotment symbol which the undersigned has placed on this order.

The certifications specified in Priorities Regulation No. 3 and CMP Regulation No. 5 may not be used. However, instead of the certification specified above, a certification in the form provided in CMP Regulation No. 7 may be used, but the operator must include the following identifications: "Preference rating"—(specify rating); CMP allotment symbol T-7; P-142, serial no. —."

(3) The ratings applied in accordance with paragraph (b) (2) hereof may be extended in the manner provided in Priorities Regulation No. 3, subject, however, to the restrictions contained in CMP Regulation No. 3.

(4) An order for material, other than controlled material, bearing a rating applied or extended in accordance with this paragraph (b) and the CMP allotment symbol T-7 shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such symbol shall

constitute an "allotment number or symbol" for the purpose of CMP Regulation No. 3.

(c) *Controlled materials.* (1) The CMP allotment symbol T-7 is hereby assigned (instead of the symbol MRO-P-142) to orders to be placed by an operator for controlled material, except aluminum, for a use authorized by paragraph (d) of this order, and in amounts authorized pursuant to application made upon Form WPB-2585 (formerly Form PD-844) in accordance with paragraph (g) (3).

(2) An order for controlled material, except aluminum, for a use authorized by paragraph (d), bearing the CMP allotment symbol T-7 and the certification required in paragraph (b) (2), shall constitute an authorized controlled material order.

(3) Aluminum for delivery after April 5, 1943, required by an operator for any purpose authorized by this order, may be obtained only upon specific application to the War Production Board, pursuant to paragraph (g) (2) hereof.

(d) *Restrictions on use of material.* (1) No operator shall use any material (including controlled materials, Class A products, Class B products, and other products and materials) acquired under the provisions of paragraph (b) or (c) of this order, nor make withdrawals of any material from inventory, except for the following purposes:

(i) Maintenance, repair and operating supplies;

(ii) Heavy repair of locomotives;

(iii) Heavy repair of railroad cars;

(iv) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice; or

(v) For any other use when specifically authorized in writing by the War Production Board.

(2) No operator shall make withdrawals of any material from inventory for construction except to the extent specifically permitted by Conservation Order L-41, as amended from time to time; *Provided*, That any new materials (in excess of \$500 for any one project) so used from inventory shall be replaced only pursuant to the provisions of an approved order in the P-19 series.

(e) *Conservation of materials.* (1) Every operator shall, whenever possible, use conservation measures such as substitution, redesign and respecification to eliminate scarce materials normally used; and shall plan his operation, maintenance and repair schedules in accordance with the relative urgency and national need for transportation, subject to the provisions of this order. The War Production Board may from time to time issue supplementary orders or schedules requiring the elimination or diminution of the use of any material with or without the substitution of other materials, and may specify the use to which specific types of materials can be put.

(f) *Inventory control.* Notwithstanding any provision of this order, and unless

otherwise specifically authorized in writing by the War Production Board, no operator shall accept delivery of any item of material (except fuel) if his storehouse inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into a use authorized by this order during the succeeding 60-day period. Nothing in this paragraph (f) shall be deemed to prevent any operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. Shipment of material from the storehouse in advance of its actual need shall be deemed contrary to the intent of this paragraph.

(g) *Procedure*—(1) No operator shall be entitled to any assistance under the provisions of this order until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation No. 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an operator under all the provisions of this Order P-142.

NOTE: Paragraph (1) amended Sept. 18, 1943.

(2) An operator, in order to secure authorization or exemption under paragraphs (b) (1) (i), (c) (3), (d) (1) (v), (f) or (h) (2) hereof, must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify such operator in writing whether, and to what extent, his application is approved.

(3) An operator, in order to secure authorization for delivery of material under paragraphs (b) (1) (ii) and (c) (1) hereof, must forward to the War Production Board, 60 days prior to the beginning of each calendar quarter, an application on Form WPB-2585 (formerly Form PD-844) filled out in accordance with instructions thereon, and in accordance with any supplemental instructions covering all or any one or more operators, or specific classes of operators, under the provisions of this Order P-142. A supplemental application on Form WPB-2585 (formerly Form PD-844) may be filed as the need arises. The War Production Board will in each case return such Form, notifying the operator whether, and to what extent, his application is approved.

(h) *Resale of materials*. (1) An operator may resell material (whether or not obtained with the assistance of this order):

(i) To any other operator,  
(ii) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the

operator's own property: *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order.

(iii) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries, or

(iv) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads.

and any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation No. 13: *Provided*, That nothing in this paragraph (h) (1) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(2) In addition, an operator may resell such material when specifically authorized in writing by the War Production Board.

(i) *Appeal*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Records, audits and reports*. Each operator shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each operator shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board shall from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(l) *Applicability of regulations*. (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (3) of this order, and no such operator

shall obtain any material under the provisions of either of those regulations.

NOTE: Paragraph (2) amended Sept. 18, 1943.

(m) (Deleted Sept. 18, 1943.)

(n) *Communications*. All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C.; Ref.: P-142.

Issued this 18th day of September 1943.

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

[F. R. Doc. 43-15398; Filed, September 18, 1943; 12:14 p. m.]

#### PART 3224—PIPE FITTINGS: SIMPLIFICATION

[General Limitation Order L-278, as Amended Sept. 18, 1943]

##### STEEL PIPE FITTINGS

The fulfillment of requirements for the defense of the United States has created a shortage of steel used in the manufacture of steel pipe fittings for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3224.1 *General Limitation Order L-278*—(a) *Definitions*. For the purpose of this order:

(1) "Producer" means any person who manufactures pipe fittings.

(2) "Manufacture" means to fabricate, assemble, produce, process, machine or alter materials by physical or chemical means, or to cause the doing of those acts.

(3) "Pipe fitting" means any pipe fitting made of carbon or alloy steel, inclusive of flanged fittings, flanges, threaded fittings, butt welding fittings, socket welding fittings, and screwed, socket welding and flange unions. The term shall not include:

(i) Pipe fittings for use on aircraft or watercraft, other than pleasure craft;

(ii) Pipe fittings for installation, in any system for the conduction of a liquid or gas having chemical or physical properties which produce corrosion or any other condition to such an extent as to render hazardous the use of pipe fittings specified in the appendix hereto;

NOTE: Paragraph (1), (ii) amended Sept. 18, 1943.

(iii) Pipe fittings the design of which is peculiar to their requirements for use in such implements of war as are combat end-products complete for tactical operations and prescribed for field or combat use by the Army or Navy of the United States (including, but not limited to, aircraft, ammunition, armament and weapons, ships, tanks and vehicles);

(iv) Pipe fittings for replacement of used, defective or exhausted pipe fittings which cannot be repaired or reconditioned, and which cannot be replaced with pipe fittings specified in the appendix hereto;

NOTE: Paragraph (iv) amended Sept. 18, 1943.

(v) Blind, tapped, slip-on welding, socket welding, or welding neck flanges of greater than 24-inch pipe size;

(vi) Spiral pipe standard flanges;  
 (vii) Swaged (or swage) nipples and bull plugs;  
 (viii) Orifice unions;  
 (ix) Commercial pipe nipples and wrought couplings;  
 (x) Electrical conduit fittings;  
 (xi) Welding saddles and bosses; welding sleeves; welding fittings of greater than 24-inch pipe size; two piece, 10-gauge butt welding fittings; butt welding forty-five degree (45°) laterals; butt welding fittings with integral ring construction, provided they conform otherwise to the provisions of part 3 of the appendix hereto; or  
 (xii) Pipe fittings commonly referred to as "specialties", including, but not limited to, refrigeration, oil field and automotive specialties and those especially designed for attachment to internal combustion engines.

(b) *Restrictions.* (1) No producer shall manufacture after July 1, 1943 any pipe fittings which do not conform to the types, sizes and specifications contained and prescribed in the appendix hereto.

(2) No producer shall manufacture after July 1, 1943 any of the following pipe fittings:

(i) Union fittings (this term does not include unions);

(ii) Butt welding crosses;

(iii) Return bends of any type other than butt welding; or

(iv) Eccentric fittings and flanges, except where specifically prescribed in the appendix hereto.

(3) No producer shall sell or make delivery of, nor shall any person knowingly purchase or accept delivery of, any pipe fittings manufactured in violation of this order.

(c) *Exemptions.* (1) The provisions of this order shall not apply to the manufacture, sale or delivery of pipe fittings which were cast, forged or shaped on or before July 1, 1943.

(2) The War Production Board may from time to time authorize in writing exceptions to or exemptions from the provisions of subparagraph (b) (1) hereof.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable regulations of the War Production Board.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. 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.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed be addressed

to: War Production Board, Shipbuilding Division, Washington, D. C., Ref: L-278.

Issued this 18th day of September 1943.

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

APPENDIX—SPECIFICATIONS FOR STEEL PIPE FITTINGS

The following specifications govern the manufacture of steel pipe fittings. These specifications do not purport to contain any recommendations regarding the most efficient or safe use of any pipe fittings covered herein.

Certain of the terms used in this appendix are defined in the body of this order, L-278. In addition, certain exceptions are made and certain obligations imposed by the order upon producers and others. You should therefore

be thoroughly familiar with the body of the order before reading this appendix.

PART 1—STEEL PIPE FLANGES AND FLANGED FITTINGS

1. *Standard size schedule.* (a) The following table covers detailed lists of pipe sizes (in inches) which are permitted within the size ranges given in paragraphs (b) and (c) below:

1/2	2 1/2	10
3/4	3	12
1	4	14
1 1/4	5	16
1 1/2	6	18
2	8	20
		24

(b) Straight sizes of flanged fittings shall be made in the following pressure classes, types and pipe sizes only:

[All sizes are inclusive]

Primary pressure classification (pounds per square inch)	90° Short radius elbow (inches)	90° Long radius elbow (inches)	90° Base elbow (inches)	45° Elbow (inches)	Tee (Standard sweep) (inches)	Cross (inches)	45° Lateral (inches)
150	1 to 24	2 to 12	4 to 12	1 to 12	1 to 24	2 to 8	2 to 8
300	1 to 12	2 to 12	4 to 12	1 1/2 to 12	1 to 12	1 1/2 to 8	1 1/2 to 8
600	1/2 to 12			1 1/2 to 4	1/2 to 12	1 1/2 to 4	1 1/2 to 4
900	3 to 8				3 to 8		
1,500	1 1/2 to 8				1 1/2 to 8		

(c) Straight sizes of flanges shall be made in the following pressure classes, types and pipe sizes only.

[All sizes are inclusive]

Primary pressure classification (pounds per square inch)	Screwed (inches)	Blind (inches)	Lapped (inches)	Slip-on and socket welding (inches)	Welding neck (inches)
150	1/2 to 16	1/2 to 24	1/2 to 24	1/2 to 24	1/2 to 24
300	1/2 to 12	1/2 to 24	1/2 to 24	1/2 to 24	1/2 to 24
600	1/2 to 12	1/2 to 24	1/2 to 24	1/2 to 24	1/2 to 24
900	3 to 8	3 to 24	3 to 24	3 to 24	3 to 24
1,500	1/2 to 8	1/2 to 24	1/2 to 24	1/2 to 24	1/2 to 24

(d) Reducing sizes of flanged fittings shall be made in the following primary pressure classes, types and pipe sizes only as indicated by "X":

Pipe size <sup>1</sup> (inches)	90° elbow (short radius)			Tee (standard sweep)			Taper reducer (concentric)		
	150	300	600	150	300	600	150	300	600
2 x 1 1/2	X	X		X	X		X	X	
2 1/2 x 2	X	X		X	X		X	X	
3 x 1 1/2	X	X		X	X		X	X	
3 x 2	X	X		X	X		X	X	
3 x 2 1/2	X	X		X	X		X	X	
3 x 3	X	X		X	X		X	X	
3 x 3 1/2	X	X		X	X		X	X	
3 x 4	X	X		X	X		X	X	
3 x 4 1/2	X	X		X	X		X	X	
3 x 5	X	X		X	X		X	X	
3 x 5 1/2	X	X		X	X		X	X	
3 x 6	X	X		X	X		X	X	
3 x 6 1/2	X	X		X	X		X	X	
3 x 7	X	X		X	X		X	X	
3 x 7 1/2	X	X		X	X		X	X	
3 x 8	X	X		X	X		X	X	
3 x 8 1/2	X	X		X	X		X	X	
3 x 9	X	X		X	X		X	X	
3 x 9 1/2	X	X		X	X		X	X	
3 x 10	X	X		X	X		X	X	
3 x 10 1/2	X	X		X	X		X	X	
3 x 11	X	X		X	X		X	X	
3 x 11 1/2	X	X		X	X		X	X	
3 x 12	X	X		X	X		X	X	
3 x 12 1/2	X	X		X	X		X	X	
3 x 13	X	X		X	X		X	X	
3 x 13 1/2	X	X		X	X		X	X	
3 x 14	X	X		X	X		X	X	
3 x 14 1/2	X	X		X	X		X	X	
3 x 15	X	X		X	X		X	X	
3 x 15 1/2	X	X		X	X		X	X	
3 x 16	X	X		X	X		X	X	
3 x 16 1/2	X	X		X	X		X	X	
3 x 17	X	X		X	X		X	X	
3 x 17 1/2	X	X		X	X		X	X	
3 x 18	X	X		X	X		X	X	
3 x 18 1/2	X	X		X	X		X	X	
3 x 19	X	X		X	X		X	X	
3 x 19 1/2	X	X		X	X		X	X	
3 x 20	X	X		X	X		X	X	
3 x 20 1/2	X	X		X	X		X	X	
3 x 21	X	X		X	X		X	X	
3 x 21 1/2	X	X		X	X		X	X	
3 x 22	X	X		X	X		X	X	
3 x 22 1/2	X	X		X	X		X	X	
3 x 23	X	X		X	X		X	X	
3 x 23 1/2	X	X		X	X		X	X	
3 x 24	X	X		X	X		X	X	
3 x 24 1/2	X	X		X	X		X	X	
3 x 25	X	X		X	X		X	X	
3 x 25 1/2	X	X		X	X		X	X	
3 x 26	X	X		X	X		X	X	
3 x 26 1/2	X	X		X	X		X	X	
3 x 27	X	X		X	X		X	X	
3 x 27 1/2	X	X		X	X		X	X	
3 x 28	X	X		X	X		X	X	
3 x 28 1/2	X	X		X	X		X	X	
3 x 29	X	X		X	X		X	X	
3 x 29 1/2	X	X		X	X		X	X	
3 x 30	X	X		X	X		X	X	
3 x 30 1/2	X	X		X	X		X	X	
3 x 31	X	X		X	X		X	X	
3 x 31 1/2	X	X		X	X		X	X	
3 x 32	X	X		X	X		X	X	
3 x 32 1/2	X	X		X	X		X	X	
3 x 33	X	X		X	X		X	X	
3 x 33 1/2	X	X		X	X		X	X	
3 x 34	X	X		X	X		X	X	
3 x 34 1/2	X	X		X	X		X	X	
3 x 35	X	X		X	X		X	X	
3 x 35 1/2	X	X		X	X		X	X	
3 x 36	X	X		X	X		X	X	
3 x 36 1/2	X	X		X	X		X	X	
3 x 37	X	X		X	X		X	X	
3 x 37 1/2	X	X		X	X		X	X	
3 x 38	X	X		X	X		X	X	
3 x 38 1/2	X	X		X	X		X	X	
3 x 39	X	X		X	X		X	X	
3 x 39 1/2	X	X		X	X		X	X	
3 x 40	X	X		X	X		X	X	
3 x 40 1/2	X	X		X	X		X	X	
3 x 41	X	X		X	X		X	X	
3 x 41 1/2	X	X		X	X		X	X	
3 x 42	X	X		X	X		X	X	
3 x 42 1/2	X	X		X	X		X	X	
3 x 43	X	X		X	X		X	X	
3 x 43 1/2	X	X		X	X		X	X	
3 x 44	X	X		X	X		X	X	
3 x 44 1/2	X	X		X	X		X	X	
3 x 45	X	X		X	X		X	X	
3 x 45 1/2	X	X		X	X		X	X	
3 x 46	X	X		X	X		X	X	
3 x 46 1/2	X	X		X	X		X	X	
3 x 47	X	X		X	X		X	X	
3 x 47 1/2	X	X		X	X		X	X	
3 x 48	X	X		X	X		X	X	
3 x 48 1/2	X	X		X	X		X	X	
3 x 49	X	X		X	X		X	X	
3 x 49 1/2	X	X		X	X		X	X	
3 x 50	X	X		X	X		X	X	
3 x 50 1/2	X	X		X	X		X	X	
3 x 51	X	X		X	X		X	X	
3 x 51 1/2	X	X		X	X		X	X	
3 x 52	X	X		X	X		X	X	
3 x 52 1/2	X	X		X	X		X	X	
3 x 53	X	X		X	X		X	X	
3 x 53 1/2	X	X		X	X		X	X	
3 x 54	X	X		X	X		X	X	
3 x 54 1/2	X	X		X	X		X	X	
3 x 55	X	X		X	X		X	X	
3 x 55 1/2	X	X		X	X		X	X	
3 x 56	X	X		X	X		X	X	
3 x 56 1/2	X	X		X	X		X	X	
3 x 57	X	X		X	X		X	X	
3 x 57 1/2	X	X		X	X		X	X	
3 x 58	X	X		X	X		X	X	
3 x 58 1/2	X	X		X	X		X	X	
3 x 59	X	X		X	X		X	X	
3 x 59 1/2	X	X		X	X		X	X	
3 x 60	X	X		X	X		X	X	
3 x 60 1/2	X	X		X	X		X	X	
3 x 61	X	X		X	X		X	X	
3 x 61 1/2	X	X		X	X		X	X	
3 x 62	X	X		X	X		X	X	
3 x 62 1/2	X	X		X	X		X	X	
3 x 63	X	X		X	X		X	X	
3 x 63 1/2	X	X		X	X		X	X	
3 x 64	X	X		X	X		X	X	
3 x 64 1/2	X	X		X	X		X	X	
3 x 65	X	X		X	X		X	X	
3 x 65 1/2	X	X		X	X		X	X	
3 x 66	X	X		X	X		X	X	
3 x 66 1/2	X	X		X	X		X	X	
3 x 67	X	X		X	X		X	X	
3 x 67 1/2	X	X		X	X		X	X	
3 x 68	X	X		X	X		X	X	
3 x 68 1/2	X	X		X	X		X	X	
3 x 69	X	X		X	X		X	X	
3 x 69 1/2	X	X		X	X		X	X	
3 x 70	X	X		X	X		X	X	
3 x 70 1/2	X	X		X	X		X	X	
3 x 71	X	X		X	X		X	X	
3 x 71 1/2	X	X		X	X		X	X	
3 x 72	X	X		X	X		X	X	
3 x 72 1/2	X	X		X	X		X	X	
3 x 73	X	X		X	X		X	X	
3 x 73 1/2	X	X		X	X		X	X	
3 x 74	X	X		X	X		X	X	
3 x 74 1/2	X	X	</						

(c) Cast steel flanged fittings or cast steel pipe flanges shall be of cast carbon steel.

(d) Forged steel flanges shall be of carbon steel conforming to American Society for Testing Materials A-181.

4. 300-lb. pressure class. (a) Pipe flange and end flange faces shall have American Standard 1/16" raised face or American Petroleum Institute or American Standards Association octagonal ring joint groove, providing groove is cut from basic flange thickness.

(b) Cast steel flanged fittings or cast steel pipe flanges shall be of cast carbon steel except that flanged fittings and welding neck and blind flanges when required to resist corrosion or temperature conditions may be 4 per cent to 6 per cent chrome, 1/2 per cent molybdenum steel.

(c) Forged steel flanges shall be carbon steel conforming to American Society for Testing Materials A-181.

5. 600-, 900-, and 1500-lb. pressure classes. (a) End flanges on fittings shall have American Standard 1/4 inch large male face or American Standard or American Petroleum Institute octagonal ring joint groove.

(b) Pipe flanges shall have American Standard 1/4-inch large male or 3/16-inch large female face or American Standard or American Petroleum Institute octagonal ring joint groove.

(c) Cast steel flanged fittings and cast steel pipe flanges shall be of carbon steel, or of carbon molybdenum steel, except when required to resist corrosion or temperature conditions, they may be of 4 to 6 per cent chrome, 1/2 per cent molybdenum.

(d) Forged steel pipe flanges shall be carbon steel conforming to American Society for Testing Materials A-105, or carbon molybdenum steel, except when required to resist corrosion conditions, they may be of 4 to 6 per cent chrome, 1/2 per cent molybdenum.

6. Exceptions. Steel pipe flanges and flanged fittings for primary pressure ratings higher than 1500 pounds per square inch or for temperature above 1000° Fahrenheit, or below minus 50° Fahrenheit are permitted without regard to these specifications.

PART 2—STEEL SCREWED PIPE FITTINGS

1. Standard size schedule. (a) The following table covers detailed list of pipe sizes (in inches) which are permitted within the size ranges given in paragraph (b) below:

1/8	1	3
1/4	1 1/4	4
3/8	1 1/2	5
1/2	2	6
3/4	2 1/2	8

(b) Straight sizes of steel screwed pipe fittings shall be made in the following pressure classes, types, and pipe sizes only:

Primary pressure classification (lbs. per square inch) <sup>1</sup>	60° Elbow (inches)	60° Street elbow (inches)	45° Elbow (inches)	Tee (inches)	Cross (inches)	45° Lateral (inches)	Cap (inches)	Coupling (inches)	Plug (inches)
1,000	2 1/4 to 8		2 1/4 to 6	2 1/4 to 8					
2,000	1 1/2 to 4		1 1/2 to 4	1 1/2 to 4	1 1/2 to 4				
3,000	1 1/2 to 6	1 1/2 to 2	1 1/2 to 4	1 1/2 to 6	1 1/2 to 4	1 1/2 to 2	1 1/2 to 4	1 1/2 to 4	
6,000	1 1/2 to 3	1 1/2 to 1 1/2	1 1/2 to 3	1 1/2 to 3	1 1/2 to 3	1 1/2 to 1 1/2	1 1/2 to 4	1 1/2 to 3	1 1/2 to 4

(All sizes are inclusive)

<sup>1</sup>The primary pressure classification designates a class of fittings on the basis of non-check water, oil, and gas pressure ratings at a temperature approximating 165° Fahrenheit, and in no way regulates the pressure at which these fittings may be rated for other fluids and temperatures, but restricts the classes to those mentioned.

(c) Reducing sizes of steel screwed fittings shall be made in the following primary pressure classes, types, and pipe sizes only (as indicated by "X"):

Pipe size <sup>1</sup> (inches)	60° elbow			Tee			Reducer (concentric)		Hexagon bushing (concentric)	Face bushing
	2,000	3,000	6,000	2,000	3,000	6,000	3,000	6,000	6,000	6,000
1/8 x 1/8										
1/8 x 1/4										
1/8 x 1/2										
1/8 x 3/4										
1/8 x 1										
1/8 x 1 1/4										
1/8 x 1 1/2										
1/8 x 2										
1/8 x 2 1/2										
1/8 x 3										
1/8 x 4										
1/8 x 6										
1/8 x 8										
1/4 x 1/4										
1/4 x 1/2										
1/4 x 3/4										
1/4 x 1										
1/4 x 1 1/4										
1/4 x 1 1/2										
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1/4 x 3										
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1/4 x 6										
1/4 x 8										
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3/8 x 3/4										
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3/8 x 1 1/4										
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3/8 x 3										
3/8 x 4										
3/8 x 6										
3/8 x 8										
1/2 x 1/2										
1/2 x 3/4										
1/2 x 1										
1/2 x 1 1/4										
1/2 x 1 1/2										
1/2 x 2										
1/2 x 2 1/2										
1/2 x 3										
1/2 x 4										
1/2 x 6										
1/2 x 8										
3/4 x 3/4										
3/4 x 1										
3/4 x 1 1/4										
3/4 x 1 1/2										
3/4 x 2										
3/4 x 2 1/2										
3/4 x 3										
3/4 x 4										
3/4 x 6										
3/4 x 8										
1 x 1										
1 x 1 1/4										
1 x 1 1/2										
1 x 2										
1 x 2 1/2										
1 x 3										
1 x 4										
1 x 6										
1 x 8										
1 1/4 x 1 1/4										
1 1/4 x 1 1/2										
1 1/4 x 2										
1 1/4 x 2 1/2										
1 1/4 x 3										
1 1/4 x 4										
1 1/4 x 6										
1 1/4 x 8										
1 1/2 x 1 1/2										
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1 1/2 x 4										
1 1/2 x 6										
1 1/2 x 8										
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3 x 6										
3 x 8										
4 x 4										
4 x 4 1/2										
4 x 6										
4 x 8										
6 x 6										
6 x 8										
8 x 8										
8 x 10										

<sup>1</sup> Where two dimensions are given for tees, it indicates both run openings of the same size (the larger or first dimension given).

2. *Materials.* (a) Fittings in the 1000 pound primary pressure classification shall be made of carbon steel, except when required to resist corrosion or temperature conditions they may be 4 percent to 6 percent chrome, ½ percent molybdenum.

(b) Fittings in the 2000, 3000 and 6000 pound primary pressure classifications shall be carbon or carbon molybdenum steel, except when required to resist corrosion or temperature conditions they may be 4 percent to 6 percent chrome, ½ percent molybdenum.

3. *Exceptions.* Steel screwed pipe fittings for primary ratings higher than 6000 pounds per square inch, or for temperature above 1000° Fahrenheit or below minus 50° Fahrenheit, are permitted without regard to these specifications.

PART 3—STEEL BUTT WELDING PIPE FITTINGS

1. *Schedule of standard sizes and wall thicknesses.* (a) The following table covers pipe sizes (in inches) and nominal wall thicknesses (in inches) which are permitted within the size ranges given in paragraph (b) below. The thickness specified is the thickness at the end of the pipe fitting which corresponds to the thickness of the pipe to which it is to be attached.

Pipe size (inches)	A Stand- ard weight (inches)	B Extra strong <sup>1</sup> (inches)	C Double extra strong (inches)	D Sched- ule 160 (inches)	E Light gauge (inches)
½	0.109				
¾	.113	0.154			
1	.133	.179	0.358		
1¼	.140	.191	.382		
1½	.145	.200	.400		
2	.164	.218	.436		
2½	.203	.276	.552		
3	.216	.300	.600		0.120
4	.237	.337	.674		.134
5	.258	.375	.750		.134
6	.280	.432	.864		.134
8	.322	.500		0.509	.165
10	.365	.500		1.125	.172
12	.376	.500		1.312	.183
14	.376	.500		1.406	
16	.376	.500			
18	.376	.500			
20	.376	.500			
24	.376	.500			

<sup>1</sup> A (standard weight) includes Schedule 20 in sizes 20' and 24'—Schedule 30 in sizes 14' and 16'—Schedule 40 in sizes 1½' through 10'.

<sup>2</sup> B (extra strong) includes Schedule 60 in size 10'—Schedule 80 in sizes ¾' through 8'.

(b) Straight sizes of butt welding pipe fittings shall be made in the following types and size ranges only. (Refer to paragraph 1 (a) for the thicknesses.)

[All sizes are inclusive]

Wall thickness	90° Elbows (inches)	45° Elbows (inches)	180° Return bends (inches)	Caps (inches)	Tees (inches)	Stub Ends (inches)	60° Shaped nipples (inches)
A (Standard weight)	½ to 24	½ to 24	½ to 24	½ to 24	1 to 24	1½ to 24	2 to 12
B (Extra strong)	1 to 24	1 to 24	1 to 24	3 to 24	1 to 24	1½ to 24	2 to 12
C (Double extra strong)	1 to 6	1 to 6	2 to 6	3 to 6	2½ to 6		
D (Schedule 160)	8 to 14	8 to 14	8 to 14		8 to 12		
E (Light gauge)	3 to 12	3 to 12	3 to 12				

(c) Reducing sizes of butt welding pipe fittings shall be made in the following types and sizes only (as indicated by "X"):

Pipe sizes <sup>1</sup> (inches)	90° Elbows		Tees				Reducers					
	Stand- ard weight	Extra strong	Stand- ard weight	Extra strong	Double extra strong	Sched- ule 160	Concentric			Eccentric		
							Stand- ard weight	Extra strong	Double extra strong	Stand- ard weight	Extra strong	
1¼ x ¾			X				X	X				
1½ x ¾				X			X	X				
1½ x 1			X				X	X				
1½ x 1¼			X				X	X				
2 x 1	X	X	X				X	X		X		
2 x 1¼	X	X	X				X	X		X		
2 x 1½	X	X	X				X	X		X		X
2½ x 1¼	X	X	X				X	X		X		
2½ x 1½	X	X	X				X	X		X		X
2½ x 2	X	X	X		X		X	X	X	X		X
3 x 1½	X	X	X				X	X		X		X
3 x 2	X	X	X				X	X		X		X
3 x 2½	X	X	X		X		X	X	X	X		X
4 x 2	X	X	X				X	X		X		X
4 x 2½	X	X	X				X	X		X		X
4 x 3	X	X	X		X		X	X	X	X		X
5 x 2½	X	X	X				X	X		X		X
5 x 3	X	X	X				X	X		X		X
5 x 4	X	X	X		X		X	X	X	X		X
6 x 3	X	X	X				X	X		X		X
6 x 4	X	X	X		X		X	X	X	X		X
6 x 5	X	X	X				X	X		X		X
8 x 4	X	X	X				X	X		X		X
8 x 5	X	X	X				X	X		X		X
8 x 6	X	X	X				X	X		X		X
10 x 6	X	X	X			X	X	X		X		X
10 x 8	X	X	X				X	X		X		X
12 x 6	X	X	X				X	X		X		X
12 x 8	X	X	X				X	X		X		X
12 x 10	X	X	X			X	X	X		X		X
14 x 8	X	X	X				X	X		X		X
14 x 10	X	X	X				X	X		X		X
14 x 12	X	X	X				X	X	X	X		X
16 x 10	X	X	X				X	X		X		X
16 x 12	X	X	X				X	X		X		X
16 x 14	X	X	X				X	X	X	X		X
18 x 12	X	X	X				X	X		X		X
18 x 14	X	X	X				X	X		X		X
18 x 16	X	X	X				X	X		X		X
20 x 14	X	X	X				X	X		X		X
20 x 16	X	X	X				X	X		X		X
20 x 18	X	X	X				X	X		X		X
24 x 16	X	X	X				X	X		X		X
24 x 18	X	X	X				X	X		X		X
24 x 20	X	X	X				X	X		X		X

<sup>1</sup> Where two dimensions are given for tees, it indicates both run openings of the same size (the larger for first dimension given).

2. *Bevel.* (a) All sizes of pipe fittings shall be beveled in accordance with American Standards Association Standard B 16.9 except light gauge pipe fittings shown in Column E paragraph 1 (a) which shall be furnished with square cut ends.

3. *Material.* (a) Groups A and E paragraph 1 (a) shall be manufactured in carbon steel only, and groups B, C, D in carbon or carbon molybdenum steel except when required for high temperature or corrosion resistance when they may be made of 4 to 6 percent chrome, ½ percent molybdenum steel.

(b) Grades WPA or WPB American Society for Testing Materials A234 can be furnished at manufacturer's option and buyer does not have privilege of specifying by grade.

4. *Exceptions.* Steel butt welding pipe fittings for temperature above 1000° Fahrenheit or below minus 50° Fahrenheit are permitted without regard to these specifications.

PART 4—STEEL, SCREWED, SOCKET WELDING, AND FLANGE UNIONS

1. *Standard size schedule.* (a) The following table covers detailed list of pipe sizes (in inches) which are permitted within the size ranges given in paragraph (b) below:

1/8	3/4	2
1/4	1	2 1/2
3/8	1 1/4	3
1/2	1 1/2	

(b) Steel screwed, socket welding and flange unions shall be made in the following pressure classes, types, and pipe sizes only:

[All size ranges are inclusive]

	Primary pressure classification <sup>1</sup> (pounds per square inch)			
	1,000 (inches)	2,000 (inches)	3,000 (inches)	6,000 (inches)
Screwed unions—ground joint:				
Female—steel to brass seats.....		1/8 to 3		
Female—brass to brass seats.....		1/8 to 3		
Female—steel to steel seats.....	1/4 to 3	1/8 to 3		1/4 to 3
Female—steel to "stainless" seats.....		1/8 to 3		1/4 to 2
Female—"stainless" to "stainless" seats.....		1/8 to 3		
Male and female—steel to brass seats.....		1/4 to 3		
Male and female—steel to steel seats.....		1/4 to 3		
Socket welding unions—ground joint:				
Steel to brass seats.....		1/8 to 3		
Steel to steel seats.....		1/8 to 3		
Flange unions:				
Ground joint—steel to brass seats.....		1/4 to 3		
Ground joint—steel to steel seats.....		1/4 to 2	1/4 to 2 1/2	1/4 to 2
Gasket joint.....	1/4 to 3	1/4 to 3		

<sup>1</sup> The primary pressure classification designates a class of unions on the basis of non-check water, oil and gas pressure ratings at a temperature approximating 100° Fahrenheit, and in no way regulates the pressure at which these unions may be rated for other fluids and temperatures, but restricts the classes to those mentioned.

2. *Screwed and socket welding unions.* (a) Steel thread pieces, swivel or tailpieces, and union ring shall be carbon steel.

(b) "Steel to steel" seat unions shall have integral carbon steel seats, or inserted carbon molybdenum steel seats.

(c) "Steel to brass" and "brass to brass" seat unions shall have brass seats inserted or otherwise attached.

(d) "Steel to stainless" and "stainless to stainless" seat unions shall have stainless steel seats inserted or otherwise attached.

3. *Flange unions.* (a) The two flange halves shall be carbon steel.

(b) Bolts and nuts shall be carbon steel.

(c) Gasket type unions shall have either non-metallic or lead gaskets.

(d) "Steel to steel" seat unions shall have integral seats.

(e) "Steel to brass" seat unions shall have brass seats inserted or otherwise attached.

(f) Flange unions may be oval, square, or round in accordance with manufacturer's standard practice.

4. *General.* (a) Unions shall not be finished on the outside except at manufacturer's option.

5. *Exceptions.* Steel screwed, socket welding and flange unions for primary pressure ratings higher than 6000 pounds per square inch, or for temperature above 1000° Fahrenheit, or below minus 50° Fahrenheit, are permitted without regard to these specifications.

PART 5—STEEL SOCKET WELDING PIPE FITTINGS

1. *Standard size schedule.* (a) The following table covers detailed list of pipe sizes (in inches) which are permitted within the size ranges given in paragraph (b) below:

1/8	3/4	2
1/4	1	2 1/2
3/8	1 1/4	3
1/2	1 1/2	4

(b) Straight sizes of steel socket welding pipe fittings shall be made in the following pressure classes, types and pipe sizes only:

[All sizes are inclusive]

Primary pressure classification <sup>1</sup> (lbs. per square inch)	90° elbow (inches)	45° elbow (inches)	Tees (inches)	Cross (inches)	45° lateral (inches)	Cap (inches)	Coupling (inches)
2,000.....	1/4 to 4	1/4 to 4	1/4 to 4	1/4 to 4		1/4 to 4	1/4 to 4
3,000.....	1/4 to 4	1/4 to 4	1/4 to 4	1/4 to 4	1/4 to 2	1/4 to 4	1/4 to 4
6,000.....	1/4 to 3	1/4 to 3	1/4 to 3	1/4 to 3	1/4 to 1 1/2	1/4 to 3	1/4 to 3

<sup>1</sup> The primary pressure classification designates a class of fittings on the basis of non-check water, oil, and gas pressure ratings at a temperature approximating 100° Fahrenheit, and in no way regulates the pressure at which these fittings may be rated for other fluids and temperatures, but restricts the classes to those mentioned.

The 2,000, 3,000, and 6,000-lb. classes are intended for use with Standard Weight (Schedule 40), Extra Strong (Schedule 80), and Double Extra Strong Pipe respectively.

(c) Reducing sizes of steel socket welding pipe fittings shall be made in the following primary pressure classes, types, and pipe sizes only (as indicated by "X"):



Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 121, Amdt. 24]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

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

Section 1340.249 (i) is added to read as follows:

Size	Top size description	Bottom size description	Per net ton
Stove.....	2 1/4" but not exceeding 2 3/4".....	1 5/8" but not exceeding 1 3/4".....	\$2.50
Nut.....	1 3/8" but not exceeding 1 3/4".....	1 1/4" but not exceeding 1 1/2".....	6.50
Pea.....	1 3/8" but not exceeding 1 3/4".....	1 1/4" but not exceeding 1 1/2".....	6.50
Buckwheat #1.....	3/4" but not exceeding 5/8".....	3/4" but not exceeding 3/8".....	3.75
Rice (Buckwheat #2).....	5/8" but not exceeding 3/4".....	3/4" but not exceeding 3/8".....	2.75
Screenings.....	3/8".....	0".....	1.25
Run of mine.....	.....	.....	3.05

This amendment shall become effective September 17, 1943.

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

Issued this 17th day of September 1943.

GEORGE J. BURKE,  
Acting Administrator.

[F. R. Doc. 43-15245; Filed, September 17, 1943; 4:25 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Supp. 1 to Rev. Tire Rationing Regulations, Amdt. 2]

TIRE RATIONING

Supplement No. 1 to Revised Tire Rationing Regulations is amended in the following respect:

Section 1315.1851 (f) is added to read as follows:

(f) Whenever a Territorial Director determines that inventories of tires, tubes or camelback are insufficient to meet the needs of the territory or possession, he may issue certificates to dealers authorizing the acquisition of allotments of tires, tubes or camelback.

This amendment shall become effective September 22, 1943.

(Pub. Laws 421 and 729, 77th Cong., 2nd Sess., Jan. 30, 1942, OPM Supp. Order No. M-15-c, WPB Directive No. 1, Supp. Directive No. 1B, 6 F.R. 6792, 7 F.R. 121, 350, 434, 473, 562, 925, 1009, 1026)

Issued this 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15253; Filed, September 17, 1943; 4:41 p. m.]

PART 1341—CANNED AND PRESERVED FOODS [MPR 306, Amdt. 16]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amend-

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

7 F.R. 3237, 3989, 4485, 5941, 6002, 6386, 8587, 8521, 8557, 8938, 8984, 10529; 8 F.R. 1895, 2756, 4179, 5757, 6261, 6959, 6957.

7 F.R. 1027, 1089, 2106, 2167, 2541, 2633.

8 F.R. 1114, 1313, 2921, 3853, 4179, 4633, 4840, 6617.

(i) Maximum prices for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania.

Notwithstanding anything to the contrary contained in this regulation, the following maximum prices and size descriptions are established for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania (also known as Bernice anthracite) f. o. b. railroad cars or trucks at mine for shipment to all destinations and for all uses.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 306 is amended in the following respects:

1. In § 1341.583 (b) (2) (ii) the provision for figs in the table thereof is amended to read as follows:

Raw fruit	State	Maximum cent
Figs, Kadota.....	All states.	\$125.00 per ton.
Figs (except Kadota).....	All states.	1942 cent per ten as required to be computed under MPR 155 plus \$15 per ton.

2. In § 1351.584 (h) (7) the period at the end of the last sentence is changed to a comma and the following words are added:

for tomato catsup packed in all states except Ohio and Indiana, and by 6.9 for tomato catsup packed in Ohio and Indiana.

3. Section 1341.568 is added to read as follows:

§ 1341.568 Discounts and allowances.

(a) Except on sales to Government procurement agencies, sellers of items covered by this regulation for which specific dollars-and-cents maximum prices are named, or whose ceilings are determined by taking a percentage of a specific dollars-and-cents maximum price or who compute their ceiling price for an item under § 1341.557, using as a base a flat dollars-and-cents maximum price, shall reduce such maximum price by the percentage of discount for prompt payment and the percentage of swell allowance

customarily granted by them to each class of purchaser of such items.

(b) Except on sales to Government procurement agencies, maximum prices established by this regulation which are determined in any manner other than those outlined in the preceding paragraph shall be reduced by the discounts and allowances customarily granted by the seller to each purchaser or class of purchasers of such items.

4. Section 1341.586 (a) is amended in the following respects:

a. In the table under (1) thereof Idaho is added in its alphabetical order to the list of states in Region III.

b. In the table under (2) thereof Idaho is added in its alphabetical order to the list of states in Region IV.

c. In the table under (3) thereof Idaho is added in its alphabetical order to the list of states in Region II.

d. In the table under (4) thereof Idaho is added in its alphabetical order to the list of states in Region V.

5. Section 1341.586 (b) is amended in the following respects:

a. In the table under (1) thereof, *Spinach, mustard greens and turnip greens*, Idaho is added in its alphabetical order.

b. In the table under (2) thereof, *Asparagus*, Idaho is added in its alphabetical order to the group of states beginning with Colorado and ending with Wisconsin.

c. In the table under (3) thereof, *Red sour cherries*, Idaho is added in its alphabetical order to the list of states.

6. Section 1341.586 (c) is amended in the following respects:

a. In the table under (1) thereof, *Tomato juice*, Idaho is added in its alphabetical order to the list of states which begins with California and ends with Washington.

b. In the table under (2) thereof Idaho is added in its alphabetical order to the list of states which begins with California and ends with Washington.

c. In the list of states under (4) thereof, Idaho is added in its alphabetical order.

7. Section 1341.586 (d) is amended in the following respects:

a. Idaho is added in its alphabetical order to the lists of states under (1), (2) and (3).

8. Section 1341.584 (e) (1) is amended to read as follows:

(1) Maximum prices per dozen containers, f. o. b. factory, for sales other than to Government procurement agencies for all spinach shall be as follows:

Item No.	Grade	State or area	Container		
			No. 2 can	No. 2 1/2 can	No. 10 can
1.....	A or fancy.....	All.....	\$1.175	\$1.475	\$5.15
2.....	C or standard.....	All.....	1.075	1.35	4.75
3.....	Below standard.....	.....	.625	1.16	4.10

(2) (i) Maximum prices per dozen cans, f. o. b. factory, for sales to Government procurement agencies for spinach packed in the State of Maryland only before September 17, 1943 shall be as follows:

Item No.	Grade	Container size		
		No. 2 can	No. 2½ can	No. 10 can
1. ....	A or Fancy.....	\$1.38	\$1.79	\$6.24
2. ....	O or Standard.....	1.23	1.67	6.66
3. ....	Below Standard.....	1.14	1.47	6.25

(ii) The maximum prices per dozen containers, f. o. b. factory, for sales to Government procurement agencies, except for sales of spinach packed in the State of Maryland only before September 17, 1943, shall be 96% of the maximum prices for sales other than to Government procurement agencies as set forth in paragraph (i) of this section.

This amendment shall become effective September 17, 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 17th day of September 1943.

GEORGE J. BURKE,  
Acting Administrator.

[F. R. Doc. 43-15246; Filed, September 17, 1943; 4:26 p. m.]

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

[MPR 364, Amdt. 5]

**FROZEN FISH AND SEAFOOD**

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

Maximum Price Regulation No. 364 is amended in the following respects:

1. In section 12, after the definition of "Parchment wrapped" and before the definition of "Price per pound" the following definition is inserted:

"Peeled and veined" means shrimp and prawn from which the head, shell, and alimentary canal (sand vein) have been removed.

2. In section 14, the base price per pound for Item No. 5, of Schedule No. 47, whiting (*Merluccius bilinearis*) is amended to read ".16½" instead of ".15¾".

3. In section 14, footnote 2 is added to the name of Schedule No. 53.

4. In section 14, the base price per pound for Item No. 1 of Schedule No. 53, scallops (*Pecten* species) is amended to read ".35½" instead of ".38".

5. In section 14, the base price per pound for Item No. 2 of Schedule No. 53, scallops (*Pecten* species) is amended to read ".51" instead of ".55".

6. Footnote 1 following the table of prices in section 14 is amended to read as follows:

\*The maximum prices listed for this seafood apply only when packed in containers

of more than one pound to and including 10 pounds. When packed in containers of one pound or less, 1¼ cents per pound may be added to the listed prices.

7. Footnote 2 is added at the end of the table of prices in section 14 to read as follows:

\*When scallops are frozen in scallop bags, deduct 2 cents per pound from the listed prices.

This amendment shall become effective September 23, 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 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15247; Filed, September 17, 1943; 4:26 p. m.]

**PART 1367—FERTILIZERS**

[MPR 470]

**PROCESS TANKAGE, SEWAGE SLUDGE, CASTOR POMACE AND CASTOR CAKE**

In the judgment of the Price Administrator, it is necessary and proper to establish specific maximum prices for the sales of process tankage, sewage sludge, castor pomace and castor cake. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

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

§ 1367.153 *Maximum prices for process tankage, sewage sludge, castor pomace and castor cake.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 470 (Process tankage, sewage sludge, castor pomace and castor cake) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1367.153 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

**MAXIMUM PRICE REGULATION 470—PROCESS TANKAGE, SEWAGE SLUDGE, CASTOR POMACE AND CASTOR CAKE**

**ARTICLE I—SCOPE OF THE REGULATION**

Sec.

1. Prices higher than ceiling prohibited.
2. What products, transactions and persons are covered.

**ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE**

3. Maximum f. o. b. plant prices.

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

**ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES**

Sec.

4. Adjustable pricing.
5. Applications for adjustment or petitions for amendment.
6. Prohibited practices.
7. Records.
8. Enforcement.
9. Imports.
10. Relation to other regulations.

**Article I—Scope of the Regulation**

**SECTION 1. Prices higher than ceiling prohibited.** (a) On and after September 23, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive, in the course of trade or business, process tankage and sewage sludge in bulk and castor pomace and castor cake in bags at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

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

**Sec. 2. What products, transactions and persons are covered.** This regulation covers sales by producers, selling agents and jobbers of process tankage in bulk, produced at Norfolk, Virginia, Carrollville, Wisconsin, Endicott, New York, Carteret, New Jersey and Chemical, Illinois, sales of dried activated sewage sludge in bulk produced at Milwaukee, Wisconsin, Chicago, Illinois and Houston, Texas and sales of castor pomace in bags and unground castor cake in bags produced in any of the states except the Rocky Mountain and Pacific Coast States. This regulation does not apply to sales in any of the territories and possessions.

**Article II—Maximum Prices and Terms of Sale**

**Sec. 3. Maximum f. o. b. plant prices.** The maximum f. o. b. plant prices for process tankage, sewage sludge, castor pomace and castor cake shall be:

(a) For process tankage, in bulk:

Production point:	Price per unit of ammonia
Norfolk, Virginia.....	\$3.50
Carrollville, Wisconsin.....	3.20
Endicott, New York.....	3.20
Carteret, New Jersey.....	3.15
Chemical, Illinois.....	3.15

(b) For dried activated sewage sludge, in bulk:

Production point:	Price per unit of ammonia
Milwaukee, Wisconsin.....	\$3.00
Chicago, Illinois.....	2.80
Houston, Texas.....	2.00

In addition to the above, seller may make a charge of \$.40 per unit of available phosphoric acid.

(c) For castor pomace, in bags:

\$2.90 per unit of ammonia

(d) For unground castor cake, in bags:

\$15.50 per ton

**Article III—Specific Duties and Privileges and Prohibited Practices**

**Sec. 4. Adjustable pricing.** Any person may agree to sell at a price which

\* 8 F.R. 4640, 5566, 7592, 11175, 12023.

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

SEC. 5. *Applications for adjustment or petitions for amendment*—(a) *Government contracts*. (1) The term "Government contract" is here used to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States". The term also includes any sub-contract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "Government contract", who believes that the maximum prices established by this regulation impede or threaten to impede production of processed tankage, sewage sludge, castor pomace and castor cake essential to the war program, may file an application for adjustment in accordance with Procedural Regulation No. 6,<sup>1</sup> as amended, by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment*. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>2</sup> issued by the Office of Price Administration.

SEC. 6. *Prohibited practices*. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, serv-

ices, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

SEC. 7. *Records*. All sellers and all buyers of process tankage, sewage sludge, castor pomace and castor cake for sales covered by this regulation, must retain a copy of the invoice covering each transaction, or maintain records in other form containing a complete description of the commodity, name and address of the other party to the transaction, date of sale and the price paid. These records must be retained for two years, for inspection by the Office of Price Administration.

SEC. 8. *Enforcement*. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 9. *Imports*. The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in this regulation if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the General Maximum Price Regulation, and especially the Maximum Import Price Regulation.

SEC. 10. *Relation to other regulations*. Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.<sup>3</sup>

This regulation shall become effective September 23, 1943.

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

Issued this 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15248; Filed, September 17, 1943; 4:19 p. m.]

#### PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended, Corr. to Amdt. 76]

##### MACHINES AND PARTS, AND MACHINERY SERVICES

In § 1390.11 (b) and (c) the phrase "rebuilt or guaranteed" is corrected to read "rebuilt and guaranteed."

This correction shall become effective as of April 10, 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 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15249; Filed, September 17, 1943; 4:25 p. m.]

<sup>1</sup> 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.  
<sup>2</sup> 7 F.R. 5087, 5664; 8 F.R. 6173, 11806.  
<sup>3</sup> 8 F.R. 3096, 3849, 4347, 4485, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9391, 11955.

#### PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMFR, Amdt. 23]

##### EXCEPTIONS FOR FLINT AND GRANITE GRIT AND CRUSHED GRANITE

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 2.3 (s) is amended to read as follows:

(s) Flint and granite grit and crushed granite for poultry feeding.

This amendment shall become effective September 23, 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 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15250; Filed, September 17, 1943; 4:25 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14A, Amdt. 3]

##### MILK AND MILK PRODUCTS

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 1499.73a (a) (1) (vii) (a) (4) (H) is amended by inserting in the Quart, Paper column in the Richmond Price Table the figures 15, 16 and 16, instead of the figures 16, 17 and 17 presently appearing; by inserting in the Pint, Paper column the figure 9, instead of the figure 10 presently appearing; and by inserting in the Half-pint, Paper column the figure 4½, instead of the figure 5½ presently appearing.

This amendment shall become effective September 23, 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 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15251; Filed, September 17, 1943; 4:19 p. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 66, as Amended, Amdt. 6]

##### RETRADED AND RECAPPED RUBBER TIRES AND THE RETREADING AND RECAPPING OF RUBBER TIRES

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.\*

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

<sup>1</sup> 8 F.R. 9335, 9335, 10514.

<sup>2</sup> 8 F.R. 11472.

Revised Price Schedule 66 is amended in the following respects:

1. In § 1315.1215 (b) (2) the title of Table II is amended to read as follows: "Table II—Truck and Bus Type of Tread, When Applying Grade C<sup>1</sup> Camelback or Any Rubber Other Than Grade A<sup>2</sup> Camelback."

2. In § 1315.1215 (b) (2) the ninth column in Table II, which column is headed "Rock Service", is amended to read as set forth below opposite the tire size and ply columns which appear in the table:

Tire size <sup>3</sup>	Ply	Rock service <sup>4</sup>
5.25-5.50-17	6	
6.00-16	6	
6.00-17	6	
6.00-20	6	
6.00-20 (30 x 6)	8	
6.25-16	6	
6.50-16	13	
6.50-17	6	
6.50-20	6	
6.50-20 (32 x 6)	17	
7.00-15	6	
7.00-16	6	
7.00-17	15	
7.00-17	6	
7.00-17	8	
7.00-18	8	
7.00-20	8	
7.00-20 (32 x 6)	10	\$21.40
7.00-24 (36 x 6)	10	21.40
7.50-16	6	
7.50-16	8	
7.50-16	6	
7.50-16	8	
7.50-17	8	
7.50-17	8	
7.50-18	8	
7.50-20	8	
7.50-20 (32 x 6)	10	
7.50-24 (36 x 6)	10	
7.50-16	6	
7.50-16	8	
7.50-16	6	
7.50-16	8	
7.50-17	8	
7.50-17	8	
7.50-18	8	
7.50-20	8	
7.50-20 (34 x 7)	10	28.45
7.50-20 (34 x 7)	12	28.45
7.50-24 (38 x 7)	12	28.45
8.25-16	10	
8.25-16	10	
8.25-18	10	
8.25-20	12	30.40
8.25-20	10	30.40
8.25-22	10	
8.25-24	10	
9.00-13	6	
9.00-15	6	
9.00-18	10	
9.00-20	10	
9.00-20 (36 x 8)	12	36.20
9.00-22	10	36.20
9.00-24	10	
9.00-24 (40 x 8)	12	39.55
10.00-16	12	
10.00-18 (9.75 x 18)	12	
10.00-20 (9.75 x 20)	12	45.85
10.00-20 (38 x 9)	14	45.85
10.00-22 (9.75 x 22)	12	
10.00-24 (42 x 9)	14	49.65
11.00-18	12	
11.00-20 (10.50 x 20)	12	53.80
11.00-20	14	53.80
11.00-22 (10.50-22)	12	
11.00-24 (10.50-24)	12	59.15
12.00-20 (11.25-20)	14	70.55
12.00-20 (44 x 10)	16	70.55
12.00-22 (11.25-22)	14	
12.00-24 (11.25-24)	14	76.55
12.00-24 (44 x 10)	16	76.55
13.00-20 (12.75-20)	16	
13.00-24 (12.75-24)	8	
13.00-24 (12.75-24)	16	87.60
14.00-20 (13.50-20)	16	
14.00-20	18	
14.00-20	20	
14.00-24 (13.50-24)	16	114.20
16.00-20	16	
16.00-20	18	
16.00-20	20	
16.00-24	16	
16.00-24	18	
16.00-24	20	
16.00-24	22	
16.00-24	24	
16.00-24	26	
16.00-24	28	
16.00-24	30	
16.00-24	32	
16.00-24	34	
16.00-24	36	
16.00-24	38	
16.00-24	40	
16.00-24	42	
16.00-24	44	
16.00-24	46	
16.00-24	48	
16.00-24	50	
16.00-24	52	
16.00-24	54	
16.00-24	56	
16.00-24	58	
16.00-24	60	
16.00-24	62	
16.00-24	64	
16.00-24	66	
16.00-24	68	
16.00-24	70	
16.00-24	72	
16.00-24	74	
16.00-24	76	
16.00-24	78	
16.00-24	80	
16.00-24	82	
16.00-24	84	
16.00-24	86	
16.00-24	88	
16.00-24	90	
16.00-24	92	
16.00-24	94	
16.00-24	96	
16.00-24	98	
16.00-24	100	

3. In § 1315.1215 (b) (2) Table IIA is amended to read as follows:

TABLE IIA TRUCK AND BUS TYPES OF TREAD, WHEN APPLYING GRADE A<sup>1</sup> CAMELBACK

Tire size <sup>2</sup>	Stop-start tire size <sup>3</sup> No.	Ply	Maximum prices for retreading or recapping when the tire carcass is furnished by the purchaser					Add this price when the tire carcass is not furnished by the purchaser. The result is the maximum price for a retreaded or recapped tire
			Conventional truck and bus <sup>4</sup>	Stop-start <sup>5</sup>	Ground-grip <sup>6</sup>	Road grader <sup>7</sup>	Earth mover <sup>8</sup>	
5.25-5.50-17	11	6	\$6.20	\$7.60	\$8.60			\$4.50
6.00-16	10	6	7.15	7.75	8.75			4.50
6.00-17		6	8.10		9.25			4.50
6.00-20		6	9.00		11.30	\$10.55		4.50
6.00-20 (30 x 6)		8	9.00		11.30	10.55		0.00
6.25-16		6	7.85	8.55	9.05			4.75
6.50-16	13	6	8.25		9.80			4.75
6.50-17		6	9.60		10.70			4.75
6.50-20		6	10.65		14.40	13.40		4.75
6.50-20 (32 x 6)	17	8	10.65	14.90	14.40	13.40		0.00
7.00-15		6	9.65		10.30			6.00
7.00-16		6	9.85	10.20	11.95			6.00
7.00-17		6	10.85		12.45			6.00
7.00-17		8	10.85		12.45			0.00
7.00-18		8	11.05		13.45			0.00
7.00-20	19	8	11.80	17.50	18.35	22.05		\$22.45
7.00-20 (32 x 6)		10	11.80		18.35	22.05		22.45
7.00-24 (36 x 6)		10	12.30		19.70	20.50		8.40
7.50-15	16	6	10.85	11.70	11.20			0.00
7.50-16		6	10.85		11.20			7.75
7.50-16		6	11.10		16.05			6.50
7.50-16	18	8	11.10	18.55	16.05			6.50
7.50-17		8	11.40		17.70			6.50
7.50-17	20	10	11.40	17.25	17.70			6.50
7.50-18		8	12.35		15.80			8.00
7.50-18		10	12.35		15.90			8.00
7.50-20	22	8	13.90	22.10	20.60	\$17.80	29.85	7.20
7.50-20 (34 x 7)		10	13.90		20.60	17.80	29.85	9.60
7.50-20 (34 x 7)		12	13.90		20.60	17.80	29.85	10.20
7.50-24 (38 x 7)		10	14.65		21.95	29.05		8.00
8.25-16		10	18.30		23.85			9.00
8.25-18	26	10	18.00	24.55	25.85			10.50
8.25-20	28	10	18.65	28.15	27.60	30.40	22.25	31.00
8.25-20		12	18.65		27.60	30.40	22.25	31.00
8.25-22		10	19.60		29.40			10.50
8.25-24		10	20.65		31.20	32.70		10.50
9.00-13		6	14.20					6.50
9.00-15		12	20.40		23.05			12.00
9.00-18		10	21.95		29.95			12.00
9.00-20	34	10	22.50	34.35	32.95		29.95	38.00
9.00-20 (36 x 8)		12	22.50		32.95		29.95	38.00
9.00-22		10	23.15		34.35			12.00
9.00-24		10	23.65		36.00	34.65		41.50
9.00-24 (40 x 8)		12	23.65		36.00	34.65		41.50
10.00-15		12	21.80		32.25			13.20
10.00-18 (9.75-18)		12	21.45		39.35			13.20
10.00-20 (9.75-20)	40	12	21.90	42.45	41.75		37.35	48.10
10.00-20 (38x9)		14	21.90		41.75		37.35	48.10
10.00-22 (9.75-22)	42	12	25.40	44.70	43.45			13.20
10.00-24 (42x9)	45	14	26.05	45.05	45.25	36.60		14.40
11.00-18		12			46.20			14.40
11.00-20 (10.50-20)	48	12	27.05	47.60	49.10		42.55	50.45
11.00-20		14	27.05		49.10		42.55	56.45
11.00-22 (10.50-22)	50	12	28.55	50.35	51.55			62.05
11.00-24 (10.50-24)	52	12	30.15	52.45	53.80	37.65		62.05
12.00-20 (11.25-20)		14	37.60		64.25		51.00	74.05
12.00-20 (44x10)		16	37.60		64.25		51.00	74.05
12.00-22 (11.25-22)		14	39.10		66.50			79.30
12.00-24 (11.25-24)		14	40.60		68.80	40.00		79.30
12.00-24 (44x10)		16	40.60		68.80	40.00		79.30
13.00-20 (12.75-20)		16	51.00		74.65	41.70		18.00
13.00-24 (12.75-24)		8			78.45	45.15		9.00
13.00-24 (12.75-24)		18	55.90		99.15		91.90	18.00
14.00-20 (13.50-20)		18	59.80		99.15		65.60	19.20
14.00-20		18	59.80		99.15		65.60	20.20
14.00-20		20	59.80		99.15		65.60	21.40
14.00-20		18			104.10	62.05		110.85
14.00-24 (13.50-24)		16			172.10		139.15	22.00
16.00-20		18			172.10		139.15	21.80
16.00-20		16			184.90		162.05	245.15
16.00-24		18			184.90		162.05	245.15
16.00-24		12			214.20		176.15	270.00
16.00-24		16			214.20		176.15	270.00
16.00-24		18			214.20		176.15	270.00
16.00-24		20			473.75			65.00
16.00-24		20			333.70		333.70	350.35
16.00-24		20			367.45			72.60
16.00-24		21			844.50		844.50	137.60
16.00-24		36			1,044.40			182.60
16.00-24		28			1,655.00			220.00
16.00-24		34			2,013.40			330.00
16.00-24		34			2,534.95			440.00

<sup>1</sup> Grade A camelback means camelback which complies with the specifications issued by the War Production Board for Grade A camelback.

<sup>2</sup> For any tire size where no maximum price is listed on this table under the particular heading for ground-grip road grader or earth mover types of tread, the maximum price is that set forth for such size under the heading for conventional truck and bus type of tread.

<sup>3</sup> Maximum prices set forth for stop-start type of tread apply only when such treads are applied to tires of a stop-start size listed in this column or of a size generally recognized as equivalent to one of such stop-start sizes. When a

stop-start type of tread is applied to such an equivalent size of tire, the maximum price shall be that set forth for the appropriate stop-start size.

<sup>4</sup> Conventional truck and bus type of tread includes any tread of a type generally recognized as designed primarily for ordinary "on the road" use on trucks or busses.

<sup>5</sup> Stop-start type of tread must have at least 1 3/8 inch tread design depth at the center circumference of the tire and must contain at least as much rubber in the undertread and have a tread design depth at the center circumference of the tire which is at least 3/8 inch deeper than the conventional truck and bus type of tread of the same retreader or recapper for the same size of tire. Stop-start type of tread includes any such extra heavy tread of a type generally recognized as designed primarily for city commercial use on trucks or busses.

<sup>6</sup> Ground-grip type of tread must contain at least as much rubber in the undertread and have a tread design depth at the center circumference of the tire which is at least 3/8 inch deeper than the conventional truck and bus type of tread of the same retreader or recapper for the same size of tire. Ground-grip type of tread includes any such tread of a deep-cut, cleated type generally recognized as designed primarily for use on trucks for traction through mud, snow, sand, or soft ground.

<sup>7</sup> Road grader type of tread includes any tread of a type generally recognized as designed primarily for "off the pavement" use on the power driven wheels of highway maintenance and road construction machinery for traction through mud, snow, sand or soft earth.

<sup>8</sup> Earth mover type of tread includes any tread of a type generally recognized as designed primarily for providing flotation in soft earth for "off the road" use on earth moving vehicles.

<sup>9</sup> Rock service type of tread includes any extra heavy tread of a type generally recognized as designed primarily for heavy duty service on rocks or gravel in such work as earth hauling, quarrying, logging and road building.

This amendment shall become effective September 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15288; Filed, September 18, 1943; 11:48 a. m.]

**PART 1341—CANNED AND PRESERVED FOODS**  
[Correction to MPR 461<sup>1</sup>]

**NATURAL CONDITION UNPACKED DRIED PRUNES AND RAISINS**

Maximum Price Regulation No. 461 is corrected in the following respect:

1. The text of section 8 is corrected to read as follows:

SEC. 8. *Applicability.* The provisions of this regulation shall be applicable only to the 48 states of the United States and the District of Columbia.

This correction shall become effective as of August 28, 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 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15289; Filed, September 18, 1943; 11:48 a. m.]

**PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING**

[MPR 266, Amdt. 5; Correction]

**CERTAIN TISSUE PAPER PRODUCTS**

In § 1347.515 (b) (3) (i), the date October 14, 1941 is corrected to read October 15, 1941.

This correction shall become effective September 24, 1943.

<sup>1</sup> 8 F.R. 11952.

<sup>2</sup> 7 F.R. 9335, 10714; 8 F.R. 531, 2431, 4151, 7383.

(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 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15290; Filed, September 18, 1943; 11:49 a. m.]

**PART 1368—DEFENSE-RENTAL AREAS**

[Rent Reg. for Hotels and Rooming Houses,<sup>1</sup> Amdt. 5]

**ROOMS FOR WAR AND NAVY DEPARTMENT PERSONNEL**

Section 4 (f) of the Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

(f) *Rooms subject to rent schedule of War or Navy Department.* For a room rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

This amendment shall become effective September 20, 1943.

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.

(Pub. Laws 421 and 729, 77th Cong.)

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15291; Filed, September 18, 1943; 11:47 a. m.]

**PART 1368—DEFENSE-RENTAL AREAS**

[Rent Reg. for Housing,<sup>2</sup> Amdt. 8]

**HOUSING FOR WAR AND NAVY DEPARTMENT PERSONNEL**

Section 4 (h) of the Rent Regulation for Housing is amended to read as follows:

(h) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either

<sup>1</sup> 8 F.R. 7334, 9019, 10618, 10739, 12025.

<sup>2</sup> 8 F.R. 7322, 9020, 9021, 10918, 10741, 12025.

Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department, the rents established by such rent schedule.

This amendment shall become effective September 20, 1943.

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.

(Pub. Laws 421 and 729, 77th Cong.)

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15292; Filed, September 18, 1943; 11:47 a. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Rev. MPR 204, Amdt. 1]

**SPECIAL SALES OF INDUSTRIAL MATERIALS**

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

Revised Maximum Price Regulation 204 is amended in the following respect:

1. Paragraph (a) of section 6 of Article II is amended to read as follows:

(a) *Sales to a producer.* On a special sale to a producer who normally produces the same or similar material for sale there shall be no maximum price.

This amendment shall become effective September 24, 1943.

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

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15293; Filed, September 18, 1943; 11:48 a. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Order 102 Under SR 15 to GMPR]

**RICHARD J. HINSCH, JR. TRUCKING CO.**

Order No. 102 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3271.

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

§ 1499.2202 *Adjustment of maximum prices for contract carrier services of Richard J. Hinsch, Jr. doing business as Richard J. Hinsch, Jr. Trucking Company of Woodhaven, Long Island, New York.* (a) Richard J. Hinsch, Jr. doing business as Richard J. Hinsch, Jr. Trucking Company of Woodhaven, Long Is-

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

land, New York may sell and deliver contract carrier services to the General Foods Corporation and The Best Foods, Inc., of New York City, New York, at rates not to exceed 6% above those set forth in Schedule "A" annexed to his application for adjustment.

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

(c) This Order No. 102 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 102 (§ 1499.2202) shall become effective as of the 20th day of September 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 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15294; Filed, September 18, 1943; 11:49 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 103 Under SR15 to GMPR]

JOSEPH TAYLOR TRUCKING CORP.

Order No. 103 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3388.

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

§ 1499.2203. *Adjustment of maximum prices for contract carrier services by Joseph Taylor Trucking Corporation of Guttenburg, New Jersey.* (a) Joseph Taylor Trucking Corporation of Guttenburg, New Jersey, may sell and deliver contract carrier services to Lever Brothers Company of Cambridge, Massachusetts, for the transportation of soaps, cleaning compounds and allied commodities from and to points in the states of New Jersey and New York at prices no higher than 6% above the rates set forth in Exhibit A annexed to the application for adjustment.

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

(c) This Order No. 103 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 103 (§ 1499.2203) shall become effective September 20, 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 18th day of September, 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15295; Filed, September 18, 1943; 11:50 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 104 Under SR 15 to GMPR]

ROCKINGHAM EXPRESS CO.

Order No. 104 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to

the General Maximum Price Regulation; Docket No. GF3-3270.

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

§ 1499.2204 *Adjustment of maximum prices for contract carrier services by Harry Tolchinsky, doing business as Rockingham Express Company of Newmarket, New Hampshire.* (a) Harry Tolchinsky, doing business as Rockingham Express Company, of Newmarket, New Hampshire, may sell and deliver contract carrier services for the transportation of shoe cartons for Hoague-Sprague Corporation from its warehouse in Newmarket, New Hampshire, to points in Maine, New Hampshire and Massachusetts at a price not to exceed \$1.52 per thousand cartons.

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

(c) This Order No. 104 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 104 (§ 1499.2204) shall become effective September 20, 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 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15296; Filed, September 18, 1943; 11:50 a. m.]

#### PART 1305—ADMINISTRATION

[Gen. RO 9<sup>1</sup> Amdt. 2]

##### TEMPORARY FOOD RATIONS

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

General Ration Order 9 is amended in the following respects:

1. The title of the order which formerly read "Rationed Foods for Servicemen on Leave or Furlough" is amended to read as shown above.

2. The preamble is amended to read as follows:

Pursuant to the authority vested in the Administrator and in the Office of Price Administration by Executive Order No. 9125, War Production Board Directive No. 1 and Food Directives 3, 5, 6, 7 and 8 of the Secretary of Agriculture, General Ration Order 9 (Temporary Food Rations) which is annexed hereto and made a part hereof, is hereby issued.

3. Section 1305.65 (a) is amended by amending the text preceding subparagraph (1) to read as follows:

(a) *Eligibility.* Any of the following persons may obtain temporary rations of a rationed food if they neither have nor are entitled to have the war ration book which contains stamps designated for the acquisition of that food:

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

<sup>1</sup> 8 F.R. 7107, 10079.

4. Section 1305.65 (a) (1) is amended by adding between "72 hours" and the comma, the words "or more".

5. Section 1305.65 (c) (1) (i) is amended to read as follows:

(i) Neither has nor is entitled to have a war ration book containing stamps designated for the acquisition of the rationed food; and

6. In § 1305.65 (c) (1) the second sentence is amended by deleting the words "¼ lb. of roasted coffee".

7. Section 1305.65 (c) (2) (i) is amended to read as follows:

(i) That the applicant neither has nor is entitled to have a war ration book containing stamps designated for the acquisition of the rationed foods; and

8. Section 1305.65 (d) (1) is amended by deleting the number "12".

9. Section 1305.65 (d) (2) is amended by deleting the words "roasted coffee".

10. Section 1305.65 (d) (3) is amended by deleting the words "roasted coffee" and the number "12".

11. A new § 1305.65a is added to read as follows:

§ 1305.65a *Temporary food rations for persons other than servicemen.*

(a) Temporary rations of a rationed food may be issued to persons who neither have nor are entitled to have the war ration book which contains stamps designated for the acquisition of that food, if they need ration evidences to acquire that food because they eat at a place where rationed foods are acquired by using the stamps or certificates of the people eating there. (This section does not apply to members of the Army, Navy, Marine Corps or Coast Guard of the United States or members of the armed services of the Allied Nations. They can get rations of this type only under the preceding section. Furthermore, this section does not apply to persons who are entitled to punch cards under the provisions of Ration Order 13 and Ration Order 16.)

(b) Temporary food rations may not be issued to cover a period of less than three days or more than 60 days. The application for temporary food rations must be made on OPA Form R-315 and must be signed by the applicant or an authorized agent. The application must show:

(1) That the applicant neither has nor is entitled to have a war ration book containing stamps designated for the acquisition of the rationed food;

(2) The number of days the applicant will need ration evidences in order to acquire the rationed food because he is to eat at a place where rationed foods are acquired by using the stamps or certificates of the people eating there;

(3) That the applicant has not received ration evidences under this section for any of the days covered by the application.

The application may be presented to any war price and rationing board.

(c) If the Board finds the facts stated in the application to be true, it shall issue certificates or other ration evidences authorized by the Office of Price Adminis-

tration by which the rationed foods the applicant eats can be acquired. The certificates or other ration evidences shall be for 11 points of processed foods and 14 points of foods covered by Ration Order 16 for each 7 days (or fraction thereof in excess of 2 days) during which the applicant will eat at a place where rationed foods are acquired by using the stamps or certificates of the people eating there. In addition, if the period of time during which the applicant will need ration evidences in order to acquire rationed foods is 15 days or longer, the Board shall issue a certificate or other ration evidence for one pound of sugar for each full 15 days during which the applicant will eat at a place where rationed foods are acquired by using the stamps or certificates of the people eating there.

This amendment shall become effective September 23, 1943.

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

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15316; Filed, September 18, 1943; 3:56 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS  
[MPR 348, Amdt. 8]

LOGS AND BOLTS

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

Maximum Price Regulation No. 348 is amended in the following respects:

1. The preamble is amended by the addition of the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

2. Sections 1 through 10, inclusive, are incorporated under a new Article 1, to read as follows: "Article I—Prohibition, Scope of Regulation and General Provision."

\*Copies may be obtained from the Office of Price Administration—  
18 F.R. 3670, 5163, 5565, 6365, 8751, 9515, 10023, 11214.

3. Article II, containing a Table of Appendices and Appendices D and G, is added to read as follows:

Article II—Specific Maximum Prices

Regardless of any other provisions of this regulation, every sale or purchase of logs and bolts of the type and species listed produced in the areas described in the following tables, are subject to the dollars-and-cents maximum prices listed in those tables. Where grades of particular types of logs are established, any log falling below the minimum requirements of the lowest grade of that log must be culled out and unless a cull grade is specifically established and priced, no charge may be paid or received for those culls.

TABLE OF APPENDICES

PART I—LOGS AND BOLTS (EXCLUDING THE SPECIAL ITEMS LISTED IN PART II)

Area	Appendix	States Included
Northeast.....	A	Maine; New Hampshire; Vermont; Massachusetts; Rhode Island; Connecticut; New York; New Jersey; Pennsylvania; Maryland (except Garrett, Allegany, Washington and Frederick Counties); Delaware; District of Columbia.
Appalachian..	B	Garrett, Allegany, Washington and Frederick Counties, Maryland; Virginia; West Virginia; North Carolina; South Carolina; all counties of Kentucky east of and including the counties of Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne and Clinton, and in Tennessee east of and including the counties of Pleckitt, Fentress, Morgan, Rhea, Rhea, Hamilton.
Southern.....	C	Georgia; Florida; Mississippi; Alabama; Louisiana; Arkansas; Texas; and Oklahoma.
Lake States...	D	Michigan; Wisconsin; Minnesota; South Dakota; North Dakota; Ohio; Indiana; Illinois; Iowa; Missouri; all counties in Kentucky west of all but not including the counties of Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton; and all counties in Tennessee west of but not including the counties of Pleckitt, Fentress, Morgan, Rhea, Rhea, and Hamilton.
Central.....	E	
Western and Pacific States	F	Montana; Kansas; Idaho; Wyoming; Colorado; Utah; Nevada; Arizona; New Mexico; California; Oregon and Washington.

PART II—SPECIAL ITEMS

Type of wood:	Appendix
Chemical wood.....	G
Chestnut cordwood.....	H
Excelsior bolts.....	J
Insulation and felt bolts or cordwood.....	K
Stave and heading bolts.....	L
Ash special logs.....	M
Hickory special logs.....	N
Walnut special logs.....	O

APPENDIX D—LAKE STATES AREA

TABLE 1

Area: Wisconsin and the upper peninsula of Michigan.  
Species: All commercial species including Hard Maple (*Acer saccharum*), Soft Maple (*Acer rubrum* and *Acer saccharinum*), Yellow Birch (*Betula lutea*), White Birch (*Betula populifolia*), Red Oak (*Quercus borealis*), Beech (*Fagus grandifolia*), the commercial species of the Genera Barwood (*Tilia*), Elm (*Ulmus*), Ash (*Fraxinus*),

Populus including Popple (Aspen), Balm of Gilead, and Cottonwood; White Pine (*Pinus strobus*), Norway Pine (*Pinus resinosa*), Jack Pine (*Pinus banksiana*), Balsam Fir (*Abies balsamea*), Northern White Cedar (*Thuja occidentalis*), White Spruce (*Picea glauca*), Black Spruce (*Picea mariana*), Hemlock (*Tsuga canadensis*), and Tamarack (*Larix laricina*).

Grading Rules

Logs are to be purchased and sold by mutual agreement between buyer and seller using any of the following grades or combination of grades as a basis for pricing:

1. Separate grades as defined in the following log grading rules.
2. Woods-run—This combination of grades includes all the logs of a single species cut from a given area that qualify for a #3 grade or better.
3. Woods-run with #1 or veneer sorted out—This represents a grade combination of #2 and #3 logs from a definite area. It enables the sale of logs without grading where lack of facilities prevents this operation.

Hardwood Logs

No. 1 or Veneer Grade. 1. All logs must be 12" and larger in diameter the small way of the small end, except that 11" surface clear logs will be accepted if 12" or longer in length. Standard lengths are 10, 12, 14, and 16"; occasional 6, 7, 8, and 9 foot logs will be accepted, adding 4" to all logs 16" in diameter and over and 3" to logs under 16" in diameter for trimming. Yellow Birch and Hard Maple Veneer logs may be cut to the following specified lengths at the option of the purchaser: 5'6", 6'6", 7'6", 8'6" which includes trim. All logs must be reasonably straight grained, with spiraled grain ordinarily not exceeding one inch in 10 inches.

2. Knots, worm holes, shake, "cat faces", dead and dozy spots, seams (except as specified herein), and so-called "birds pecks" brown spots, pin-holes and pin-knots shall be considered standard defects. Maple logs having more than 1/2 the diameter of the small end in black heart or heavy mineral stain must be excluded from this grade.

3. Logs 12 to 14 inches in diameter can have a 3 inch hole, doze, or shake, in center, 15 to 16 inch logs can have, not to exceed a 5 inch hole, doze or shake in center, and over 16 inch logs; a 6 inch hole, doze, or shake in center, provided that logs with holes, doze or shake greater than the allowable size will be accepted if such defects will be reduced to the allowable size by deducting 2 feet of length in scaling.

4. Logs 15 inches and under in diameter must have no seams. Logs over 15 inches in diameter may have one straight tight seam not diverging more than 4 inches from a straight line from end to end which shall be considered a defect.

5. 10 foot logs must not have over one standard defect; 12 foot logs must not have over two standard defects; 14 and 16 foot logs must not have over three standard defects. Any number of defects so located that they can be cut out with one lineal foot deduction in scaling shall be considered as one defect. These logs must have at least one-half of their length in one clear cut.

6. 6 and 7 foot logs must be surface clear. 8 and 9 foot logs will permit one defect if not more than 10" from the end. These short logs, particularly small logs, should be practically straight and in no case should there be more sweep in logs 9" and shorter than 1/3 of the diameter of the small end of the log, when measured above the butt swell. The percentage of those short logs that will be acceptable should be agreed upon between the purchaser and the seller.

7. Any defect in butt logs which does not extend inside the diameter represented by the small end will not be considered a defect

in grading the log. Folds, fluted bark on butts, or shallow scars are examples of such defects.

8. In scaling defective logs, scale off one foot in length for each defect, unless the defects are so located that in cutting out one foot, it eliminates two or more defects. In that event, count the two or more defects as one. Logs with crotch tops, kinks, or crooks, are to be cut out in scale to eliminate the defects. No deductions in scaling will be made for defects admitted in paragraphs 3, 4, 5 and 6.

No. 2 log grade. 1. Lengths 8 feet or longer; diameters 10 inches or larger. 10" logs must be butt logs and surface clear for all species except basswood. Logs 10' long, 11" or larger, and including basswood 10" or larger, must have not less than two-thirds of each of three faces clear in not over two cuttings per face. Logs 12 feet or longer will admit not over three cuttings per face on each of 3 faces. Cuttings must be 3 feet or longer. The proportion of 8' logs allowed will be a matter of agreement between buyer and seller.

2. Logs 10"-15" with black heart, heavy mineral stain, or other end defects amounting to one-half or more of the average diameter on the small end, and logs, 16" and over with black heart, heavy mineral stain, or other end defects amounting to 60% or more of the average diameter on the small end will not be admitted in this grade.

3. Logs containing sweep or crook, or both, which cause a deduction of 30% or more from gross scale or sweep in conjunction with end defect in excess of ¼ of the diameter on the small end that causes deduction in excess of 20% of the gross scale shall be eliminated from this grade.

4. Any defect in butt logs which does not extend inside the diameter represented by the small end will not be considered a defect in grading the log. Folds, fluted bark on butts, or shallow cat faces are examples of such defects.

5. No logs admitted with net scale less than 50% of gross scale.

No. 3 log grade. 1. Lengths 8' or longer; diameters 8" or larger, which do not qualify for No. 2 grade; logs below 10" must be surface clear and straight. The proportion of 8' logs allowed will be a matter of agreement between the buyer and seller.

2. No logs admitted with net scale less than 50% of gross scale.

#### Aspen and Softwood Logs

White pine log grades—Prime grade. 1. Logs must be 16" or larger, 10' or longer, and with deduction for defect not over 30% of gross scale.

2. Logs must be at least 75% clear on each of the three faces.

3. All knots outside clear cutting must be sound and not over 2½" in size.

#1 Grade. 1. Logs must be 12" or larger, 10' or longer, and with a net scale after deduction for defect of at least 50% of the gross contents of the log.

2. Logs must be at least 50% clear on each of three faces or 75% clear on two faces.

#2 Grade. 1. Logs must be 8" or larger, 8' or longer, and a net scale after deduction for defect of at least 50% of the gross contents of the log.

Norway and Jack pine, spruce, white cedar, tamarack, hemlock, balsam and aspen log grades. One grade will be recognized.

Logs must be 8" and larger, 8' and longer, and with a net scale after deduction for defect of at least 50% of the gross contents of the log.

*Tie cuts.* The cuts shall be counted by the piece. The cuts or bolts must be sound, green timber, free from decay, split, shakes, holes large or numerous knots or other imperfections which will impair strength or durability and must be otherwise suitable for the manufacture of railroad ties. (Dead cedar and tamarack acceptable if otherwise suitable.) Minimum diameter is 9" inside bark at the end and to be 8 or 8½' long as specified. A 2" trimming allowance is required on all cuts.

*Box bolts.* 1. To be scaled on a face cordage basis of 8' plus trimming allowance of 4". A cord contains 133 cubic feet including trimming allowance.

2. Bolts must be 6" top and up, inside bark; 6" bolts must be perfectly straight and sound.

3. 7" and up bolts, will admit sweep and crook not to exceed ½ diameter of small end. Rot and excessive sweep or crook to be deducted on cordage basis. To be tightly piled and knots closely trimmed so true, or actual, cordage can be determined.

*Shingle bolts.* 1. To be scaled on a face cordage basis of 8' plus trimming allowance of 4". A cord contains 133 cubic feet including trimming allowance.

2. Bolts must be 8" and up; inside bark. Bolts must be straight and sound except that sweep or crook will be permitted not to exceed ½ diameter of small end. Rot and excessive sweep or crook to be deducted on cordage basis. To be tightly piled and knots clearly trimmed so true, or actual, cordage can be determined.

#### Scaling Principles

*General.* 1. Except as specified in the No. 1 or Veneer Grade, all logs shall be cut a minimum of 3" longer than specified lengths, and tie cuts 2" longer to allow for trimming.

2. All logs shall be scaled with Scriber Decimal C Log Rule and scaled on the average diameter of the small end inside the bark. Fractions of ½" or less will be dropped and fractions over ½" will be raised to the next inch.

3. Scaling is the measurement of sound material in the log and relates to quantity rather than quality of material. Timber will therefore be scaled in accordance with the defect in the log and not in relation to any particular grades of the product it will yield.

4. Scaling sound contents in the log rather than material of certain grades is to be the standard practice except for the No. 1 or veneer grade.

5. Softwood logs will be scaled in even lengths.

*Defects to be considered in scaling.* 1. Log defects include rot or any defective or waste material caused by sweep, crooks, checks, shake, seams or other features which actually reduce the amount of sound usable material in the log. The most common forms of defects which affect the yield are rot, shake, check, pitch ring, cat face, ingrown bark, and wormholes.

2. Ordinarily, sound knots and discoloration affect the quality and not the yield of the logs produced and will not be recognized as defects in scaling except in No. 1 or veneer logs. However, large clustered knots in the top logs shall be deducted for in scaling.

3. Deductions will be made for all visible defects, which will actually reduce the sound material in the log. There must, however, be an unmistakable surface or end indication of defect. The scale should never be reduced simply because the timber is known to be more or less defective, or because hidden defect frequently appears in sawing.

4. The extent of rot or other defects is to be determined by the scaler but the manner or method of deduction shall be no less rigid or exacting than those prescribed in the National Forest Scaling Handbook, Revised May 1940.<sup>1</sup>

*Log defect descriptions and definitions—*  
*Bird peck.* Bird pecks are defects resulting from the work of sap-sucking woodpeckers. The defects consist of ingrown bark usually not over ½ inch in diameter. Often they are noticeable on the end surfaces of logs and evidence of their presence in the logs is to be seen on the bark surface many years after the injury occurred.

*Dote.* Dote varies all the way from firm wood that has just begun to decay up to the definitely unsound stage which is designated as rot. Dote in its early stages often differs from the surrounding wood only in color.

*Worm holes.* Worm holes vary greatly in size and damaging effect depending upon the kind of worm causing the defect. From pin worm holes 1/32 inch in diameter they may range up to the ¾" holes sometimes found in oak. Although there may be no evidence of worm work where the log cut is made the bark surface on close examination will reveal the presence of interior borings. Worm holes may be extremely damaging and close examination for them is warranted.

*Bumps.* Bumps usually indicate overgrown knots or other defects. They should be viewed with suspicion in grading logs.

*Sweep.* Sweep is a fairly uniform departure in any direction from a straight line drawn from one end of the log to the other. A crook, in contrast to sweep, is a more or less definite or sharp break from such line.

*Butt log.* A butt log is the first log cut above the stump of the tree except where a "long butt" 8 feet or longer is cut for the purpose of eliminating defect. The first log above such long butt will be classified as second log.

*Encased metal.* Encased or overgrown metal is common chiefly in farm woodlot timber or in trees close to farm buildings. Especially in oak, metal causes dark staining of wood and still more serious is the possible damage to workmen, saws, or edge tools. Logs suspected of containing metal should either be long butted or rejected.

*Knots.* Knots vary greatly in their damaging effect depending upon their size and condition. Knots in butt and second logs of mature trees are usually overgrown and often unsound, while knots in top logs are live and sound. Considerable rot may extend from unsound knots. Where there are old limb stubs or knot holes present there is quite certain to be rot running into the heart wood.

*Mineral stain.* Mineral stain is a common defect of maple. It is characterized by a greenish to blackish color that occurs in varying amounts chiefly in the heartwood in the form of solid masses of discoloration or in streaks. Aside from color the objection to mineral stain is the tendency of heavily stained wood to open up during drying. Shake is commonly associated with stain.

*Shake.* Shake is a separation of the wood, the greater part of which occurs between the growth rings and more commonly near the center of the log than toward the outside. It is a serious defect in both veneer and lumber logs.

*Seams.* Seams are cracks or splits running with the grain for part or of the full length of the log. They may be caused by frost or lightning. Seams may extend all the way from the bark to the pith or center of the log. They may be open or completely

<sup>1</sup>For sale by the Superintendent of Documents, Washington, D. C., 60¢.

healed over, but in any event they are very damaging and especially so when they run spirally around the log.

**Catface.** A catface is a scarred area on a log usually caused by fire or mechanical injury. Catfaces may or may not have rot extending from them. Shallow relatively fresh injuries without rot may come out in rounding up or slabbing a log and thus cause no loss in scale. Old, imperfectly healed scarred areas cause loss of scale and log degrade.

**Maximum Prices**

The maximum prices apply f. o. b. rail cars or delivered to the mill by truck, unless otherwise specified. Where logs and bolts are purchased f. o. b. trucks, the maximum prices must be reduced by the actual cost to the purchaser of transporting the logs or bolts to his mill. The Scribner Decimal C Log Rule shall govern the scale of all logs.

**HARDWOOD LOGS (PER 1,000 FEET, LOG SCALE)**

Species	Grades				
	Veneer or No. 1	No. 2	No. 3	Woods run	Woods run with veneer out
Hard Maple	\$80.00	\$29.00	\$22.00	\$32.00	\$24.00
Soft Maple	55.00	27.00	20.00	30.00	22.00
Yellow Birch	110.00	38.00	27.00	48.00	32.00
White Birch	60.00	31.00	21.00	40.00	21.00
Basswood	75.00	31.00	21.00	40.00	23.00
Ash	50.00	25.00	22.00	28.00	23.00
Soft Elm	50.00	25.00	22.00	28.00	23.00
Rock Elm	35.00	24.00	22.00	28.00	23.00
Beech	45.00	26.00	22.00	27.00	23.00
Cherry	55.00	27.00	20.00	30.00	22.00
Cottonwood	40.00	23.00	23.00	28.00	24.00
Red Oak	60.00	29.00	21.00	36.00	22.00

**ASPEN AND SOFTWOOD LOGS (PER 1,000 FEET, LOG SCALE)**

Species	Prime	No. 1	No. 2
White Pine	\$40.00	\$33.00	\$28.00
Hemlock	24.00		
Norway Pine	30.00		
Jack Pine	28.00		
Spruce	28.00		
Balsam Fir	28.00		
Tamarack	25.00		
Cedar	20.00		
Aspen	24.00		

**100" Box Bolts**

[Maximum prices per single cord of 133 cubic feet f. o. b. cars<sup>2</sup>]

Species:	
Aspen (Popple)	\$10.00
Jack Pine	12.00
Hemlock	11.50
White Birch	10.00
Basswood	11.00
Balm of Gilead	8.50
Mixed Hardwoods	10.00
Norway White Pine	12.50

**100" SHINGLE BOLTS**

[Maximum price per single cord (133 cubic feet) f. o. b. trucks<sup>3</sup>]

White Cedar	\$7.50
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<sup>2</sup> A maximum addition of \$1.00 per single cord may be made to the above prices for material delivered to the buying plant yard by truck.

<sup>3</sup> For delivery to mill or landing add actual cost of delivery. For loading on cars add the actual cost of loading.

**8" TIE CUTS<sup>4</sup>**

The following maximum prices for tie cuts apply to the Upper Peninsula of Michigan and to the State of Wisconsin with the exception of Vernon, Menace, Sauk, Richland, Juneau, La Crosse, Clark, Jackson and Trempealeau Counties in the State of Wisconsin:

[Maximum Prices per piece f. o. b. cars or truck delivered mill]

Top diameter inside bark	Species groups			
	White Oak	Hard Maple, Red Oak, Ash, Yellow Birch, Beech, Cherry	Hemlock, Elm, Tamarack, Pine, Spruce	Aspen, White Birch, Balm of Gilead, White Cedar
9"-----	\$9.70	\$9.00	\$9.55	\$9.50
10"-----	.60	.80	.67	.67
11" and up-----	1.05	.85	.83	.73

<sup>4</sup> For 8 1/2" tie cuts a maximum addition of 0.10 may be made to the above prices.

**8 1/2" TIE CUTS<sup>4</sup>**

The following maximum prices for tie cuts apply to the Counties of Vernon, Menace, Sauk, Richland, Juneau, La Crosse, Clark, Jackson, Trempealeau in the State of Wisconsin:

[Maximum prices per piece f. o. b. cars or truck delivered mill]

Top diameter inside bark, inches	Oak and Yellow Birch	Other species
8.5-15.9-----	\$9.89	\$9.73
16-18.9-----	1.75	1.62
19-20.9-----	2.67	2.23
21-22.9-----	3.79	3.01
23-24.9-----	4.45	3.89
25 and up-----	5.31	4.59

<sup>4</sup> The maximum prices for 8" tie cuts shall not exceed 90% of the above prices. For example, the maximum price of an 8" oak tie cut 17" in diameter shall not exceed 1.78 x 90% = \$1.60.

**APPENDIX G—CHEMICAL WOOD**

**NOTE:** The tables in this appendix establish maximum prices based on the cubical content of a unit or cord of the size most usually purchased. In those cases where units of a different size are purchased, the maximum prices must be adjusted by the ratio which the unit sold bears to that actually priced in the tables. For example, if the unit sold is larger than that priced, the maximum stated may be increased proportionately, but where the unit sold is smaller, the maximum must be reduced accordingly.

The following table indicates the appropriate percentage adjustments which must be made; any additions or subtractions specified in the particular table shall likewise be adjusted to reflect the correct proportion.

If size of unit priced in table is—	If unit sold contains following cubic footage, adjust price by percentage shown below				
	123	133	144	160	180
123 cubic feet-----		+7.8	+12.5	+23.0	+49.0
133 cubic feet-----	-7.2		+4.3	+15.9	+32.4
144 cubic feet-----	-11.1	-4.2		+11.1	+23.0
160 cubic feet-----	-20.0	-13.75	-10.0		+12.5
180 cubic feet-----	-23.9	-23.3	-20.0	-11.1	

**TABLE 1—LAKE STATES**

**Area:** Upper Peninsula of Michigan and the following counties in Wisconsin: Marinette, Florence, Forest, Oneida, Vilas, Iron, Oconto, Shawano, Langlade.

**Species or Kind of log or bolt**

**Chemical Cordwood:** Mixed hardwood species, including hard maple, soft maple, yellow birch, beech, oak, ironwood, rock elm.

**Chemical Bolts:** Maple hardwood species, including hard maple, soft maple, yellow birch, beech, oak, ironwood, rock elm.

**Chemical Logs:** Mixed hardwood species, including hard maple, soft maple, yellow birch, oak, beech, ironwood, rock elm.

**Scaling and grading rules**

**Chemical logs:** Chemical logs are cull hardwood logs, mixed species, in random lengths not exceeding 18'. Such logs must be reasonably straight, reasonably sound and must be trimmed free of all projecting stubs and crotches. Buying plants may set minimum and maximum diameters and lengths to suit individual operations. Purchase may be by Scribner log rule measure or by weight and buying plants shall make reasonable deductions for rotten or dozy wood. In no case shall the purchaser be required to accept logs with a solid wood content of less than 50% by volume. The mixed species shall include hard maple, soft maple, yellow birch, oak, ironwood, and rock elm and may include other hardwood species at the option of the buying plant.

**Chemical bolts:** Chemical bolts are cull hardwood logs, mixed species, in uniform lengths or random lengths not exceeding 9'. Such logs must be reasonably straight, reasonably sound and must be trimmed free of all projecting stubs and crotches. Buying plants may set minimum and maximum diameters and lengths to suit individual operations. Purchase may be by Scribner log rule measure or by weight or by volume cord and buying plants may make reasonable deductions for rotten or dozy wood. The mixed species shall include hard maple, soft maple, yellow birch, beech, oak, ironwood and rock elm and may include other hardwood species at the option of the buying plant. Plants purchasing on a weight basis may class as cordwood any unsplit wood delivered in random lengths not exceeding 8 feet and random diameters not exceeding 8 inches. Plants with no facilities for weighing bolts may purchase same on a face cordage scale where 16 square feet on the face of the pile is one cord provided the sticks therein are all between 7 and 9 feet in length and average 8 feet.

**Chemical cordwood:** Chemical cordwood is wood cut from tops, branches, bodywood or second growth of mixed hardwood species either in the round or split or a mixture of round and split wood. The pieces of cordwood shall be approximately 52 inches long, 3 inches minimum diameter and eight inches maximum diameter but each buying plant may fix limits of lengths and diameter to suit individual operations provided such limits are reasonably close to the above figures. Pieces of cordwood shall be sound wood reasonably straight and shall be piled in a compact manner. Purchase may be by volume (a cord is a pile of pieces approximately 52" long and piled 8' long and 4' high), or by weight on a green or dry wood substance basis and purchasing plants may make appropriate deductions for rotten or dozy wood or loose piling. The mixed hardwood species shall include hard maple, soft maple, yellow birch, beech, oak, ironwood and rock elm and may include other hardwood species at the option of the buying plant.

**Maximum Prices**

**Chemical cordwood:** \$9.00 per scaled cord when purchased by volume (a cord is a pile 8' long and 4' high in which all pieces are approximately 52" long). \$1.200 per cwt of green wood when purchased by weight on a

green or "as delivered" basis. \$3000 per cwt of bone dry wood substance when purchased by weight on a dry wood substance basis.

Buying plants are permitted to purchase chemical cordwood by weight on an "as delivered" basis with a sliding scale of increasing price as the wood becomes drier provided the total payment does not exceed \$.30 per cwt of bone dry wood substance. This means that if at the time of the delivery, the wood is half dried, the maximum price will be \$.24 per cwt.

*Chemical logs:* \$21.00 per M when purchased on basis of Scribner log rule scale. \$3.00 per ton of green wood as delivered when purchased on a weight basis.

*Chemical bolts:* \$21.00 per M when purchased on basis of Scribner log rule scale. \$3.00 per ton of green wood as delivered when purchased on a weight basis. \$9.00 per scaled cord when purchased on a volume basis as provided above.

Prices are f. o. b. cars, or truck delivered. Plants which in 1942 received 80% or more of their chemical wood by truck delivery may, however, apply to the Lumber Branch, Office of Price Administration, Washington, D. C. for permission to make additions to these prices for truck delivery. The Lumber Branch may grant appropriate authority, by letter or telegram.

This amendment shall become effective September 24, 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 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15317; Filed, September 18, 1943; 3:56 p. m.]

**PART 1315—RUBBER AND PRODUCTS AND MATERIAL OF WHICH RUBBER IS A COMPONENT**

[RO 1C; Amdt. 1]

**MILEAGE RATIONING: TIRE REGULATIONS FOR THE VIRGIN ISLANDS**

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

The effective date provision of Ration Order No. 1C is amended to read as follows:

Ration Order No. 1C shall become effective October 1, 1943.

This amendment shall become effective September 1, 1943.

(Pub. Law 671, 76th Congress as amended by Public Law 89, 77th Congress and by Public Law 507, 77th Congress, Public Law No. 421 and 729, 77th Congress; Executive Order 9125, 7 F.R. 2719, issued April 7, 1942, WPB Directive No. 1 issued January 24, 1942, Supp. Di-

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

<sup>1</sup> 8 F.R. 10927.

rective No. 1-J as amended, issued October 27, 1942)

Issued this 31st day of August 1943.

JACOB A. ROBLES,  
Director, Office of Price Administration for the Virgin Islands.

Approved:

JAMES P. DAVIS,  
Administrator for Region IX.

[F. R. Doc. 43-15318; Filed, September 18, 1943; 3:55 p. m.]

**PART 1448—EATING AND DRINKING ESTABLISHMENTS**

[Restaurant MPR 5-3]

**FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION**

In the judgment of the San Antonio, Texas, District Director, the prices of food and beverages sold for immediate consumption in the following counties:

Aransas	Kerr
Atascosa	Kinney
Bandera	Kimble
Bastrop	Kleberg
Bee	La Salle
Bexar	Live Oak
Blanco	Llano
Brooks	McMullen
Burnet	Mason
Caldwell	Maverick
Calhoun	Medina
Cameron	Menard
Comal	Nueces
Crockett	Real
De Witt	Refugio
Dimmit	San Patricio
Duval	Schleicher
Edwards	Starr
Frio	Sutton
Gillespie	Terrell
Guadalupe	Travis
Goliad	Uvalde
Gonzales	Val Verde
Hays	Victoria
Hidalgo	Webb
Jim Hogg	Willacy
Jim Wells	Williamson
Karnes	Wilson
Kendall	Zavala
Kenedy	Zapata

and that portion of Lavaca County which lies within the corporate limits of the City of Woakum, Texas, have risen and are threatening further to rise to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director of the San Antonio, Texas, District, the maximum prices established by this regulation are generally fair and equitable and are necessary to (and will) check inflation and effectuate the purposes of the Act. So far as practicable, the District Director of the San Antonio, Texas, District gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living" (F.R. 7565), 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the San Antonio, Texas, District hereby issues this Restaurant Maximum Price Regulation No. 5-3, establishing as maximum prices for food and drink sold for immediate consumption in the counties mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.403 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the District Director of the San Antonio, Texas, District by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, and Order of Delegation of Authority under General Order 50 issued by the Regional Administrator of Region V, Restaurant Maximum Price Regulation No. 5-3 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.403 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

**RESTAURANT MAXIMUM PRICE REGULATION No. 5-3—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION**

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**SECTION 1. Sales at higher than ceiling prices prohibited.** If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next four sections (sections 2 to 5, incl.). You may, of course, sell at lower than ceiling prices.

You may not sell any "food item" at a maximum price determined in accordance with this regulation if the maximum price so determined is a result of a violation by you of any regulation or order of the Office of Price Administration which is or was in effect during the base period used by you in establishing your price.

*Example:* During the period from April 4 to April 10, 1943, you were selling Texas Beers at 15 cents per bottle. However, if your maximum price for Texas Beers under Maximum Price Regulation 259 is 10 cents per bottle you may not legally sell Texas Beers under this regulation at a price in excess of 10 cents per bottle.

**Sec. 2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943 to April 10, 1943.** Your ceiling price for any "food item" or "meal" is the highest price at which you offered the same "food item" or the same "meal" as a "meal of the same class" in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943. (There are thirteen classes of "meals" provided for in section 21b of this Regulation.)

*Example:* If you charged during the seven-day period 75 cents for a dinner on week days and \$1.00 for the identical dinner on Sunday, the most you can charge for the dinner on week days is 75 cents because section 21 (b) provides that week-day dinners are dinners of a different class from Sunday dinners.

**Sec. 3. How you figure ceiling prices for food items and meals which you cannot price under section 2.** If you cannot figure your ceiling price for a "food item" or "meal" under section 2 and if you have adequate records of the prices you charged during the period from March 7 to April 3, 1943, inclusive, you must take, as your ceiling price for such "food item" or "meal", the highest price at which you offered the same "food item" or the same "meal" as a "meal of the same class" during that four-week period. (See section 21B for classes of meals).

**Sec. 4. How you figure ceiling prices which you cannot determine under sections 2 or 3.** If you cannot determine your ceiling price for a "food item" or "meal" under sections 2 or 3, you must proceed as follows:

(a) Determine the cost of the raw food which you use in preparing the new "food item" or "meal".

(b) From the "food items" and "meals" for which you have already established ceiling prices choose a "food item" or "meal" which currently has a raw food cost equal to or less than the raw food cost of the new "food item" or "meal".

*Example:* You desire to determine your ceiling price for a broiled trout dinner to be served on week days and you did not serve

such a dinner on week days during the period from March 7 to April 10, 1943, inclusive. You find that the raw food cost of this meal is 50 cents. You select from the meals for which you have already established ceiling prices a week-day dinner which has a raw food cost equal to or less than 50 cents. Since you may not select a meal which has a greater food cost than the raw food cost of the meal you are pricing, the meal you select in this instance must not have a raw food cost of more than 50 cents.

(c) Take as your ceiling price for the new "food item" or "meal" your ceiling price for the "food item" or "meal" chosen for comparison. The "food item" or "meal" offered for such comparison should be of the same class as the new "food item" or "meal" (the different classes of "meals" and "food items" are set out in section 21B). If, however, you can find no "food item" or "meal" of the same class, you may use for comparison the most similar "food item" or "meal" of another class having a food cost equal to or less than your food cost for the new "food item" or "meal". "Currently" as used herein means current on the day you figure your price.

(d) Under no circumstances are you permitted to use a raw food cost which exceeds the current maximum price fixed under any applicable maximum price regulation or order of the Office of Price Administration.

(e) Under no circumstances are you permitted to charge a higher price for any "food item" or "meal" determined under this section which is higher than the highest of the following prices:

(1) Your highest ceiling price for "food items" or "meals" of the same class offered in the seven-day period; or

(2) The last price at which you sold the same "food item" or the same "meal" as a "meal of the same class" prior to March 7, 1943, provided you first file with the appropriate war price and rationing board a menu or certified copy of the record showing the last price charged. The limitations under this section 4, paragraph (e), shall not apply to seasonal dessert specialties specified in section 21 (a), Class 25a.

*Example 1:* If you did not serve split pea soup during the five-week period and you determine the price in accordance with section 4, arriving at a price of 25 cents for split pea soup, and the highest price you charged for any soup during the seven-day period was 15 cents, you may not now charge more than 15 cents for split pea soup, unless you find that the last time you served the soup prior to March 7, 1943, you offered it at a price of more than 15 cents, in which event you may take as your price either the 25 cents arrived at under section 4 or the highest price charged by you for split pea soup prior to March 7, 1943, whichever is the lower.

*Example 2:* If you did not serve a chicken dinner on a week day during the five-week period and now wish to do so, you must calculate your maximum price under section 4. Suppose that your calculated price is \$1.25 and the highest priced week-day dinner you served during the seven-day period from April 4 to April 10, 1943, inclusive, was \$1.00, you may not now charge more than \$1.00 for this week-day dinner, unless the last time you served a week-day chicken dinner prior to March 7, 1943, you served it at a higher price than \$1.00. In such case, you may use the last price charged, or your price calculated under section 4, whichever is lower. Observe

the requirement that a supporting menu or certified copy of a record showing the maximum price charged must be first filed with your war price and rationing board.

**Sec. 5. How you figure your prices for seasonal items.** (a) First you determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the first applicable pricing provision contained in sections 2, 3 and 4 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item, provided that in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

*Example:* Suppose when you first determine your maximum price for a serving of strawberries and cream it is 25 cents per serving and the raw food cost of this item is 12½ cents. Later, your raw food cost on this item is reduced to 10 cents, then the maximum price you may charge for a serving of strawberries at such time is 20 cents.

(b) In reducing your price of a "seasonal food item", you may ignore any reduction in raw food cost which would reduce the price of the item less than 5 cents. If the reduction is more than 5 cents and you customarily express your prices in multiples of 5 cents, you may adjust your price to the nearest figure which will be a multiple of 5 cents.

(c) Except for ceiling prices which are to be varied in accordance with this section, all of your ceiling prices for food items or meals once fixed or determined may not be changed by you.

**Sec. 6. Substitution of food items in meals.** If you have already determined your ceiling price for a meal, you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 4.

**Sec. 7. Prohibition against manipulation of meal offerings.** You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. "By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class. To

determine the mid-point, add the price of your highest priced meal to the price of your lowest priced meal of the same class and divide by two.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

*Example 1:* You have always offered five meals on week days at \$1.50, \$1.25, \$1.00, 85¢ and 65¢. The mid-point is \$1.07½. Your middle price is \$1.00. You may not eliminate your 85¢ meal without eliminating either your \$1.25 or your \$1.50 meal.

*Example 2:* If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10 and \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

**SEC. 8. Evasion.** (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or any other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hote price for the complete meal or give your customers less value for their money.

(6) Shortening the period of time in each day during which table d'hote meals are offered unless there is a corresponding reduction in the period of time in which a la carte meals are served.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following

things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful except that less than that may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

**SEC. 9. Rules for new proprietors.** (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

**SEC. 10. Seasonal eating and drinking places—(a) Exempt places.** If you are the proprietor of a seasonal eating or drinking place that falls all of the following classifications:

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 per cent or more of its total annual revenue during four calendar months of the year; and

(3) Is located in an area for which no maximum rent regulation has been issued

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations im-

posed upon you by General Order 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section, the Administrator will, by special order, establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3, 4 and 5.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address;

(ii) A brief description of your business and the manner of operation;

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season;

(iv) The date when you plan to commence operations;

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

**SEC. 11. Taxes.** If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

**SEC. 12. Records.** (a) You must observe all the record keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make readily available for examination by any person during ordinary business hours a copy of each menu used

by you in the seven-day period. If you did not use menus, you must make readily available for such examinations a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus, you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the central office of the principal place of business within the city.

SEC. 13. *Posting.* (a) Beginning September 20, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration Regulation, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item on this list your ceiling price for such meal or food item.

SEC. 14. *Operation of several places.* If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. *Relation to other maximum price regulations.* The provisions of this regulation shall in the territory covered by it as set out in Section 16 hereof supersede other regulations, including the General Maximum Price Regulation, now issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another

regulation applicable at that time. (See example in section 1).

SEC. 16. *Geographical application.* This Restaurant Maximum Price Regulation No. 5-3 applies to the following counties:

Arapahoe	Kerr
Atascosa	Kinney
Bandera	Kimble
Bastrop	Kleberg
Bea	LaSalle
Bexar	Live Oak
Blanco	Llano
Brooks	McMullen
Burnet	Macon
Caldwell	Maverick
Calhoun	Medina
Cameron	Menard
Comal	Nueces
Crockett	Real
DeWitt	Refugio
Dimmitt	San Patricio
Duval	Schleicher
Edwards	Starr
Frio	Sutton
Gillespie	Terrell
Gundalup	Travis
Gollad	Uvalde
Gonzales	Val Verde
Hays	Victoria
Hidalgo	Webb
Jim Hogg	Willacy
Jim Wells	Williamson
Karnes	Wilson
Kendall	Zavala
Kenedy	Zapata

and that portion of Lavaca County which lies within the corporate limits of the City of Yoakum, Texas.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 18. *Exempt sales.* Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and also any sales of food and beverages by churches, Sunday schools, and other religious organizations unless such sales are made as a regular business;

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals;

(c) Eating and drinking places located on board common carriers (when operated as such) including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

SEC. 19. *Adjustments.* (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present sub-

stantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address;

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,<sup>2</sup> and such other information that may be useful in classifying your establishment;

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations;

(4) The names and addresses of the three nearest eating places of the same type as yours;

(5) A list showing your present maximum prices and your requested adjusted prices;

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by any District Office that has been authorized to do so by order of the Regional Office.

SEC. 20. *Definitions and explanations.*

(a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other Government, any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: Ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional prepa-

<sup>2</sup>In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

ration. (Mere heating, cooling, seasoning or mixing with other food items does not constitute preparation.) It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (excluding beverages) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon; certain fresh vegetables such as summer squash; certain fresh fruits such as berries and melons. Canned and quick-frozen foods are not seasonal items, nor are meats derived from domestic animals and fowl.

The terms "generally offered for sale" and "normally available" refer to practices and conditions prevailing prior to the entry of the United States into the present war.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. *Classes of food items and meals.* (See definition of "food item" and "meal" contained in section 18.)

(a) The classes of food items.

#### BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices
2. Cereals
3. Entrees: egg and combination egg dishes served at breakfast
4. Entrees: meat and meat combination dishes served at breakfast
5. Entrees: all other dishes served at breakfast
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast
7. All other breakfast dishes including jams, jellies and preserves

#### OTHER ITEMS

8. Appetizers, except alcoholic cocktails
9. Soups, including soups in jelly
10. Beef: steaks and roasts
11. Veal: steaks, chops and roasts
12. Pork; loin, chops, steaks, and roasts
13. Lamb or Mutton: chops, roasts
14. Poultry and fowl
15. Fish and shell-fish
16. Game
17. Miscellaneous and variety meats, including liver and kidneys
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes
22. Salads (except as served as a main course or appetizer course in a meal)
23. Tamales, anchilades, chili con carne and other Mexican dishes
24. Desserts: cakes, cookies, pies, pastries and other baked goods
25. Desserts: Ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts
- 25a. Desserts: Seasonal dessert specialties such as watermelon and cantaloupe.

26. Desserts: All others, including fruits, puddings and cheese
27. Cold sandwiches, including garnishings, salads and vegetables
28. Hot sandwiches, including garnishings, salads and vegetables
29. All other food items served in a meal, including mints and preserves.
30. Beverage foods, including coffee, cocoa, chocolate, tea and milk

#### BEVERAGES

31. Non-alcoholic beverages, including sparkling and mineral waters
32. Alcoholic malt beverages, including beer and ale
33. Wines, including sparkling wines
34. Liquors, including whiskeys, gins and brandies
35. Cordials, including fruit liquors
36. All other alcoholic beverages

(b) *The classes of meals.* For the purposes of this regulation there shall be thirteen classes of meals; namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Administrator, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

SEC. 23. *Licensing.* The licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to all persons whose maximum prices are regulated by this regulation.

SEC. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment or any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective September 15, 1943.

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

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

Issued this 2d day of September 1943.

FRANK M. COVERT, Jr.,  
District Director,  
San Antonio, Tex., District.

[F. R. Doc. 43-15920; Filed, September 18, 1943; 8:55 p. m.]

#### PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 5-4]

#### FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

In the judgment of the District Director of the Dallas District Office, the prices of food and beverages sold for immediate consumption in the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Morris, Navarro, Panola, Rains, Red River, Rockwall, Rusk, Smith, Titus, Upshur, Van Zandt, and Wood, Texas, have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as practicable, the District Director of the Dallas District gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

An opinion involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living", 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the District Director of the Dallas District Office hereby issues this Restaurant Maximum Price Regulation No. 5-4, establishing as maximum prices for food and drink sold for immediate consumption in the counties mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.404 *Maximum Prices for Food and Drink sold for immediate consumption.* Under the authority vested in the District Director of the Dallas District Office by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order No. 9328, and General Order No. 50 issued by the Office of Price Administration, Restaurant Maximum Price Regulation No. 5-4 (Food and Drink Sold for Immediate Consumption) which is annexed hereto and made part hereof, is issued.

AUTHORITY: § 1448.404 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION No.  
5-4—FOOD AND DRINK SOLD FOR IMMEDIATE  
CONSUMPTION

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## SEC.

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**SECTION 1. Sales at higher than ceiling prices prohibited.** If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

**SEC. 2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943.** Your ceiling price for any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

**SEC. 3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period.** You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal.

"Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

**SEC. 4. How you figure your prices for seasonal items.** First, determine your ceiling price for a "seasonal food item" (defined in section 20 (e)) in accordance with the appropriate rule of Sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item, provided that in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

**SEC. 5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period.** Under no circumstances are you permitted to charge a higher price for a food item or a meal than—

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943 provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged.

The provisions of this section shall not apply to seasonal dessert specialties specified in section 21A Class 24a.

*Example 1.* If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

*Example 2.* You served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

**SEC. 6. Substitution of food items in meals.** If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal

any other food item of the same class without re-figuring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

**SEC. 7. Prohibition against manipulation of meal offering.** You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not—

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

*Example:* If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 80¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

**SEC. 8. Evasion.** (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quantity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover charge or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was

not in effect during the base period, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hote prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hote price for the complete meal or give your customers less value for their money.

*Example 1.* If you customarily offered fish on table d'hote dinners at \$1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hote dinner priced at \$1.10.

*Example 2.* If you offered table d'hote dinners during the base period at 85¢ to \$1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to \$1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful except that less may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

**Sec. 9. Rules for new proprietors.** (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food and drink, the

Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

**Sec. 10. Seasonal eating and drinking places—(a) Exempt places.** If you are the proprietor of a seasonal eating or drinking place that

(1) Was not open during the base period from April 4 to 10, 1943;

(2) Receives 90 per cent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order No. 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the District Director will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the Office of Price Administration District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

**Sec. 11. Taxes.** If in the seven-day period you stated and collected the amount of any tax separately from the

price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or prices of items or meals.

**Sec. 12. Records.** (a) You must observe all the record-keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order No. 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

**Sec. 13. Posting.** (a) Beginning September 25, 1943, each menu must have clearly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By Office of Price Administration Order, our ceiling prices are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available in the seven-day period, you shall continue to make them available.

(c) In addition to the requirements in (a) and (b), you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each

meal or food item on this list your ceiling price for such meal or food item.

**Sec. 14. Operation of several places.** If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

**Sec. 15. Relation to other maximum price regulations.** The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another regulation applicable at that time.

**Sec. 16. Geographical application.** This Restaurant Maximum Price Regulation No. 5-4 applies to the counties of Anderson, Bowie, Camp, Cass, Cherokee, Collin, Dallas, Delta, Ellis, Fannin, Franklin, Freestone, Grayson, Gregg, Harrison, Henderson, Hopkins, Hunt, Kaufman, Lamar, Limestone, Marion, Morris, Navarro, Panola, Rains, Red River, Rockwell, Rusk, Titus, Smith, Upshur, Van Zandt, and Wood, Texas.

**Sec. 17. Enforcement.** Persons violating any provisions of this regulation are subject to the criminal penalties; civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

**Sec. 18. Exempt sales.** Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

(d) Bona fide private clubs insofar as such clubs sell only to members and bona fide guests of members. Whenever such clubs sell to persons other than members or bona fide guests of members, such clubs shall be considered for all sales an eating or drinking place within the meaning of this regulation. No club shall be considered to be exempt as a private club within the meaning of this paragraph unless its members pay dues (more than merely nominal in amount), are elected to membership by a governing board, membership committee or other body, and otherwise is operated as a private club.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with the nearest State or District Office of the Office of Price Ad-

ministration, furnishing such information as may be required, and has received communications from such office authorizing exemption as a private club.

(e) Eating and drinking places operated by any school, college or university which is a non-profit institution, that is, where no part of the net earnings inures to the benefit of any private individual, which sells food items or meals on a non-profit or cost basis or as near thereto as reasonable accounting methods will permit, and substantially all sales of which are made to students, faculty members and employees of such institutions. For the purpose of this section, persons receiving instruction on the premises of such institution by arrangement with the War Department or Department of the Navy shall be considered as students.

**Sec. 19. Adjustments.** (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your Office of Price Administration District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period,<sup>1</sup> and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

<sup>1</sup>In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.

Applications for adjustment under this section may be acted upon by any District Office that has been authorized to do so by order of the Regional Office.

**Sec. 20. Definitions and explanations.** (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor of representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agencies of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal." Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food item" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish—such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

**Sec. 21. Classes of food items and meals.** (See definition of "food item" and "meal" contained in section 18.)

(a) *The classes of food items.*

#### BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices
2. Cereals
3. Entrees: egg and combination egg dishes served at breakfast
4. Entrees: meat and meat combination dishes served at breakfast
5. Entrees: all other dishes served at breakfast
6. Breads, rolls, buns, Danish-pastries, etc., served at breakfast
7. All other breakfast dishes including jams, jellies, and preserves

#### OTHER ITEMS

8. Appetizers, except alcoholic cocktails
9. Soups, including soups in jelly
10. Beef; steaks and roasts
11. Veal; steaks, chops and roasts
12. Pork; loin, chops, steaks and roasts
13. Lamb or mutton; chops, roasts

14. Poultry and fowl
15. Fish and shell-fish
16. Game
17. Miscellaneous and variety meats, including liver and kidneys
18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
19. Egg and cheese dishes and combinations thereof
20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
21. Vegetables, including potatoes
22. Salads (except as served as a main course or appetizer course in a meal)
23. Deserts: cakes, cookies, pies, pastries and other baked goods
24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts
- 24a. Desserts: seasonal dessert specialties such as watermelon and cantaloupe
25. Desserts: all others, including fruits, puddings and cheese
26. Cold sandwiches, including garnishings, salads and vegetables
28. All other food items served in a meal including mints and preserves
29. Beverage foods, including coffee, cocoa, chocolate, tea and milk

## BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters
31. Alcoholic malt beverages, including beer and ale
32. Wines, including sparkling wines
33. Liquors, including whiskeys, gins and brandies
34. Cordials, including fruit liqueurs
35. All other alcoholic beverages

(b) *The classes of meals.* For the purpose of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

Sec. 22. *Special orders.* The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the District Director, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

Sec. 23. *Licensing.* The licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to all persons whose maximum prices are regulated by this regulation.

Sec. 24. *Revocation and amendment.* (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective September 25th, 1943.

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

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

Issued this 3d day of September 1943.

GUS W. THOMASSON,  
District Director,  
Dallas District.

[F. R. Doc. 43-15321; Filed, September 18, 1943; 3:56 p. m.]

## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 14, Revocation]

## FIREWOOD

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

Ration Order No. 14 (§ 1394.9201) as amended is hereby revoked, subject to § 5.1 of General Ration Order 8.<sup>2</sup>

This order of revocation shall become effective at 12:01 a. m. on September 20, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-U, 8 F.R. 1835; E.O. 9125, 7 F.R. 2719)

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15363; Filed, September 20, 1943; 11:52 a. m.]

## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 14A]

## FIREWOOD AND COAL IN THE PACIFIC NORTHWEST

*Preamble.* The serious uncertainty as to the adequacy of firewood supplies in the Pacific Northwest made it necessary for the Office of Price Administration, on February 27, 1943, to issue Ration Order No. 14—Firewood. That order, by requiring dealer registration and monthly reports, made available pertinent data respecting the supply and distribution of firewood in the affected area. To handle possible emergency situations, the Regional Administrator was authorized to issue orders which would assure fair distribution of the scarce commodity in particular localities.

A study of the dealers' monthly reports and of other factual sources, together with consultations with representatives of other agencies and dealers' organiza-

tions, has revealed a growing demand for firewood with a corresponding decrease in supply, particularly in many of the heavily populated centers in the Limitation Area. To prevent hoarding, Ration Order No. 14 was amended on June 28, 1943 by adding provisions restricting deliveries of firewood to consumers on the basis of a stated order of preference. Except for certain exempt government agencies and persons, all firewood consumers were divided into five classes: the first class consisted of those consumers who use firewood for purposes other than heat, domestic hot water or domestic cooking, while those consumers who use firewood for those purposes were placed in four categories based upon the relation of the amount of all fuels on hand to annual fuel needs.

The several factors which have caused the firewood shortage in the rationed area have likewise affected the normal supply and distribution of coal. Scarcity of manpower and the demands of the armed forces have reduced the supply of coal while, on the other hand, consumption has increased by reason of increases in population (particularly in urban centers) and the rationing of fuel oil and firewood. It has been determined, therefore, that fuel oil and firewood rationing should be complemented by imposing controls and restrictions on coal deliveries in the Pacific Northwest similar to those now in effect there with respect to firewood.

This Ration Order 14A is accordingly issued to supersede Ration Order No. 14 and to effect an equitable distribution to consumers of both firewood and coal. Under this new order coal dealers, and firewood dealers (except those who have already registered under Ration Order No. 14), are required to register and both kinds of dealers are also required to file monthly reports. All deliveries to consumers (except certain exempt agencies and transactions) are restricted in the manner in which deliveries of firewood have been controlled under Ration Order No. 14 as amended. Thus, no person may deliver firewood or coal to a consumer unless the consumer has placed and confirmed an order for the fuel, the placing of duplicate orders for the same purpose with two or more persons is prohibited, and deliveries may be made only in the stated order of preference to consumers who have placed their orders in the required manner.

To assure equitable treatment in the light of different local conditions which may exist in various parts of the Limitation Area, and to provide a greater amount of flexibility in the administration of the order, broad authority to modify the provisions of the order is delegated to the Regional Administrator for Region 8. The Regional Administrator is authorized to issue orders allocating or giving priorities to, or removing restrictions upon, deliveries of firewood or coal, upon such conditions as he may designate. In addition, the Regional Administrator is empowered to issue administrative exceptions when the grant of such an exception would not impair or

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

<sup>1</sup> 8 F.R. 2595, 8010, 9879, 10022.

<sup>2</sup> 8 F.R. 3783, 5677, 9626.

defeat the policy or effectiveness of the order.

§ 1394.9206 *Rationing of firewood and coal in the Pacific Northwest.* Under the authority vested in the Office of Price Administration and the Price Administrator by Executive Order No. 9125 issued by the President on April 7, 1942, by Directive No. 1 and Supplementary Directive No. 1-U of the War Production Board issued January 24, 1942 and February 10, 1943, respectively, Ration Order 14A (firewood and coal in the Pacific Northwest), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1394.9206 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 597, 77th Cong.; Pub. Law 421, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1-U, 8 F.R. 1835; E.O. 9125, 7 F.R. 2719.

RATION ORDER 14A—FIREWOOD AND COAL IN THE PACIFIC NORTHWEST

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SECTION 1. *This order applies in the "Limitation Area."*<sup>1</sup> This order applies in the States of Washington and Oregon and in the following counties in the State of Idaho: Boundary, Bonner, Kootenai, Benewah, Latah, Nez Perce, Shoshone, Clearwater, Lewis and Idaho (hereafter called the "Limitation Area"). This order also applies outside the Limitation Area with respect to "persons" who "deliver" "firewood" or "coal" to any place in the Limitation Area.

Sec. 2. *Firewood and coal are covered by this order.* The following fuels are covered by this order:

(a) "Firewood," which means all wood and wood products commonly known as fuel wood or firewood, or used for fuel purposes, including: forest cordwood, slabwood, mill ends, edgings or other millwaste; kindling wood, shavings, hogged fuel and sawdust, including sawdust pressed into logs or bricks; and

(b) "Coal," which includes all forms of anthracite, bituminous, sub-bituminous and lignitic coals (including packaged and processed fuels, such as briquets), coke and charcoal.

Sec. 3. *Who is a "dealer" under this order.* (a) A person who sells or delivers a total of fifty (50) or more cords of fire-

<sup>1</sup> Words which are specially defined in this order are shown in quotation marks the first time they appear. These words are explained in section 14.

wood a year from any place or places inside the Limitation Area to consumers inside or outside the Limitation Area, or from any place or places outside the Limitation Area to consumers inside the Limitation Area, is a "firewood dealer."

(b) A person who sells or delivers a total of fifty (50) or more tons of coal a year from any place or places inside the Limitation Area to consumers inside or outside the Limitation Area, or from any place or places outside the Limitation Area to consumers inside the Limitation Area is a "coal dealer." However, a person who sells or delivers coal in carload or more than carload lots (or the truckload equivalent delivered within three (3) business days from first loading to final delivery), is not a coal dealer with respect to such deliveries.

Sec. 4. *Dealers must register.* (a) Every dealer must register, within the registration period fixed by the "Regional Administrator", by filing a Firewood Dealer Registration Certificate (Form OPA R-1404), if he is a firewood dealer, or a Coal Dealer Registration Certificate (Form OPA R-1405), if he is a coal dealer. A person who is both a firewood and coal dealer must file both forms. However, a person who is a firewood dealer under this order and who registered as such under Ration Order No. 14<sup>2</sup> is deemed to be a registered firewood dealer under this order, and he need not register again.

(b) The dealer must furnish all the information required by the form and file the form, in duplicate, in person or by mail, with the district office for the area in which he has a place of business, or at any other office designated by the Regional Administrator. Every dealer who delivers firewood or coal into the Limitation Area from a place outside the Limitation Area must register at the district office inside the Limitation Area nearest his place of business, or at any other office designated by the Regional Administrator.

(c) Every dealer must make a separate registration for each place of business inside the Limitation Area from which deliveries of firewood or coal are made, and for each place of business outside the Limitation Area from which deliveries of firewood or coal into the Limitation Area are made.

(d) Upon approval of the dealer's registration, one copy of the Dealer Registration Certificate will be returned to him appropriately marked. He must keep his copy available for inspection by the Office of Price Administration.

Sec. 5. *Dealers must make monthly reports.* On dates fixed by the Regional Administrator, every registered dealer must file, in person or by mail, with the district office or offices at which he is registered, or at any other office designated by the Regional Administrator, a monthly report on Form OPA R-1408 (Revised) furnishing the information for the preceding month required by the form.

Sec. 6. *Dealer may not do business if he does not register and file reports.* (a) No firewood dealer may deliver firewood to any person and no coal dealer may deliver coal to any person after the

date he is required to register, unless he has registered in the manner required by this order.

(b) No firewood dealer may deliver firewood to any person, and no coal dealer may deliver coal to any person, after any date on which a monthly report is due from him, unless he has filed the report in the manner required by this order.

Sec. 7. *Deliveries of firewood and coal are restricted.* (a) No firewood dealer may deliver firewood to any "consumer", and after a date fixed by the Regional Administrator no coal dealer may deliver coal to any consumer, and no consumer may accept any such delivery, unless the consumer at the time of placing his order gives such dealer the following information:

(1) The kinds of fuels he uses (such as firewood, coal and fuel oil), and the purposes for which they are used; and

(2) The amount of each kind of fuel (except fuel oil) he has on hand and his estimated "annual fuel needs" for each kind of fuel (except fuel oil) in cords, tons or other appropriate units.

(b) Within seven (7) days after placing his order for firewood or coal the consumer must send to the dealer with whom he placed the order a signed statement confirming the information given under paragraph (a).

(c) If a consumer who has not received complete delivery of firewood or coal ordered by him places an order for firewood or coal for the same purpose with another dealer, he must immediately cancel his earlier order and he may not accept further delivery under the earlier order. No dealer may make a delivery of firewood or coal on an order that has been cancelled, or with knowledge that the consumer receiving the delivery has outstanding with another dealer an order for firewood or coal to be used for the same purpose. However, the provisions of this paragraph do not apply to deliveries to the consumers described in paragraph (a) (1) of section 8.

(d) So long as an order for firewood or coal remains unfilled, the consumer must send written notification to the dealer having such order of any increase in the amount of fuels (except fuel oil) on hand.

(e) Each dealer shall retain at his place of business for at least four (4) months from the date of its receipt each statement or notice he receives from a consumer, and he must keep them available for inspection by the Office of Price Administration.

(f) The Regional Administrator may direct a dealer to forward any statements or notices received from consumers to the district office or offices at which such dealer is registered, or to any other office of the Office of Price Administration designated by the Regional Administrator.

Sec. 8. *Order in which deliveries must be made.* (a) Deliveries of firewood or coal to consumers who have complied with section 7 must be made in the following order of preference:

(1) Consumers who need firewood or coal for any purpose other than heat, domestic hot water or domestic cooking, in the amounts needed, but not in excess of the amount necessary to bring their

<sup>2</sup> 8 F.R. 2595, 9010, 9879, 10022.

total inventory of all fuels to their annual fuel needs for such purposes.

(2) Consumers who need firewood or coal for heat, domestic hot water or domestic cooking (except consumers who use fuel oil, gas or electricity primarily for such purposes), and whose total fuel on hand is less than one-fourth ( $\frac{1}{4}$ ) of their estimated annual fuel needs, in the amount necessary to bring their total inventory of all fuels to one-fourth ( $\frac{1}{4}$ ) of their annual fuel needs for such purposes.

(3) Consumers who need firewood or coal for heat, domestic hot water or domestic cooking (except consumers who use fuel oil, gas or electricity primarily for such purposes), and whose total fuel on hand is one-fourth ( $\frac{1}{4}$ ) or more but less than one-half ( $\frac{1}{2}$ ) of their estimated annual fuel needs, in the amount necessary to bring their total inventory of all fuels to one-half ( $\frac{1}{2}$ ) of their annual fuel needs for such purposes.

(4) Consumers who need firewood or coal for heat, domestic hot water or domestic cooking (except consumers who use fuel oil, gas or electricity primarily for such purposes), and whose total fuel on hand is one-half ( $\frac{1}{2}$ ) or more but less than their estimated annual fuel needs, in the amount necessary to bring their total inventory of all fuels to their annual fuel needs for such purposes.

(5) Consumers who need firewood or coal for heat, domestic hot water or domestic cooking, and who use fuel oil, gas or electricity primarily for such purposes, to the extent necessary to bring their total inventory of all fuels to their annual fuel needs for such purposes.

(b) If conservation of labor or efficiency of transportation will be served thereby, nothing in this order shall be deemed to prohibit any single delivery to a consumer of a full load or portion of a load of firewood or coal by means of a truck or other transportation facility, customarily used in making deliveries to such consumer, even though such delivery brings the total amount of fuels in the consumer's possession to more than the amounts to which he would be entitled under paragraph (a). However, in no event shall any delivery of coal bring the total amount of coal in the consumer's possession to more than one and one-half ( $1\frac{1}{2}$ ) tons in excess of the amount of coal he may acquire under paragraph (a).

(c) For purposes of determining the amount of fuel on hand and annual fuel needs under this order, a ton of coal and a cord or unit of firewood shall be deemed of equal value.

Sec. 9. *Certain government agencies and persons are exempt.* (a) Nothing in this order or in any order issued hereunder by the Regional Administrator shall limit the quantities of firewood or coal delivered to or for the account of:

(1) The Army, Navy, Maritime Commission, Panama Canal, Coast and Geodetic Survey, Coast Guard, Civil Aeronautics Authority, National Advisory Commission for Aeronautics, Office of Scientific Research and Development, and the Office of Lend-Lease Administration, of the United States; or

(2) Any government agency or other person acquiring firewood or coal for

export to and for consumption or use in any foreign country.

(b) Nothing in this order or in any order issued hereunder by the Regional Administrator shall limit the quantities of coal delivered to or for the account of any person:

(1) For industrial or agricultural purposes;

(2) For the operation of transportation facilities; or

(3) In carload or more than carload lots (or the truck-load equivalent delivered within three (3) business days from first loading to final delivery).

(c) The provisions of sections 7 and 8 shall not apply to deliveries of firewood or coal to the agencies or persons specified in paragraph (a), or to deliveries of coal for the purposes or in the manner stated in paragraph (b).

Sec. 10. *Regional Administrator may issue orders.* Notwithstanding any other provision of this order, whenever the Regional Administrator finds that conditions affecting the supply or distribution of firewood or coal in a locality or localities in the Limitation Area so require, he may from time to time issue orders, effective in such locality or localities, and for such periods, as may be stated in the orders, allocating or giving priorities to, or removing restrictions upon, deliveries of firewood or coal upon such conditions as he may designate. However, no such order shall affect the exemptions provided in section 9.

Sec. 11. *Regional Administrator may grant administrative exceptions.* Any person seeking relief from any provision of this order or of any order issued hereunder by the Regional Administrator shall present in writing to the Regional Administrator, a statement of the circumstances thought to warrant such relief, and the reasons why he believes that the granting of relief in his case and in all like cases would not defeat or impair the effectiveness or policy of the order. The Regional Administrator may grant such relief only if he finds that it will not defeat or impair the effectiveness or policy of the order.

Sec. 12. *Prohibited acts.* (a) Regardless of any agreement or commitment:

(1) No dealer shall discriminate in the delivery of firewood or coal among consumers entitled to receive deliveries under this order or any order issued hereunder by the Regional Administrator.

(2) No person shall deliver any firewood or coal acquired from a dealer and owned or held by him as a consumer, to any other consumer, and no consumer shall accept any such delivery, except in connection with a transfer of the premises for which the fuel was acquired.

(3) No person shall deliver or receive a delivery of firewood or coal except in accordance with this order or with any order issued hereunder by the Regional Administrator.

(4) No person shall make any false or misleading statement or entry in any document or record required to be filed or kept under this order or any order issued hereunder by the Regional Administrator.

(5) No person shall offer, solicit, attempt or agree to do any act in violation of this order or any order issued hereunder by the Regional Administrator.

(b) The prohibitions of General Ration Order No. 8<sup>3</sup> to the extent applicable, shall be deemed a part of this order.

Sec. 13. *Suspension orders.* Any person who violates this order or any order issued hereunder by the Regional Administrator may, by administrative suspension order, be prohibited from receiving any delivery of, or from selling, using or otherwise disposing of any firewood or coal or any other rationed commodity. Proceedings for suspension orders shall be in accordance with the provisions of Procedural Regulation No. 4<sup>4</sup> of the Office of Price Administration.

Sec. 14. *Terms explained.* (a) When used in this order, the term:

"Annual fuel needs" means the total amount of all fuels needed by a consumer for a period of one (1) year from the time he places an order.

"Coal" means all forms of anthracite, bituminous, sub-bituminous, and lignitic coals (including packaged and processed fuels such as briquets), coke and charcoal.

"Coal dealer" means any person who sells or delivers a total of fifty (50) or more tons of coal a year from any place or places inside the Limitation Area to consumers inside or outside the Limitation Area, or from any place or places outside the Limitation Area to consumers inside the Limitation Area. However, a person who sells or delivers coal in carload or more than carload lots (or the truckload equivalent delivered within three (3) business days from first loading to final delivery), is not a coal dealer with respect to such deliveries.

"Consumer" means any person who uses firewood or coal or who acquires firewood or coal for use.

"Dealer" means a firewood dealer or a coal dealer, or both.

"Deliver" means to transfer possession, directly or indirectly. The term does not include receipt by a consumer of firewood cut by himself or by an employee who is not a dealer. Transfer to a carrier for shipment, or by a carrier in the course of or in completion of a shipment, is not a delivery to or by such carrier.

"Firewood" means all wood and wood products commonly known as fuel wood or firewood, or used for fuel purposes, including: forest cordwood, slabwood, mill ends, edgings, or other millwaste; kindling wood, shavings, hogged fuel, and sawdust, including sawdust pressed into logs or bricks.

"Firewood dealer" means any person who sells or delivers a total of fifty (50) or more cords of firewood a year from any place or places inside the Limitation Area to consumers inside or outside the Limitation Area, or from any place or places outside the Limitation Area to consumers inside the Limitation Area.

"Limitation Area" means the States of Washington and Oregon and the counties of Boundary, Bonner, Kootenai, Benewah, Latah, Nez Percé, Shoshone, Clearwater, Lewis and Idaho, in the State of Idaho.

"Person" means any individual, partnership, corporation, association, gov-

<sup>3</sup> 8 F.R. 3783, 5677, 9626.

<sup>4</sup> 8 F.R. 1744, 2035, 6424, 10085.

ernment or government agency, or any other organized group or enterprise.

"Regional Administrator" means the Regional Administrator of the Office of Price Administration for Region VIII.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall include the feminine and neuter.

SEC. 15. *Ration Order No. 14 is revoked.* Ration Order 14A supersedes and revokes Ration Order No. 14, as amended (§ 1394.9201), except that any penalties or liabilities incurred or violations which occurred, or rights which arose, before the effective date of this order shall be governed by Ration Order No. 14 and its amendments in effect at the time the penalties or liabilities were incurred, violations occurred or the rights arose, and shall be treated as remaining in force for the purpose of allowing or sustaining any proper action or prosecution with respect to such penalties, liabilities or violations.

**Effective date.** This Ration Order 14A effective 12:01 a. m. September 20, 1943.

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

Issued this 18th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15364; Filed, September 20, 1943; 11:50 a. m.]

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

[MPR 355; Amdt. 11]

RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

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

Maximum Price Regulation No. 355 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does.* This regulation fixes dollars-and-cents ceiling prices on all retail sales of beef, veal, lamb and mutton cuts made on and after June 21, 1943, on all retail sales of variety meats and edible by-products made on and after June 21, 1943, and retail sales of dried beef (sliced) made on and after September 8, 1943. The only retail beef, veal, lamb and mutton cuts which may be sold

are those described in section 20 of this regulation. The United States is divided into zones and different ceiling prices depend on the zone where your store is, its group, and the grade of meat you are selling. A store includes any place where beef, veal, lamb and mutton cuts or variety meats and edible by-products are sold at retail.

2. Section 3 is amended to read as follows:

SEC. 3. *When the new ceiling prices take effect.* (a) On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of beef, veal, lamb and mutton cuts. On and after June 21, 1943, (or September 8, 1943, with respect to sales of dried beef (sliced)) you must not sell or offer to sell any cut other than described in this regulation, and you must not sell or offer to sell such cut at a price higher than the ceiling price fixed for the grade by this regulation.

(b) On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of beef, veal, lamb and mutton variety meats and edible by-products. On and after June 21, 1943, you must not sell or offer to sell any variety meat or edible by-product other than those for which dollar-and-cents prices are fixed by this regulation and which are clean, sound and free from foreign material, including blood clots, mucus, hair and wool.

3. Section 4 is amended to read as follows:

SEC. 4. *What beef, veal, lamb or mutton cuts or variety meats and edible by-products you may sell.* On and after June 21, 1943, the only beef, veal, lamb and mutton items you may sell or offer to sell are (a) those cuts, fresh, frozen, or cured, which are described and given dollar-and-cents ceiling prices under this regulation. (b) Those variety meats and edible by-products which are described and given dollar-and-cents ceiling prices under this regulation. (c) Sausage items which are given dollar-and-cents ceiling prices in Maximum Price Regulation No. 336 and (d) all other sausage and canned meat for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation or under Maximum Price Regulations Nos. 422 and 423—Ceiling Prices for Certain Foods Sold at Retail.

4. Section 5 is amended to read as follows:

SEC. 5. *Sales to eating places.* Your ceiling prices for sales to hotels, restaurants, institutions, and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 169 for beef and

veal, Revised Maximum Price Regulation No. 239 for lamb and mutton, and by Maximum Price Regulation No. 336 for variety meats and edible by-products. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80 percent or more of your total dollar sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the meat to be eaten by themselves or their families off your premises.

5. Section 11 (b) is amended to read as follows:

(b) You must not charge, solicit or receive any consideration for or in connection with any service which has not been provided for in this regulation and for which a price has not been fixed.

6. Section 12 is amended to read as follows:

SEC. 12. *Prohibitions and penalties.* On and after May 17, 1943, the date this regulation takes effect, if you sell, offer to sell or deliver any meat cut, variety meats or edible by-products specified in this regulation at a price higher than your ceiling price for the grade or type, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person who in the course of trade or business buys from you at a price higher than your ceiling price for the grade is subject to the criminal penalties and civil enforcement actions provided for by that Act.

7. The heading of Item III, 5 in the table contained in section 22 (a) is amended to read as follows:

5. Bricket (boneless) (fresh and cured) (deckle on).

8. Items III, 6 to 13 in the table contained in section 22 (a) are redesignated 7 to 14 respectively.

9. Item III, 6 is added to the items listed in the table contained in section 22 (a) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Bricket (boneless) (cured) (deckle off)-----	Cents per lb. 41	Cents per lb. 41	Cents per lb. 35	Cents per lb. 23	

10. The heading of Item VIII, 8 in the table contained in section 22 (a) is amended to read as follows:

8. Ground veal and patties.

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

18 F.R. 4423, 4922, 6214, 6248, 7199, 7827, 8185, 8945, 9366, 11297, 12237.

11. The heading of Item III, 5 in the table contained in section 22 (b) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

12. Items III, 6 to 13 in the table contained in section 22 (b) are redesignated 7 to 14 respectively.

13. Item III, 6 is added to the items listed in the table contained in section 22 (b) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)	Cents per lb. 39	Cents per lb. 39	Cents per lb. 35	Cents per lb. 35	-----

14. The heading of Item VIII, 8 in the table contained in section 22 (b) is amended to read as follows:

8. Ground veal and patties.

15. The headings of Items XII, 3 and 4 in the table contained in section 22 (b) are amended to read as follows:

- 3. Yoke, rattle or triangle (bone-in)
- 4. Yoke, rattle or triangle (boneless)

16. The heading of Item III, 5 in the table contained in section 22 (c) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

17. Items III, 6 to 13 in the table contained in section 22 (c) are redesignated 7 to 14 respectively.

18. Item III, 6 is added to the items listed in the table contained in section 22 (c) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)	Cents per lb. 39	Cents per lb. 39	Cents per lb. 34	Cents per lb. 34	-----

19. The heading of Item V, 7 in the table contained in section 22 (c) is amended to read as follows:

7. Short plate—whole.

20. The headings of Items VIII, 7 and 8 in the table contained in section 22 (c) are amended to read as follows:

- 7. Shank and heel meat (boneless) (hind and fore).
- 8. Ground veal and patties.

21. The headings of Items II, 1 and 2 in the table contained in section 22 (d) are amended to read as follows:

1. Rib standing (chine bone-in, 10 inch cut).

2. Rib standing (chine bone-in, 7 inch cut).

22. The heading of Item III, 5 in the table contained in section 22 (d) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

23. Items III, 6 to 13 in the table contained in section 22 (d) are redesignated 7 to 14 respectively.

24. Item III, 6 is added to the items listed in the table contained in section 22 (d) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)	Cents per lb. 38	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	-----

25. The heading of Item V, 7 in the table contained in section 22 (d) is amended to read as follows:

7. Short plate—whole.

26. The headings of Items VIII, 7 and 8 in the table contained in section 22 (d) are amended to read as follows:

- 7. Shank and heel meat (boneless) (hind and fore).
- 8. Ground veal and patties.

27. The heading of Item III, 5 in the table contained in section 22 (e) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

28. Items III, 6 to 13 in the table contained in section 22 (e) are redesignated 7 to 14 respectively.

29. Item III, 6 is added to the items listed in the table contained in section 22 (e) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)	Cents per lb. 38	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	-----

30. The headings of Items II, 1 and 2 in the table contained in section 22 (f) are amended to read as follows:

- 1. Rib standing (chine bone-in, 10 inch cut).
- 2. Rib standing (chine bone-in, 7 inch cut).

31. The heading of Item III, 5 in the table contained in section 22 (f) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

32. Items III, 6 to 13 in the table contained in section 22 (f) are redesignated 7 to 14 respectively.

33. Item III, 6 is added to the items listed in the table contained in section 22 (f) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)	Cents per lb. 36	Cents per lb. 36	Cents per lb. 31	Cents per lb. 31	-----

34. The headings of Items II, 1, 2 and 6 in the table contained in section 22 (g) are amended to read as follows:

- 1. Rib standing (chine bone-in, 10 inch cut).
- 2. Rib standing (chine bone-in, 7 inch cut).
- 6. Chuck blade—Pot roast.

35. The heading of Item III, 5 in the table contained in section 22 (g) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

36. Items III, 6 to 13 in the table contained in section 22 (g) are redesignated 7 to 14 respectively.

37. Item III, 6 is added to the items listed in the table contained in section 22 (g) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)	Cents per lb. 38	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	-----

38. Item VIII, 8 in the table contained in section 22 (g) is amended to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cut
8. Ground veal and patties-----	Cents per lb. 30				

39. The headings of Items II, 1 and 2 in the table contained in section 22 (h) are amended to read as follows:

1. Rib standing (chine bone-in, 10 inch cut).

2. Rib standing (chine bone-in, 7 inch cut).

40. Item III, 4 in the table contained in section 22 (h) is amended to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
4. Brisket (bone-in), (fresh and cured)---	Cents per lb. 24	Cents per lb. 24	Cents per lb. 20	Cents per lb. 20	Cents per lb. 16

41. The heading of Item III, 5 in the table contained in section 22 (h) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

42. Items III, 6 to 13 in the table contained in section 22 (h) are redesignated 7 to 14 respectively.

43. Item III, 6 is added to the items listed in the table contained in section 22 (h) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off)---	Cents per lb. 36	Cents per lb. 36	Cents per lb. 31	Cents per lb. 31	-----

44. The heading of Item III, 5 in the table contained in section 22 (i) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

45. Items III, 6 to 13 in the table contained in section 22 (i) are redesignated 7 to 14 respectively.

46. Item III, 6 is added to the items listed in the table contained in section 22 (i) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)---	Cents per lb. 38	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	-----

47. Item XI, 1 in the table contained in section 22 (i) is amended to read as follows:

	Lamb				Mutton		
	Grade AA or choice	Grade A or good	Grade B or commercial	Grade C or utility	Grade S or prime, choice and good	Grade M or commercial	Grade R or utility and culls
1. Loin chops-----	62	78	62	46	33	20	27

48. The headings of Items II, 1 and 2 in the table contained in section 22 (j) are amended to read as follows:

1. Rib standing (chine bone-in, 10 inch cut).

2. Rib standing (chine bone-in, 7 inch cut).

49. The heading of Item III, 5 in the table contained in section 22 (j) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

50. Items III, 6 to 13 in the table contained in section 22 (j) are redesignated 7 to 14 respectively.

51. Item III, 6 is added to the items listed in the table contained in section 22 (j) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off)---	Cents per lb. 37	Cents per lb. 37	Cents per lb. 32	Cents per lb. 32	-----

52. Items III, 6 to 13 in the table contained in section 22 (k) are redesignated 7 to 14 respectively.

53. Item III, 6 is added to the items listed in the table contained in section 22 (k) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off)---	Cents per lb. 39	Cents per lb. 39	Cents per lb. 34	Cents per lb. 34	-----

54. The headings of Items III, 1, 5, 11 and 12 in the table contained in section 22 (k) are amended to read as follows:

1. Short ribs.  
5. Brisket (boneless) (fresh and cured) (deckle on).

11. Shank (bone-in) (hind and fore).  
12. Shank (boneless) (hind and fore).

55. The column of prices for items 3 through 9 beginning below designation D or cutters and canners in Item V in the

table contained in section 22 (k) are amended to read as follows:

	Cents per pound
D or cutters and canners:	
3. Short loin beef—whole-----	21
4. Flank beef—whole-----	11
5. Rib beef—whole-----	17
6. Regular chuck—whole-----	14
7. Short plate—whole-----	11
8. Brisket—whole-----	12
9. Shank—whole-----	10

56. Items VII, 17 and 18 in the table contained in section 22 (k) are amended to read as follows:

	Cents per pound
Grades D or cut:	
17. Boneless veal shoulder clod-----	30
18. Boned, rolled and tied veal roll-----	29

57. The headings of Items I, 4, 5 and 9 in the table contained in section 22 (l) are amended to read as follows:

4. Rib, 10 inch cut.  
5. Rib, 7 inch cut.  
9. Round (bone-in) (full cut).

58. The headings of Items II, 1 and 2 in the table contained in section 22 (l) are amended to read as follows:

1. Rib standing (chine bone-in, 10 inch cut).  
2. Rib standing (chine bone-in, 7 inch cut).

59. Items III, 6 to 13 in the table contained in section 22 (l) are redesignated 7 to 14 respectively.

60. Item III, 6 is added to the items listed in the table contained in section 22 (l) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless) (cured) (deckle off)---	Cents per lb. 37	Cents per lb. 37	Cents per lb. 32	Cents per lb. 32	-----

61. The headings of Items III, 1, 5, 11 and 12 in the table contained in section 22 (l) are amended to read as follows:

1. Short ribs.  
5. Brisket (boneless) (fresh and cured) (deckle on).  
11. Shank (bone-in) (hind and fore).  
12. Shank (boneless) (hind and fore).

62. The heading of Item III, 5 in the table contained in section 22 (m) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

63. Items III, 6 to 13 in the table contained in section 22 (m) are redesignated 7 to 14 respectively.

64. Item III, 6 is added to the items listed in the table contained in section 22 (m) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 39	Cents per lb. 39	Cents per lb. 34	Cents per lb. 34	Cents per lb. -----

65. The headings of Items V, 6, 7, 8 and 9 in the table contained in section 22 (m) are amended to read as follows:

- 6. Regular chuck—whole.
- 7. Short plate—whole.
- 8. Brisket—whole.
- 9. Shank—whole.

66. The heading above the table contained in section 22 (n) is amended to read as follows:

[For stores in classes 3 and 4 as provided in Maximum Price Regulation No. 355, effective June 21, 1943.]

67. The heading of Item III, 5 in the table contained in section 22 (n) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

68. Items III, 6 to 13 in the table contained in section 22 (n) are redesignated 7 to 14 respectively.

69. Item III, 6 is added to the items listed in the table contained in section 22 (n) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 39	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	Cents per lb. -----

70. The headings of Items V, 6, 7, 8, and 9 in the table contained in section 22 (n) are amended to read as follows:

- 6. Regular chuck—whole.
- 7. Short plate—whole.
- 8. Brisket—whole.
- 9. Shank—whole.

71. The heading of Item VIII, 7 of the table contained in section 22 (n) is amended to read as follows:

7. Shank and heel meat (boneless) (hind and fore).

72. Items III, 6 to 13 in the table contained in section 22 (o) are redesignated 7 to 14 respectively.

73. Item III, 6 is added to the items listed in the table contained in section 22 (o) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 40	Cents per lb. 40	Cents per lb. 35	Cents per lb. 35	Cents per lb. -----

74. The heading of Item III, 5 and the prices of Item III, 7 of the table contained in section 22 (o) are amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
7. Neck (bone-in)-----	Cents per lb. 27	Cents per lb. 27	Cents per lb. 23	Cents per lb. 23	Cents per lb. 19

75. The heading above that portion of the table beginning with Item VIII and contained in section 22 (o) is amended to read as follows:

[For stores in classes 1 and 2 as provided in Maximum Price Regulation No. 355, effective June 21, 1943.]

76. The headings of Items VIII, 6 and 8 of the table contained in section 22 (o) are amended to read as follows:

- 6. Shank (bone-in) (hind and fore).
- 8. Ground veal and patties.

77. The heading of Item III, 5 in the table contained in section 22 (p) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

78. Items III, 6 to 13 in the table contained in section 22 (p) are redesignated 7 to 14 respectively.

79. Item III, 6 is added to the items listed in the table contained in section 22 (p) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off)	Cents per lb. 38	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	Cents per lb. -----

80. The heading of Item VIII, 8 in the table contained in section 22 (p) is amended to read as follows:

8. Ground veal and patties.

81. Items III, 6 to 13 in the table contained in section 22 (q) are redesignated 7 to 14 respectively.

82. Item III, 6 is added to the items listed in the table contained in section 22 (q) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off)	Cents per lb. 40	Cents per lb. 40	Cents per lb. 35	Cents per lb. 35	Cents per lb. -----

83. The headings of Items VIII, 6 and 8 in the table contained in section 22 (q) are amended to read as follows:

- 6. Shank (bone-in) (hind and fore).
- 8. Ground veal and patties.

84. The heading of Item III, 5 in the table contained in section 22 (r) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

85. Items III, 6 to 13 in the table contained in section 22 (r) are redesignated 7 to 14 respectively.

86. Item III, 6 is added to the items listed in the table contained in section 22 (r) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off)	Cents per lb. 38	Cents per lb. 38	Cents per lb. 33	Cents per lb. 33	Cents per lb. -----

87. Item VI, 1 of the table contained in section 22 (r) is amended to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
1. Loin chops-----	Cents per lb. 45	Cents per lb. 42	Cents per lb. 37	Cents per lb. 31	Cents per lb. 23

88. The headings of Items VIII, 6 and 8 on the table contained in section 22 (r) are amended to read as follows:

- 6. Shank (bone-in) (hind and fore).
- 8. Ground veal and patties.

89. The heading of Item III, 5 in the table contained in section 22 (s) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

90. Items III, 6 to 13 in the table contained in section 22 (s) are redesignated 7 to 14 respectively.

91. Item III, 6 is added to the items listed in the table contained in section 22 (s) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 40	Cents per lb. 40	Cents per lb. 35	Cents per lb. 35	

92. The headings of Items V, 6, 7, 8, and 9 of the table contained in section 22 (s) are amended to read as follows:

- 6. Regular chuck—whole.
- 7. Short plate—whole.
- 8. Brisket—whole.
- 9. Shank—whole.

93. The headings of Items VIII, 7 and 8 of the table contained in section 22 (s) are amended to read as follows:

- 7. Shank and heel meat (boneless) (hind and fore).
- 8. Ground veal and patties.

94. The heading of Item III, 5 in the table contained in section 22 (t) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

95. Items III, 6 to 13 in the table contained in section 22 (t) are redesignated 7 to 14 respectively.

96. Item III, 6 is added to the items listed in the table contained in section 22 (t) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 39	Cents per lb. 39	Cents per lb. 34	Cents per lb. 34	

97. The headings of Items V, 6, 7, 8 and 9 of the table contained in section 22 (t) are amended to read as follows:

- 6. Regular chuck—whole.
- 7. Short plate—whole.
- 8. Brisket—whole.
- 9. Shank—whole.

98. The prices for "D or cull" in Items VII, 17 and 18 of the table contained in

section 22 (t) are amended to read as follows:

Grades D or Cull: *Cents per pound*  
 17. Boneless veal shoulder cld.----- 23  
 18. Boned, rolled and tied veal roll..... 23

99. Items VIII, 5, 7 and 8 of the table contained in section 22 (t) are amended to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cull
5. Neck (boneless)....	Cents per lb. 29	Cents per lb. 23	Cents per lb. 23	Cents per lb. 22	Cents per lb. 29
7. Shank and heel meat (boneless), (hind and fore)....	29	23	23	22	29
8. Ground veal and patties.....	31	31	31	31	31

100. The heading of Item III, 5 in the table contained in section 22 (u) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

101. Items III, 6 to 13 in the table contained in section 22 (u) are redesignated 7 to 14 respectively.

102. Item III, 6 is added to the items listed in the table contained in section 22 (u) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 40	Cents per lb. 40	Cents per lb. 25	Cents per lb. 25	

103. The headings of Items V, 6, 7, 8 and 9 of the table contained in section 22 (u) are amended to read as follows:

- 6. Regular chuck—whole.
- 7. Short plate—whole.
- 8. Brisket—whole.
- 9. Shank—whole.

104. The headings of Items VIII, 7 and 8 of the table contained in section 22 (u) are amended to read as follows:

- 7. Shank and heel meat (boneless) (hind and fore).
- 8. Ground veal and patties.

105. The heading of Item III, 5 in the table contained in section 22 (v) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

106. Items III, 6 to 13 in the table contained in section 22 (v) are redesignated 7 to 14 respectively.

107. Item III, 6 is added to the items listed in the table contained in section 22 (v) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 39	Cents per lb. 29	Cents per lb. 24	Cents per lb. 24	

108. The headings of Items V, 6, 7, 8 and 9 of the table contained in section 22 (v) are amended to read as follows:

- 6. Regular chuck—whole.
- 7. Short plate—whole.
- 8. Brisket—whole.
- 9. Shank—whole.

109. The headings of Items VIII, 7 and 8 of the table contained in section 22 (v) are amended to read as follows:

- 7. Shank and heel meat (boneless) (hind and fore).
- 8. Ground veal and patties.

110. The headings of Items I, 4 and 5 of the table contained in section 22 (w) are amended to read as follows:

- 4. Rib—10 inch cut.
- 5. Rib—7 inch cut.

111. The headings of Items II, 1 and 2 of the table contained in section 22 (w) are amended to read as follows:

- 1. Rib standing (chine bone-in, 10 inch cut).
- 2. Rib standing (chine bone-in, 7 inch cut).

112. The heading of Item III, 5 in the table contained in section 22 (w) is amended to read as follows:

5. Brisket (boneless) (fresh and cured) (deckle on).

113. Items III, 6 to 13 in the table contained in section 22 (w) are redesignated 7 to 14 respectively.

114. Item III, 6 is added to the items listed in the table contained in section 22 (w) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 41	Cents per lb. 41	Cents per lb. 25	Cents per lb. 25	

115. The heading of Item V, 6 of the table contained in section 22 (w) is amended to read as follows:

6. Regular chuck—whole.

116. The heading of Item VIII, 8 of the table contained in section 22 (w) is amended to read as follows:

8. Ground veal and patties.

117. The headings of Items I, 4 and 5 of the table contained in section 22 (x) are amended to read as follows:

- 4. Rib—10 inch cut.
- 5. Rib—7 inch cut.

118. The headings of Items II, 1 and 2 of the table contained in section 22 (x) are amended to read as follows:

- 1. Rib standing (chine bone-in, 10 inch cut).
- 2. Rib standing (chine bone-in, 7 inch cut).

119. The heading of Item III, 5 in the table contained in section 22 (x) is amended to read as follows:

- 5. Brisket (boneless) (fresh and cured) (deckle on).

120. Items III, 6 to 13 in the table contained in section 22 (x) are redesignated 7 to 14 respectively.

121. Item III, 6 is added to the items listed in the table contained in section 22 (x) to read as follows:

	Grades				
	AA or choice	A or good	B or commercial	C or utility	D or cutters and canners
6. Brisket (boneless), (cured), (deckle off).	Cents per lb. 39	Cents per lb. 39	Cents per lb. 35	Cents per lb. 35	-----

122. The heading of Item VIII, 8 of the table contained in section 22 (x) is amended to read as follows:

- 8. Ground veal and patties.

123. The headings of the following items listed in alphabetical order in the table contained in section 28 (a) are amended in the following respects:

- "Hearts, Type B" is amended to read "Hearts, blemished".
- "Livers, Type A" is amended to read "Livers, unblemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Sweetbreads, Type A" is amended to read "Sweetbreads, unblemished".
- "Sweetbreads, Type B" is amended to read "Sweetbreads, blemished".
- "Tongues, Type A" is amended to read "Tongues, unblemished".
- "Tripe, scalded (bellies)" is amended to read "Tripe, scalded".

124. The headings of the following items listed in alphabetical order in the table contained in section 28 (b) are amended in the following respects:

- "Hearts, Type B" is amended to read "Hearts, blemished".
- "Livers, Type A" is amended to read "Livers, unblemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Sweetbreads, Type A" is amended to read "Sweetbreads, unblemished".
- "Sweetbreads, Type B" is amended to read "Sweetbreads, blemished".
- "Tongues, Type B" is amended to read "Tongues, blemished".

"Tripe scalded (bellies)" is amended to read "Tripe, scalded".

125. The headings of the following items listed in alphabetical order in the table contained in section 28 (c) are amended in the following respects:

- "Heart, Type B" is amended to read "Heart, blemished".
- "Livers, Type A" is amended to read "Livers, unblemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Sweetbreads, Type A" is amended to read "Sweetbreads, unblemished".
- "Tongues, Type A" is amended to read "Tongues, unblemished".
- "Tripe scalded (bellies)" is amended to read "Tripe, scalded".

126. The headings of the following items listed in alphabetical order in the table contained in section 28 (d) are amended in the following respects:

- "Heart, Type B" is amended to read "Heart, blemished".
- "Livers, Type A" is amended to read "Livers, unblemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Sweetbreads, Type A" is amended to read "Sweetbreads, unblemished".
- "Tongues, Type A" is amended to read "Tongues, unblemished".
- "Tripe scalded (bellies)" is amended to read "Tripe, scalded".

127. The headings of the following items listed in alphabetical order in the table contained in section 28 (e) are amended in the following respects:

- "Heart, Type B" is amended to read "Heart, blemished".
- "Livers, Type A" is amended to read "Livers, unblemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Sweetbreads, Type A" is amended to read "Sweetbreads, unblemished".
- "Tongues, Type A" is amended to read "Tongues, unblemished".
- "Tripe scalded (bellies)" is amended to read "Tripe scalded".

128. The headings of the following items listed in alphabetical order in the table contained in section 28 (f) are amended in the following respects:

- "Heart, Type B" is amended to read "Heart, blemished".
- "Livers, Type A" is amended to read "Livers, unblemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Sweetbreads, Type A" is amended to read "Sweetbreads, unblemished".
- "Tongues, Type A" is amended to read "Tongues, unblemished".
- "Tripe scalded (bellies)" is amended to read "Tripe scalded".

129. The headings of the following items listed in alphabetical order in the table contained in section 28 (g) are amended in the following respects:

- "Heart, Type B" is amended to read "Heart, blemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Tongue, Type A" is amended to read "Tongue, unblemished".
- "Tripe scalded (bellies)" is amended to read "Tripe scalded".

130. The headings of the following items listed in alphabetical order in the table contained in section 28 (h) are amended in the following respects:

- "Heart, Type B" is amended to read "Heart, blemished".
- "Livers, Type B" is amended to read "Livers, blemished".
- "Tongues, Type A" is amended to read "Tongues, unblemished".
- "Tripe scalded (bellies)" is amended to read "Tripe scalded".

131. The price of "19" for cured pork items, Lips, in Zone 1 of section 28 (h) is amended to read "17".

132. Section 29 is added to read as follows:

Sec. 29. OPA list of retail ceiling prices for miscellaneous beef items. (a) Retail ceiling prices for dried beef (sliced).  
Class 1 and 2 stores:

	Price per pound										
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Bulk unpackaged.....	87	85	85	84	84	85	85	86	86	86	86
¾ lb. cellophane.....	23	22	22	22	22	22	23	23	23	23	23

(b) Retail ceiling prices for dried beef (sliced).  
Class 3 and 4 stores:

	Price per pound										
	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Bulk unpackaged.....	83	82	81	80	80	81	81	82	82	82	83
¾ lb. cellophane.....	22	22	21	21	21	21	22	22	22	22	22

This amendment shall become effective September 20, 1943, except that it shall become effective on September 8, 1943 with respect to sales of dried beef (sliced). (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 18th day of September 1943.

GEORGE J. BURKE,  
Acting Administrator.

Chapter XIII—Petroleum Administrator  
for War[PAO 11, Supp. Order 5 as Amended Sept,  
21, 1943]PART 1515—PETROLEUM PRODUCTION  
OPERATIONSOIL WELLS IN INDIANA, ILLINOIS, AND  
KENTUCKY

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

Section 1515.11 Supplementary Order No. 5 to Petroleum Administrative Order No. 11 is hereby amended to read as follows:

(a) *Definitions.*

The definitions of Petroleum Administrative Order No. 11, as amended from time to time, shall apply in this order. In addition:

(1) "Quarter of a quarter-quarter section" means the northeast, northwest, southeast, or southwest one-quarter of a quarter-quarter section: *Provided*, That such quarter of a quarter-quarter section is approximately square.

(2) "Half of a quarter-quarter section" means the north, south, east, or west one-half of a quarter-quarter section.

(b) *Oil wells drilled in the State of Illinois and in a portion of the State of Indiana.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material to drill, complete, equip, connect, or provide additions to any oil well which is drilled to any sand formation in the State of Illinois, or in the Counties of Clay, Daviess, Dubois, Gibson, Greene, Knox, Martin, Perry, Pike, Posey, Spencer, Sullivan, Vanderburgh, Vigo, or Warrick in the State of Indiana: *Provided*, That:

(1) As to any such oil well which is drilled or completed at a depth of not more than 2,500 feet:

(i) Such well is drilled within 30 feet of the center of a drilling unit consisting of a quarter of a quarter-quarter section upon which quarter no drilling or producible well other than such well is or is to be located: *Provided*, That, where any other well has been located either approximately in the center of a quarter-quarter section (attributable solely to such well) or in the center of half of a quarter-quarter section (attributable solely to such well), such other well shall be deemed to have been drilled on an adjacent quarter of a quarter-quarter section;

(ii) The proposed drilling unit upon which such well is or is to be located consists entirely of acreage which is not attributable to any drilling or producible well (located within the same lease or property) other than such well. The acreage attributable to any well "spudded" subsequent to December 23, 1941, which offsets such well and is drilled to a depth of not more than 2,500 feet, shall be the quarter of a quarter-quarter section upon which such offset well is located. The acreage attributable to any well "spudded" subsequent to December 23, 1941, which offsets such well and is

drilled to a depth of more than 2,500 feet, shall be the one-half of a quarter-quarter section upon which such offset well is located. The acreage attributable to any well "spudded" on or before December 23, 1941, which offsets such well, shall be determined by assigning to such offset well an acreage equivalent to that in the existing well density or drilling pattern contiguous to such offset well;

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of operations at the designated drilling location of such well;

(iv) Such well is drilled at least 330 feet from any lease line, property line, or subdivision line which separates unconsolidated property interests.

(2) As to any such oil well which is drilled or completed at a depth of more than 2,500 feet:

(i) Such well is drilled on a drilling unit of not less than one-half of a quarter-quarter section upon which no drilling or producible well other than such well is or is to be located;

(ii) The proposed drilling unit upon which such well is or is to be located consists entirely of acreage which is not attributable to any drilling or producible well (located within the same lease or property) other than such well. The acreage attributable to any drilling or producible well which offsets such well shall be determined in accordance with the applicable provisions of paragraph (b) (1) (ii);

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of operations at the designated drilling location of such well;

(iv) Such well is drilled within 30 feet of the center of a quarter of a quarter-quarter section;

(v) Where other wells "spudded" in the field subsequent to December 23, 1941, and in conformity with the provisions of Conservation Order M-68 (as amended from time to time)<sup>1</sup> or of Petroleum Administrative Order No. 11 have been located approximately in the centers of corresponding quarters of quarter-quarter sections, such well is drilled with respect to the quarter-quarter section upon which it is located either at a location which conforms to the location of such other wells or within 30 feet of the center of the quarter of a quarter-quarter section which is diagonally opposite such corresponding quarter of a quarter-quarter section;

(vi) Where other wells "spudded" in the field subsequent to December 23, 1941, and in conformity with the provisions of Conservation Order M-68 (as amended from time to time) or of Petroleum Administrative Order No. 11 have been located approximately in the centers of corresponding halves of quarter-quarter sections, any such well, other than the first well "spudded" in such field subsequent to the issuance of this supplementary order, is drilled at least 725 feet from any drilling or producible well which is to be drilled to a depth of more than 2,500 feet; and

(a) Such well shall bear the same geographic relationship to the quarter-quarter section upon which it is located as such first well bears to the quarter-quarter section upon which such first well is located, or

(b) Such well shall be drilled on the quarter of a quarter-quarter section diagonally opposite the quarter of a quarter-quarter section on which such geographic relationship can be attained;

(vii) Where paragraphs (b) (2) (v) and (b) (2) (vi) are not applicable, any such well, other than the first well "spudded" in such field subsequent to the issuance of this supplementary order, shall bear either the same geographic relationship to the quarter-quarter section upon which it is located as such first well bears to the quarter-quarter section upon which such first well is located, or such well shall be drilled on the quarter of a quarter-quarter section diagonally opposite the quarter of a quarter-quarter section on which such geographic relationship can be attained;

(viii) Such well is drilled at least 330 feet from any lease line, property line or subdivision line which separates unconsolidated property interests.

(c) *Oil wells drilled in a portion of the State of Kentucky.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, as amended, any person may accept delivery of, acquire, or use material to drill, complete, equip, connect, or provide additions to any oil well which is drilled to any sand formation in the Counties of Breckinridge, Butler, Christian, Daviess, Grayson, Hancock, Henderson, Hopkins, Ohio, Logan, McLean, Muhlenberg, Todd, Union, or Webster in the State of Kentucky: *Provided*, That:

(1) As to any such oil well which is drilled or completed at a depth of not more than 2,500 feet:

(i) Such well is drilled on a drilling unit of not less than 10 surface acres;

(ii) The proposed drilling unit upon which such well is or is to be located consists entirely of acreage which is not attributable to any drilling or producible well (located within the same lease or property) other than such well. The acreage attributable to any well "spudded" subsequent to December 23, 1941, which offsets such well and is drilled to a depth of not more than 2,500 feet, shall be 10 surface acres. The acreage attributable to any well "spudded" subsequent to December 23, 1941, which offsets such well and is drilled to a depth of more than 2,500 feet, shall be 20 surface acres. The acreage attributable to any well "spudded" on or before December 23, 1941, which offsets such well, shall be determined by assigning to such offset well an acreage equivalent to that in the existing well density or drilling pattern contiguous to such offset well;

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of operations at the designated drilling location of such well;

(iv) Such well is drilled at least 600 feet from any drilling or producible well;

<sup>1</sup> 8 F.R. 104.

(v) Such well is drilled at least 330 feet from any lease line, property line, or subdivision line which separates unconsolidated property interests.

(2) As to any such oil well which is drilled or completed at a depth of more than 2,500 feet:

(i) Such well is drilled on a drilling unit of not less than 20 surface acres;

(ii) The proposed drilling unit upon which such well is or is to be located consists entirely of acreage which is not attributable to any drilling or producible well (located within the same lease or property) other than such well. The acreage attributable to any drilling or producible well which offsets such well shall be determined in accordance with the applicable provisions of paragraph (c) (1) (ii);

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of operations at the designated drilling location of such well;

(iv) Such well is drilled at least 900 feet from any drilling or producible well which is or is to be drilled to a depth of more than 2,500 feet;

(v) Such well is drilled at least 330 feet from any lease line, property line or subdivision line which separates unconsolidated property interests.

(d) *Violations.* Any person who wilfully violates any provision of this Order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(e) This order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; WPB Directive 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of September 1943.

RALPH K. DAVIES,  
Deputy Petroleum Administrator  
for War.

[F. R. Doc. 43-15329; Filed, September 20, 1943; 10:43 a. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

#### PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

##### MISCELLANEOUS AMENDMENTS

Revision of §§ 5.2502, 5.2504, 5.2506, 5.2508, 5.2512, 5.2514-2517, 5.2530, 5.2548, 5.2550-2551, 5.2554, 5.277, 5.2584, 5.2586, 5.2588, 5.2594, 5.2596, 5.2608, 5.2609, 5.2620, 5.2622, 5.2624, 5.2634, 5.2660, 5.2662, 5.2664, and 5.2666.

§ 5.2502 *General law.* For the purposes of the general law the following definitions of relationships shall govern in the adjudication of claims for death pension:

(a) *Widow.* The term "widow" shall mean a person who was married to the veteran at any time prior to the death of the veteran. Except when service was rendered in the War with Spain, continuous cohabitation to date of death of the veteran is required in marriages entered into subsequent to March 2, 1899, unless the marriage was entered into prior to or during service. (30 Stat. 1380) (See § 5.2516)

(b) *Child.* (1) The term "child" shall mean a legitimate child under the age of sixteen. Children born before the marriage of their parents, if acknowledged by the father before or after the marriage, shall be deemed legitimate (section 4704 R.S.). State laws as to legitimacy are not applicable (14 P.D. 428). The payment of pension may be further continued after the age of sixteen to or for a child who was pensioned or entitled to pension in its own right or with the mother, if such child was insane, idiotic, or otherwise physically or mentally helpless at the date of attaining the age of sixteen years and the helpless condition exists at the date of filing claim. Payments of pension continue during the period of helplessness.

(2) For the purposes of the General Law as reenacted by Public No. 269, 74th Congress, the term "child" shall mean the same as in subparagraph (1) of this paragraph, including a child as defined in § 5.2514 (c): *Provided*, That payment of pension to or for a child entitled solely as a result of the definition contained in § 5.2514 (c) may not be made for any period prior to July 13, 1943. (Pub. No. 144, 78th Cong.)

(c) *Mother-father.* (1) The term "mother" or "father" shall mean a natural mother or father of the veteran or mother or father of the veteran through legal adoption if, when adopted, the child becomes to all legal intents and purposes the child of the adoptive parents (20 P.D. 66). The father must have been legally married to the mother of the veteran on whose account claim is made. (8 P.D. 340)

(2) For the purposes of the general law as reenacted by Public No. 269, 74th Congress, the term "mother" or "father" shall mean the same as in subparagraph (1) of this paragraph, including a mother or father as defined in § 5.2514 (d): *Provided*, That payment of pension to or for a parent entitled solely as a result of the definition contained in § 5.2514 (d) may not be made for any period prior to July 13, 1943. (Pub. No. 144, 78th Congress) (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2504 *Indian Wars.* For the purposes of the Acts of March 4, 1917 (39 Stat. 1199), and March 3, 1927 (44 Stat. 1361), the following definitions of relationships shall govern in the adjudication of claims for death pension:

(c) *Child.* The term "child" is as defined in § 5.2502 (b) (1). (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2506 *Civil War.* For the purposes of any service pension law granting pension to widows, remarried widows and children of veterans of the Civil War, the following definitions of relationship shall govern in the adjudication of claims for death pension:

(c) *Child.* The term "child" is as defined in § 5.2502 (b) (1). (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2508 *Spanish-American War, Boxer Rebellion, Philippine Insurrection, peacetime service.* For the purposes of Public No. 2, 73d Congress (Act of March 20, 1933), the following definitions of relationship shall govern in the adjudication of claims for death pension:

(b) *Child.* The term "child" shall mean the same as defined in § 5.2514 (c). (Pub. No. 144, 78th Cong.)

(c) *Parent; father; mother.* The terms "parent", "father", and "mother" shall mean the same as defined in § 5.2514 (d). (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2512 *Spanish-American War, Boxer Rebellion and Philippine Insurrection; Public No. 141, 73d Congress, and Public No. 269, 74th Congress.* For the purposes of section 30, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), and Public No. 269, 74th Congress (Act of August 13, 1935), the following definitions of relationship shall govern in the adjudication of claims for death pension:

(c) *Child.* For the purposes of the laws reenacted by Public No. 269, 74th Congress, the term "child" shall mean the same as in § 5.2502 (b) (1) and (2). (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2514 *World War.* \* \* \*

(c) *Child.* For the purposes of Public No. 2, 73d Congress, section 28, Public No. 141, 73d Congress, Public No. 484, 73d Congress, and amendments thereto, the term "child" shall mean a person unmarried and under the age of eighteen years, unless prior to reaching the age of eighteen the child becomes or has become permanently incapable of self-support by reason of mental or physical defect, who is a legitimate child, a child legally adopted, a stepchild if a member of the man's household, an illegitimate child, but as to the father, only (1) if acknowledged in writing signed by him or (2) if he has been judicially ordered or decreed to contribute to such child's support, or (3) if he has been prior to date of death of the veteran, judicially decreed to be the putative father of such child, or (4) if he is otherwise shown by evidence satisfactory to the Administrator of Veterans Affairs to be the putative father of such child; as to mother proof of birth is all that is required: *Provided*, That the payment of pension or compensation shall be con-

tinued after the age of eighteen years and until completion of education or training (but not after such child reaches the age of twenty-one years), to any child who is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn. (Section 3, World War Veterans' Act, 1924, as amended, and section (3) (c) Pub. No. 484, 73d Cong., and sections 1 and 7, Pub. No. 144, 78th Cong.)

(d) *Parent-father-mother.* For the purposes of Public No. 2, 73d Congress, and Public No. 141, 73d Congress, as amended, the terms "parent", "father", and "mother" include a father, mother, father through adoption, mother through adoption, and persons who have stood in loco parentis to a member of the military or naval forces at any time prior to entry into active service for a period of not less than one year: *Provided*, That not more than one father and one mother, as defined, shall be recognized in any case, and preference shall be given to such father or mother who actually exercised parental relationship at the time of or most nearly prior to the date of entry into active service by the person who served. (Section 8, Pub. No. 144, 78th Cong.) If the person who last occupied the relationship of parent does not establish entitlement, a person who had previously occupied such relationship is not thereby made eligible to pension or compensation benefits (see A. D. 510). Public No. 144, 78th Congress, does not affect awards to persons who were on the rolls July 13, 1943. (August 20, 1943.) (Pub. No. 144, 78th Cong.)

§ 5.2515 *World War II.* For the purposes of Public No. 2, 73d Congress, and Public No. 144, 78th Congress, the following definitions of relationship shall govern:

(a) *Widow.* The term "widow" of a veteran of World War II shall mean a person who was married to the veteran prior to the expiration of ten years subsequent to the termination of hostilities incident to such war as determined by proclamation of the President or by concurrent resolution of the Congress.

(b) *Child.* The term "child" of a veteran of World War II shall mean the same as defined in § 5.2514 (c).

(c) *Parent-father-mother.* The terms "parent", "father" and "mother" of a veteran of World War II shall mean the same as defined in § 5.2514 (d). (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2516 *Continuous cohabitation.* The requirement of any law administered by the Veterans' Administration that there must have been continuous cohabitation from the date of marriage to the date of death of the veteran will be considered as having been met when the evidence shows there was no separation due to the fault of the widow. If the

parties by mutual consent lived apart for purposes of convenience, health, business, or any other reason which did not show an intent on the part of the widow to desert her husband, the continuity of the cohabitation will not be considered as having been broken. Temporary separations which naturally occur in the ordinary course of life, including those caused for the time being through fault on the part of either party, will not break the continuity of the cohabitation. State laws will not control in determining questions of desertion. Due weight will be given to findings of fact in court decisions made during the life of the veteran on issues subsequently involved in the application of this paragraph, but such findings will not be conclusive as to determinations to be made by the Veterans' Administration. (August 20, 1943) (50 Stat. 662; 38 U.S.C. Sup. 472 (e))

EVIDENCE REQUIRED IN ESTABLISHING PROOF OF BIRTH, RELATIONSHIP, MARRIAGE, DEATH AND DEPENDENCY

§ 5.2517 *Proof of marriage.* Proof of marriage shall be shown by the best evidence obtainable as provided in § 2.1050, except that in the claim of a widow and/or child or children of a colored or Indian veteran, who enlisted prior to March 4, 1873, and whose death was due to service in line of duty, no evidence of marriage, other than satisfactory proof that the parties were joined in marriage by some ceremony deemed by them obligatory or habitually recognized each other as man and wife and were so recognized by their neighbors and lived together to date of enlistment, if death was in service, otherwise to date of death, will be required. (Sec. 4705, R.S., U.S.C. Title 38, sec. 198) (August 20, 1943) (17 Stat. 570; 38 U.S.C. 198)

§ 5.2530 *Death of veteran due to war-time service: Public No. 2, 73d Congress.* \* \* \*

(c) *World War II.* For the purposes of Public No. 2, 73d Congress, as amended, the surviving widow, child or children and dependent parent, father or mother of any deceased person who died as a result of injury or disease incurred in or aggravated by active military or naval service during World War II as provided for in § 35.011, paragraph (a), as amended by section 9, Public No. 144, 78th Congress, shall be entitled to receive pension at the monthly rates specified in § 5.2624. (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2548 *Death of World War veteran from disease of injury not the result of military service, who at time of death had a service-connected disability (Public No. 484, 73d Congress, as amended.)* \* \* \*

(f) *Income limitation.* (1) For periods prior to July 19, 1939. For periods prior to July 19, 1939, exemption from the payment of Federal income tax for the preceding year is a prerequisite to title to compensation under Public No. 484, 73d Congress, as amended.

(2) For periods on and after July 19, 1939. For periods on and after July 19, 1939, no payment of compensation shall be made under the provisions of Public No. 484, 73d Congress, as amended, to any

widow without a child, or to any child whose annual income exceeds \$1,000.00, or to a widow with a child or children whose annual income exceeds \$2,500.00: *Provided*, That on and after July 13, 1943, where payments to a widow are disallowed or discontinued by reason of annual income, payment to a child or children of the deceased veteran may be made as though there is no widow. The provisions of § 3.1228 will govern determinations under this paragraph but in no event will any payments by the United States Government because of disability or death under laws administered by the Veterans' Administration be considered. (August 20, 1943) (Section 11, Pub. No. 144, 78th Cong.)

\* \* \* \* \*  
§ 5.2550 *Concurrent payment of two benefits to the same person.* As to the application of section 15, Public No. 144, 78th Congress, see § 5.2551.

\* \* \* \* \*  
The following paragraphs in § 5.2551 are transferred to § 5.2550 as paragraphs (d), (e), (f) and (g).

(d) Under the provisions of Public No. 2, 73d Congress (Act of March 20, 1933), not more than one pension or award of compensation shall be payable to any one individual, except that the receipt of pension or compensation by a widow, child, or parent on account of the death of any person shall not bar the payment of pension or compensation on account of the death of any other person (§ 35.10 (m)); however, for periods prior to September 1, 1941, the increased rate of death compensation authorized by section 3, Public No. 304, 75th Congress (Act of August 16, 1937), or section 5, Public No. 198, 76th Congress (Act of July 19, 1939), may not be awarded concurrently with compensation or pension which may be payable under other laws because of the service and death of another person. Accordingly, for periods prior to September 1, 1941, when the maximum amount of compensation payable under § 35.011 on account of the service and death of more than one person exceeds the maximum provided on account of the death of one person by section 3, Public No. 304, 75th Congress, or by section 5, Public No. 198, 76th Congress, the awards will be authorized at the rates prescribed by § 35.011.

On and after September 1, 1941, the increased rates provided by section 5, Public No. 198, 76th Congress (Act of July 19, 1939), as amended, shall be paid to those persons entitled to pension or compensation on account of the death, disability or service of more than one person, if otherwise entitled. (Pub. No. 242, 77th Cong. (Act of August 21, 1941))

(e) (1) For the purposes of § 35.012 (a), as promulgated June 6, 1933, pension shall not be paid concurrently with active duty pay but may be paid concurrently with United States Employees Compensation.

(2) For the purposes of § 35.012 (a), as amended by Public No. 159, 75th Congress (Act of June 23, 1937), and Public No. 732, 75th Congress (Act of June 25, 1938), which relate to conditions of title of reserve officers and members of

the enlisted reserves of the United States Army, Navy, or Marine Corps, pension shall not be paid concurrently with active duty pay or United States Employees Compensation.

(3) For the purposes of the general law, the service pension laws, §§ 35.011 and 35.012 (except as amended by Public No. 159, 75th Congress, and Public No. 732, 75th Congress), and § 35.013, section 28, Public No. 141, 73d Congress, as amended; and Public No. 484, 73d Congress, as amended, the payment of United States Employees Compensation shall not operate as a bar to the payment of death pension or compensation. (Section 7, Act of September 7, 1916; Acting C. G., October 3, 1938)

(f) (1) Pension or compensation benefits under Public No. 2, 73d Congress, or Public No. 484, 73d Congress, shall not be paid concurrently to a claimant as widow of one veteran and as the remarried widow of another veteran. (A. D. 361 and 381)

(2) A widow may be paid additional compensation under provisions of Public No. 484, 73d Congress, as amended, on account of a stepchild of her deceased husband, during the period they are being paid death compensation under § 35.011 because of the service-connected death of her former husband who served in the World War. (Solicitor, August 12, 1938)

(3) A mother may be paid pension under § 35.01 series but not under the reenacted laws on account of the service of a son in the Spanish-American War, concurrently with pension as widow of a Civil War soldier. (A. D. 271)

(4) A widow may be paid pension based on the service of her husband in the Civil War and pension under a special act of the Congress or under the § 35.01 series based on the service of a son who served in the Spanish-American War, the period of the latter service being covered by section 35. (Solicitor, August 16, 1943)

(5) Death pension under § 35.013 is payable concurrently with death compensation based on service during the World War. (Solicitor, August 22, 1934; A. D. 271)

(g) As to circumstances under which both disability and death pension or compensation may be paid to the same person, see also §§ 3.1296 to 3.1302, and §§ 4.2170, 4.2171, 4.2175, 4.2176 and 4.2177. (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2551 On and after July 13, 1943, the provisions of this paragraph are applicable to all laws administered by the Veterans Administration. Not more than one award of pension, compensation, or emergency officers' or regular retirement pay, shall be made concurrently to any person based on his own service. The receipt of pension or compensation by a widow, child, or parent on account of the death of any person, or receipt by any person of pension or compensation on account of his own service, shall not bar the payment of pension or compensation on account of the death or disability of any other person. Pension, compensation or retirement pay on account of his own service shall not be

paid while the person is in receipt of active service pay, but the receipt of active service pay shall not bar the payment of pension or compensation on account of the death of any other person. (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2554 *Renouncement of pension.* Any person entitled to pension or compensation under any law or veterans' regulation administered by the Veterans' Administration may renounce his right thereto. The application renouncing the right shall be in writing over the person's signature and upon filing of such application, payment of such benefits and the right thereto shall be terminated and he shall be denied any and all rights thereto effective as of the date of last payment. The renouncement provided for herein shall not preclude the person from filing a new application for pension or compensation at a future date but such application shall have the attributes of an original application and no payment will be made for any period prior to the date of receipt thereof. (§ 35.10 (u), as amended by section 3, Pub. No. 144, 78th Cong.) (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2577 *Death pension or compensation payable solely by virtue of Public No. 144, 78th Congress.* The date of commencement of original awards of death pension or compensation, payable solely as a result of the provisions of Public No. 144, 78th Congress, shall be the day following the date of death of the veteran or July 13, 1943, whichever is the later, if application is filed within one year from date of death; otherwise from date of filing application. In no event, however, shall the rates of pension or compensation authorized by section 14 of the Act be payable for any period prior to August 1, 1943. (August 20, 1943) (Pub. No. 144, 78th Cong.)

#### EFFECTIVE DATES OF REDUCTIONS AND DISCONTINUANCES OF DEATH PENSION AND COMPENSATION

§ 5.2584 *General Law Service Acts.* Awards of pension shall be reduced or discontinued as follows under:

General law (sections 4702 and 4707, Revised Statutes, as amended), as to service prior to April 21, 1898; and

Service Acts, relating to the Civil War, Act of May 1, 1920 (41 Stat. 585), Act of July 3, 1926 (44 Stat. 806), and Act of June 9, 1930 (46 Stat. 529);

Indian Wars, Act of March 3, 1927 (44 Stat. 1361); and

War with Spain, Boxer Rebellion, and Philippine Insurrection, Act of July 16, 1918 (40 Stat. 903), Act of September 1, 1922 (42 Stat. 834), and Act of May 1, 1926 (44 Stat. 382), as reenacted by section 30, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), and Public No. 269, 74th Congress (Act of August 13, 1935); and

Act of July 13, 1943, Public No. 144, 78th Congress.

(a) *Termination by limitation.*—(1) *Widows and remarried widows.* (i) Death pension payable to a widow or remarried widow shall terminate the day of death or the day preceding marriage. If the widow is receiving additional pension for a child or children

based on service rendered prior to April 21, 1898, the date of termination of such additional pension shall be the date of death of the child or the day preceding the child's sixteenth birthday. If the widow is receiving additional pension for a child or children based on service rendered on and after April 21, 1898, the date of termination of such additional pension shall be the date of death, or the day preceding marriage, or the day preceding the child's eighteenth birthday: *Provided*, That the discontinuance of additional pension for a child or children because of school attendance shall be effective as provided in § 5.2598 (g). Additional death pension being paid on behalf of any child by reason of permanent incapacity for self-support shall be discontinued effective the date of last payment when a determination has been made that such condition no longer exists.

(ii) *Overpayment to widow.* When a widow has continued to receive pension after her remarriage and the veteran's child or children under the age of sixteen years or helpless child or children have resided with and been supported by her, the effective date shall be the date of last payment (R. S. 4702).

(iii) *Abandonment of children by widow.* The effective date shall be the date of last payment to a widow whose pension is suspended by reason of abandonment of children under § 5.2600 (section 4706, Revised Statutes, as amended);

(iv) *Adulterous cohabitation.* The effective date shall be from the commencement of open and notorious adulterous cohabitation when forfeiture has been incurred under § 5.2602. (Act of August 7, 1882 (22 Stat. 345))

(2) *Children.* (i) Death pension payable to a child based on service rendered prior to April 21, 1898, shall be discontinued effective the date of death or the day preceding the child's sixteenth birthday. Death pension payable to a child based on service rendered on and after April 21, 1898, shall be discontinued effective the date of death, or the day preceding marriage, or the day preceding the child's eighteenth birthday, *Provided*, That the discontinuance of pension because of school attendance shall be effective as provided in § 5.2598 (g).

(ii) *Cessation of helplessness.* The date of last payment when a determination has been made that helplessness no longer exists.

(iii) *Payment to child's mother as remarried widow.* From the day preceding the commencement of pension to a remarried widow when the veteran's child or children under the age of sixteen years or helpless in receipt of pension are members of her family and cared for by her.

(iv) *Marriage of helpless child.* Payments to or for a helpless child who marries shall be discontinued as of the date preceding the marriage. As to a child who is within the definition of the term contained in § 5.2502 (b) (1), the presumption that the helpless condition has ceased may be overcome by positive proof of continuing mental or physical condition resulting in helplessness.

(b) *Mother or father, discontinuance for death or cessation of dependency.* From the date of death or, if no longer dependent, from the date dependency ceased to exist. (R.S. 4707 as amended by the Act of June 27, 1890, R.S. 4708)

(c) *Discontinuance for residence in enemy-controlled territory.* See § 5.2586 (k). (August 20, 1943) (Pub. No. 144, 78th Cong.)

NOTE: For renouncement see § 5.2554.

§ 5.2586 *Public No. 2, 73d Congress (Act of March 20, 1933), as amended; sections 28 and 31, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), as amended; Public No. 484, 73d Congress (Act of June 28, 1934), as amended; and Public No. 144, 78th Congress (Act of July 13, 1943.* Where death pension or compensation has been awarded under the provisions of Public No. 2, 73d Congress, or section 28 or 31, Title III, Public No. 141, 73d Congress, or Public No. 484, 73d Congress, as amended, the effective date of reduction or discontinuance of such death pension or compensation shall be in accordance with the facts found, except that:

(c) *Child reaching eighteen, marrying, dying or entering Military or Naval Service.* (1) Discontinuance or reduction of pension or compensation to or because of a child reaching the age of eighteen years, or being married, or dying, shall be effective the date next preceding the eighteenth birthday or next preceding the date of marriage, or will be effective upon the date of death. (§ 35.021 (c) (5).)

(2) In those cases in which there is a widow entitled, the additional death compensation or pension being paid on behalf of or for a child shall, upon such child's entry into the active military or naval service of the United States be paid to the widow during the period of the child's military or naval service prior to the child's eighteenth birthday: *Provided*, That in those cases in which an apportioned share is currently being paid in behalf of the child at the date of the child's entry into service, such apportionment will be discontinued as of the date of last payment and, effective as of the next day, the apportioned share for the child will be included in the widow's award. (See § 3.1298) (August 20, 1943)

(k) *Beneficiary resident in enemy-controlled territory.* Discontinuance of death pension or compensation under section 5 of Public No. 144, 78th Congress, shall be effective date of last payment on an award to any person not a citizen of the United States who is located in the territory of or under military control of an enemy of the United States or of any of its allies: *Provided*, That while such person is located in a territory of or under military control of an enemy of the United States or any of its allies, any part of the benefits to which such person would otherwise be entitled may be apportioned and paid to the dependents of such person who are in the United States or in a place not occupied or controlled by such enemy,

except that the amount so apportioned and paid shall not exceed the amount to which each dependent would be entitled if such person were dead. As to recommencement of payments, see § 5.2588 (f). (August 20, 1943) (Pub. No. 144, 78th Cong.)

NOTE: For receipt of active service or retirement pay see § 3.1299.

§ 5.2588 *Recommencement of death pension or compensation.* Death pension or compensation previously discontinued will be recommended as follows:

(f) *Recommencement after discontinuance because of residence in enemy-controlled territory.* In any claim where payments of death pension or compensation have been discontinued under section 5, Public No. 144, 78th Congress, because a beneficiary, who was not a citizen of the United States was a resident in the territory of or under the military control of an enemy of the United States or of any of its allies, payments shall not be recommenced except upon the filing of a new claim accompanied by evidence satisfactory to the Administrator of Veterans Affairs showing that the claimant was not guilty of any of the offenses enumerated in section 4 of Public No. 144, 78th Congress: Mutiny, treason, sabotage or rendering assistance to an enemy of the United States or of its allies; *Provided*, That no pension or compensation shall be paid for any period prior to the date of receipt of such claim. See § 5.2586 (k) as to discontinuance of payments. (August 20, 1943) (Pub. No. 144, 78th Cong.)

PAYMENT OF PENSION OR COMPENSATION TO A CHILD WHEN IT REACHES SIXTEEN OR EIGHTEEN YEARS OF AGE

§ 5.2594 *When pension or compensation may be paid to a child after it reaches sixteen or eighteen years of age.* Pension or compensation to, for, or on account of a child payable under section 28, Public No. 141, 73d Congress (Act of March 28, 1934), or under Public No. 2, 73d Congress (Act of March 20, 1933), Public No. 484, 73d Congress (Act of June 28, 1934), as amended, or the General Law or a service act as reenacted by Public No. 269, 74th Congress (Act of August 13, 1935), as amended by Public No. 144, 78th Congress (Act of July 13, 1943), on account of death of a parent shall terminate when such child (1) reaches the age of 18 years or (2) marries; *Provided*, That such pension or compensation shall be continued after the age of 18 years:

(a) *Period of mental or physical incapacity.* During the period of incapacity, if the child, prior to reaching 18 years of age becomes by reason of mental or physical defects, permanently incapable of self-support.

(b) *While pursuing a course of instruction in an approved institution.* Until completion of education or training (but not after the child marries or reaches 21 years of age, whichever is the earlier date) when the child is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university

particularly designated by him and approved by the Veterans Administration. (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2596 *Death pension for service rendered prior to April 21, 1898, or death pension under the Act of May 1, 1926, as reenacted by Public No. 269, 74th Congress, at the rates provided in § 5.2634 (b) (1), may be paid on behalf of a child who meets the requirements of § 5.2502 (b) (1) only until a child attains the age of 16 years, except that death pension may be continued to or for a child beyond the age of 16 years provided the child was insane, idiotic, or otherwise physically or mentally helpless at the date of attaining the age of 16 years and such condition exists at the date of filing claim. The requirement that a child be "insane, idiotic or otherwise permanently helpless", or "insane, idiotic or otherwise mentally or physically helpless", as a prerequisite to the continuance of pension after the child attains the age of 16 years, will be considered as having been met when the evidence shows that such child is "permanently incapable of self-support by reason of physical or mental defect". As to the continuance of death pension on behalf of a child of a deceased veteran of the Spanish-American War, Boxer Rebellion or Philippine Insurrection who meets the requirements of § 5.2514 (c) as referred to in § 5.2512 (c), see § 5.2594. (August 20, 1943) (Pub. No. 144, 78th Cong.)*

FORFEITURES

§ 5.2608 *Forfeiture for treasonable acts.* Any person shown by evidence satisfactory to the Administrator of Veterans Affairs to be guilty of mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies shall forfeit all accrued or future benefits under laws administered by the Veterans Administration pertaining to gratuities for veterans and their dependents: *Provided*, That any part of such benefits may be apportioned and paid to the dependents of such person, not exceeding the amount to which each dependent would be entitled if such person were dead. (August 20, 1943) (Pub. No. 144, 78th Cong.)

PROTECTED AWARDS; DEATH CASES

§ 5.2609 *Awards for service-connected death prior to March 20, 1933.* Pursuant to section 17 of Public No. 2, 73d Congress (Act of March 20, 1933), and of section 20, Title I, Public No. 78, 73d Congress (Act of June 16, 1933), in death pension or compensation claims allowed prior to March 20, 1933, based on a finding that the veteran died as the result of a service-connected disability, it will be presumed that the prior decision, holding that the disease or injury causing the death of the veteran was the result of active service or was not the result of the veteran's misconduct or that the discharge was not dishonorable or that the relationship was properly established, was a proper decision and that every award to or for any individual as the widow, child, or dependent parent of a deceased veteran of the World War who was in active service on or after April 6, 1917, and before July

3, 1921, was a proper award, and no reduction or discontinuance thereof will be made except by reason of marriage or death of the widow or child, or death or cessation of dependency of the parent, or the attainment of the age of eighteen years or twenty-one years or cessation of school attendance of the child. This presumption will be effective in all instances in the absence of an affirmative showing that the prior decision was clearly and unmistakably erroneous under the criteria in effect when it was rendered. (§ 35.04) (August 20, 1943) (48 Stat. 11, 309; 38 U.S.C. 717, 722)

**RATES OF DEATH PENSION AND COMPENSATION FOR WIDOWS, REMARRIED WIDOWS, CHILDREN, AND DEPENDENT PARENTS**

§ 5.2620 *General law; veteran's death due to service.* The following rates of pension are payable under the General Law, subject to the conditions and limitations set forth in regulations. (R. S. 4695 as amended); (Pub. No. 758, 75th Cong., Act of June 28, 1938); (Pub. No. 359, 77th Cong., Act of December 19, 1941); (Pub. No. 690, 77th Cong., Act of July 30, 1942); (Pub. No. 144, 78th Cong., Act of July 13, 1943). (August 20, 1943)

(c) For persons entitled under the provisions of the General Pension Law for death resulting from service prior to April 21, 1898, the rates (except as to cases which come within the purview of paragraph (d) of this section), for the period, commencing July 1, 1938, and ending July 31, 1942, shall not be less than those outlined in § 5.2622 (d), and on and after August 1, 1942, the rates shall be those outlined in § 5.2622 (e), and for periods on and after August 1, 1943, the rates shall be those outlined in § 5.2622 (f). (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2622 *Rates under Public No. 2, 73d Congress (Act of March 20, 1933), section 28, Title III, Public No. 141, 73d Congress (Act of March 28, 1934), Public No. 690, 77th Congress (Act of July 30, 1942), and section 14 (b), Public No. 144, 78th Congress (Act of July 13, 1943).* The following rates are payable under the regulations promulgated pursuant to authority of Public No. 2, 73d Congress (Act of March 20, 1933), for the death resulting from active military or naval service subsequent to April 20, 1898; in World War cases prior to the dates when awards under Public No. 304, 75th Congress (Act of August 16, 1937), became effective; and in cases comprehended by Public No. 690, 77th Congress (Act of July 30, 1942) and section 14 (b), Public No. 144, 78th Congress (Act of July 13, 1943) (August 20, 1943)

(f) *Rates on and after August 1, 1943, for peacetime service.*

	<i>Per month</i>
Widow but no child.....	\$38.00
Widow with one child.....	49.00
(with \$10 for each additional child)	
No widow but one child.....	19.00
No widow but two children (equally divided).....	28.00
(with \$8 for each additional child; total amount to be equally divided)	
Dependent mother or father.....	30.00
(or both) each.....	20.00

As to the widow, child or children, the total pension payable under this paragraph shall not exceed \$75,000. As to the widow, and child or children not in her care and custody; any amount payable under this paragraph may be apportioned as prescribed in §§ 5.2591 and 5.2592. (Pub. No. 690, 77th Cong. and Pub. No. 144, 78th Cong.) (August 20, 1943) (Pub. No. 144, 78th Cong.)

§ 5.2624 *Rates under Public No. 198, 76th Congress (Act of July 19, 1939) World War, and Public No. 242, 77th Congress (Act of August 21, 1941) Spanish-American War, Philippine Insurrection and Boxer Rebellion, Public No. 359, 77th Congress (Act of December 19, 1941) for death due to service rendered subsequent to March 4, 1861, as defined in § 5.2533, including World War II, and section 14 (a), Public No. 144, 78th Congress (Act of July 13, 1943).* (a) The following rates are payable for periods on and after July 19, 1939, under the provisions of section 5, Public No. 198, 76th Congress, for death resulting from active military or naval service rendered during the World War as defined in § 5.2538 and in accordance with the conditions and limitations specified in §§ 5.2574 and 5.2582; and for periods on and after September 1, 1941, under the provisions of section 1, Public No. 242, 77th Congress, for death resulting from active military or naval service rendered during the Spanish-American War, Philippine Insurrection and Boxer Rebellion as defined in § 35.011 (a), and in accordance with the conditions and limitations specified in §§ 5.2573, and 5.2582, and for death resulting from service as defined in § 35.012 (a) (3), and in accordance with the conditions and limitations as specified in § 5.2532 (c) and § 5.2582; and for periods on and after December 19, 1941, under the provisions of Public No. 359, 77th Congress (Act of December 19, 1941), for death resulting from active military or naval service rendered subsequent to March 4, 1861 as defined in § 5.2533, subject to the limitations contained in § 5.2582 (g).

	<i>Per month</i>
Widow under 50 years of age.....	\$38.00
Widow 50 years of age or over.....	45.00
Widow with one child, \$10 additional for such child up to 10 years of age, increased to \$15 from age 10 (with \$8 for each additional child up to 10 years of age, increased to \$13 from age 10):	
No widow but one child.....	20.00
No widow but two children (equally divided).....	33.00
No widow but three children (equally divided).....	46.00
(with \$8 for each additional child; total amount to be equally divided)	
Dependent mother or father.....	45.00
(or both) each.....	25.00

As to the widow, child or children, the total pension or compensation payable under this paragraph shall not exceed \$83.00.

As to a widow, and child or children not in her care and custody, any amount payable under this paragraph may be apportioned as prescribed in §§ 5.2591 and 5.2592.

(b) *Rates on and after August 1, 1943.* The following rates are payable for pe-

riods on and after August 1, 1943, under the provisions of section 5, Public No. 198, 76th Congress, as amended by section 14 (a), Public No. 144, 78th Congress, to persons otherwise entitled to the rates provided in paragraph (a) of this section, including persons entitled to pension, for death resulting from active military or naval service rendered during World War II as defined in § 5.2530 (c).

	<i>Per month</i>
Widow but no child.....	\$50.00
Widow with one child.....	65.00
(with \$13 for each additional child)	
No widow but one child.....	25.00
No widow but two children.....	38.00
(equally divided).....	
(with \$10 for each additional child; total amount to be equally divided)	
Dependent mother or father.....	45.00
(or both).....(each).....	25.00

As to the widow, child or children, the total pension or compensation payable under this paragraph shall not exceed \$100.

As to a widow, and child or children not in her care and custody, any amount payable under this paragraph may be apportioned as prescribed in §§ 5.2591 and 5.2592. (August 20, 1943) (Public No. 144, 78th Cong.)

§ 5.2634 *War With Spain, Philippine Insurrection and Boxer Rebellion, Act of May 1, 1926, as reenacted by Act of August 13, 1935, (Public No. 269, 74th Congress); sections 1 and 7, Act of July 13, 1943 (Public No. 144, 78th Congress)—* (a) *Widows and remarried widows.*

	<i>Per month</i>
Widow or remarried widow.....	\$30.00
Additional for each child.....	6.00

Where there is a widow or remarried widow the additional amount of \$6 per month is applicable as to each child within the purview of either § 5.2502 (b) (1) or § 5.2514 (c) (See § 5.2512 (c)).

(b) *Children.* (1) The rates for children who are eligible by reason of the definition of the term "child" contained in § 5.2502 (b) (1), (see § 5.2512 (c)) are as follows:

	<i>Per month</i>
No widow but one child.....	\$36.00
(plus \$6 per month for each additional child, equally divided)	

The rate for a child or children entitled under this paragraph is not affected by any payments made to a child or children under subparagraph (2) over the same period of time.

(2) The rates for children who are eligible solely as a result of the definition of the term "child" contained in § 5.2514 (c), (see § 5.2512 (c)), such rates to be effective only for periods on and after July 13, 1943, are as follows:

	<i>Per month</i>
No widow but one child.....	\$15.00
No widow but two children (equally divided).....	22.00
No widow but three children (equally divided).....	30.00
(with \$3 per month for each additional child, total amount to be equally divided)	

The rate for a child or children entitled only under this paragraph over any period of time that a child or children are entitled under subparagraph (1) will be the share to which such child or children would be entitled, if all of the children were awarded pension under

this paragraph. (August 20, 1943) (Pub. No. 144, 78th Cong.)

**ACCRUED AMOUNTS DUE AND UNPAID AT DEATH**

§ 5.2660 (a) Pension, compensation, or retirement pay authorized under laws administered by the Veterans' Administration, to which a person was entitled prior to the date of his death, and not paid during his lifetime, and due and unpaid for a period not to exceed one year prior to death under existing ratings or decisions, or those based on evidence in the file at date of death, shall, upon the death of such person, be paid as hereinafter set forth:

(1) Upon the death of a person receiving an apportioned share of the veteran's pension, compensation, or retirement pay, all or any part of such unpaid amount, to the veteran or to any other dependent or dependents as may be determined by the Administrator of Veterans Affairs.

(2) Upon the death of a veteran, to the surviving spouse; or if there be no surviving spouse, to the child or children, dependent mother or father in the order named.

(3) Upon the death of a widow or remarried widow, to the veteran's child or children.

(4) Upon the death of a child, to the surviving child or children of the veteran, entitled to death compensation or pension.

(5) In all other cases, only so much of the unpaid pension, compensation, or retirement pay may be paid as may be necessary to reimburse a person who bore the expense of last sickness and burial: *Provided, however,* That no part of any of the accrued pension, compensation, or retirement pay shall be used to reimburse any political subdivision of the United States for expense incurred in the last sickness or burial of such person.

(6) Payment of the benefits authorized by this paragraph will not be made unless claim therefor be received in the Veterans' Administration within one year from the date of death of the beneficiary or one year after July 13, 1943, whichever is later; and such claim is perfected by the submission of the necessary evidence within one year from the date of the request therefor by the Veterans' Administration: *Provided, however,* That a claim for compensation or pension by an apportionee, widow, child, or dependent parent shall be deemed to include claim for any accrued benefits. (Section 12, Pub. No. 144, 78th Cong.)

(b) A check received by a payee in payment of pension, compensation, or retirement pay shall, in the event of the death of the payee on or after the last day of the period covered by such check, become an asset of the estate of the deceased payee. (Section 12, Pub. No. 144, 78th Cong.)

(c) *Definitions.* For the purpose of paying accrued benefits under this paragraph the following definitions are for application:

(1) The term "spouse" shall mean the legal widow or widower of the veteran irrespective of the date of marriage.

(2) The term "child" is as defined in § 5.2514 (c), and includes an unmar-

ried child who became helpless prior to attaining 18 years of age as well as an unmarried child over the age of eighteen but not over twenty-one years of age, who was pursuing a course of instruction within the meaning of § 5.2594 (b) at the time of the payee's death, provided only that upon the death of a child in receipt of pension or compensation, any accrued shall be payable to the surviving child or children of the veteran entitled to death pension or compensation.

(3) The term "dependent mother or father" is as defined in § 5.2514 (d) provided that the mother or father is dependent within the meaning of § 2.1057.

(d) (1) Where claim for the accrued amount due, under the laws in effect on or after March 20, 1933, was not filed prior to July 13, 1943, or where claim was filed prior to that date and disallowed either in whole or in part because of prior regulatory restrictions, a claim received prior to July 14, 1944, will be adjudicated under the provisions of this paragraph.

(2) A claim pending on July 13, 1943, will be considered a claim under this paragraph. (August 20, 1943) (Pub. No. 144, 78th Cong.)

[§§ 5.2662, 5.2664 and 5.2666 canceled August 20, 1943.]

FRANK T. HINES,  
Administrator.

[F. R. Doc. 43-15244; Filed, September 17, 1943; 4:16 p. m.]

**TITLE 43—PUBLIC LANDS: INTERIOR**

**Chapter I—General Land Office**

Subchapter Z—Withdrawals, Restorations, Classifications, Land Transfers, and Executive Orders

[Public Land Order 157]

**PART 298—PUBLIC LAND ORDERS**

REVOKING EXECUTIVE ORDER NO. 8468 OF  
JULY 1, 1940; LOUISIANA

By virtue of the authority contained in the Act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the Act of August 24, 1912, c. 369, 37 Stat. 497 (U.S.C., Title 43, secs. 141-142), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 8468 of July 1, 1940, withdrawing all public lands in the State of Louisiana from settlement, location, sale, or entry and reserving them for classification and in aid of legislation, is hereby revoked.

HAROLD L. ICKES,  
Secretary of the Interior.

AUGUST 9, 1943.

[F. R. Doc. 43-15259; Filed, September 17, 1943; 4:43 p. m.]

[Public Land Order 164]

**PART 298—PUBLIC LAND ORDERS**

WASHINGTON

Withdrawing public lands for use of the War Department as aerial gunnery and bombing ranges.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and to section 3 of the act of June 17, 1902, 32 Stat. 388 (U.S.C., title 43, sec. 416), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as aerial gunnery and bombing ranges:

WILLAMETTE MERIDIAN

T. 16 N., R. 23 E.,  
Sec. 14, N½ and N½S½;  
Sec. 24, NW¼.

T. 16 N., R. 24 E.,  
Sec. 20, S½S½;  
Sec. 22, NW¼NW¼, SW¼,  
S½SE¼, and NE¼SE¼;  
Sec. 24, N½, SE¼SW¼,  
S½SE¼, and NE¼SE¼;  
Sec. 20, W½SW¼;  
Sec. 23, E½NE¼, SW¼NE¼,  
and S½NW¼.

T. 17 N., R. 23 E.,  
Secs. 23 and 32.

The areas described aggregate 3,160 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for reclamation purposes made by the order of April 26, 1937, of the Secretary of the Interior, so far as such order affects the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

AEE FORTAS,  
Acting Secretary of the Interior.

SEPTEMBER 6, 1943.

[F. R. Doc. 43-15260; Filed, September 17, 1943; 4:44 p. m.]

[Public Land Order 165]

**PART 298—PUBLIC LAND ORDERS**

WASHINGTON

Withdrawing public lands for use of the War Department for military purposes.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for military purposes:

## WILLAMETTE MERIDIAN

- T. 11 N., R. 28 E.,  
 sec. 2, lots 1 to 6, inclusive, S½NW¼, and  
 SW¼;  
 Secs. 4, 6, 8, 10, 16, and 18;  
 Sec. 22, W½;  
 Secs. 28, 30, and 32.
- T. 12 N., R. 28 E.,  
 Secs. 8, 18, 20, and 22;  
 Sec. 26, lots 2 to 5, inclusive, W½W½;  
 Secs. 28, 30, 32, and 34.

The areas described, including both public and non-public lands, aggregate 12,032.56 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,

Acting Secretary of the Interior.

SEPTEMBER 6, 1943.

[F. R. Doc. 43-15261; Filed, September 17, 1943; 4:44 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### Subchapter B—Carriers by Motor Vehicle.

[Ex Parte MC-3, MC-4]

#### SAFETY EQUIPMENT ON MOTOR VEHICLES

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 13th day of September, 1943. Ex Parte No. MC-3: In the matter of need for establishing reasonable requirements to promote safety of operation of motor vehicles used in transporting property by private carriers. Ex parte No. MC-4: In the matter of qualifications of employees and safety of operation and equipment of common carriers and contract carriers by motor vehicle.

It appearing that the manufacture of fuseses prescribed by § 194.3 (d) (9) (i) (h) (Rule 3.3491 (h) of the Motor Carrier Safety Regulations, Revised) requires the use of materials urgently needed for the prosecution of the war, particularly potassium perchlorate, without the use of which in conjunction with the other constituents the fuseses will not be "red-burning", and that it has become

and will continue to be increasingly difficult for manufacturers of fuseses to obtain these critical materials; and

It further appearing that other less critical materials are available for use in the manufacture of fuseses which materials, if used, would not appreciably affect the efficacy of fuseses as warning signals except that such fuseses would not be "red-burning"; and

It further appearing that § 194.3 (d) (9) (ii) (b) (Rule 3.3492 (b) of the Motor Carrier Safety Regulations, Revised) prescribing first-aid kits requires that the containers thereof be of sheet steel, which also is a critical material the distribution of which is so restricted that it has become and will continue to be increasingly difficult for manufacturers of those containers to obtain steel for such use; and

It further appearing that containers for first-aid kits can be made of other materials generally available in such manner as to be adequate for the purposes intended:

It is ordered, That pursuant to the authority of section 204 of the Interstate Commerce Act, as amended, the effectiveness of §§ 193.8 (b) (2), 194.3 (d) (9) (i) (h), and 194.3 (d) (9) (ii) (b) (Rules 2.082 (b), 3.3491 (h), and 3.3492 (b) of the Motor Carrier Safety Regulations, Revised) hereby is suspended until December 31, 1944; and

It is further ordered, That during the period of such suspension, the following §§ 193.8 (b) (2), 194.3 (d) (9) (i) (h) and 194.3 (d) (9) (ii) (b) (49 CFR, Parts 193, 194; 1939 Supp.) shall be in effect in lieu of those suspended.

#### PART 193—DRIVING OF MOTOR VEHICLES

§ 193.8 *Emergency equipment must be in place.* \* \* \*

(b) *On every bus.* \* \* \*

(2) One first-aid kit as prescribed (see § 194.3 (d) (9) (ii) (b)). [Rule 2.082 (b) of Motor Carrier Safety Regulations, Revised.]

#### PART 194—NECESSARY PARTS AND ACCESSORIES

§ 194.3 *Equipment required on all motor vehicles (except in driveway operations).* \* \* \*

(d) *Miscellaneous parts and accessories on all vehicles.* \* \* \*

(9) *Emergency parts and accessories required—(i) On every bus, truck or tractor there shall be.* \* \* \*

(h) At least three fuseses (if carrier elects to carry and use flares as warning signals); each fusees shall be made in accordance with specifications of the Bureau of Explosives, 30 Vesey Street, New York, N. Y., and so marked, and shall be capable of burning at least 15 minutes. [Rule 3.3491 (h) of Motor Carrier Safety Regulations, Revised.]

NOTE: Flares (pot torches), fuseses, oil lanterns, or any signal produced by a flame, shall not be carried or used as warning signals for motor vehicles used in the transportation of inflammable liquids or inflammable compressed gases in cargo tanks; but in lieu of such flares and fuseses, three red electric lanterns, or three red emergency reflector warning devices shall be carried. (See § 193.23

(b)—Rule 2.232 of Motor Carrier Safety Regulations, Revised.)

(i) *On every bus there shall be.* \* \* \*

(b) One first-aid kit, heavy-duty 10- or 12-unit type, contained in a case which shall be made of sheet steel, wood, fiber, or other durable material, the corners, cover, and closure of which shall, when the cover is in closed position, be reasonably dust and weather tight. If made of sheet steel the case shall be so designed and constructed that the cover will be capable of being opened to an angle of 90° to 100° with the case, and a substantial stop shall be provided at the angle of full opening, which stop shall not interfere with the smooth operation of the cover. If the case and/or cover are made of sheet steel, neither shall be of metal lighter than No. 20 U. S. gage (nominal) and the cover shall be attached to the case by means of at least two substantial hinges or by a continuous piano-type hinge. If the case is non-metallic, either a sliding or hinged cover may be provided. The dimensions of the case shall be such that it will contain and allow easily to be extracted at least the numbers and kinds of unit packages hereby required:

- 4-inch bandage compresses—1 package.
- 2-inch bandage compresses—1 package.
- 1-inch adhesive compresses—2 packages.
- 40-inch triangular bandage—1 package.
- Burn ointment—1 package.
- Ammonia inhalants—1 package.
- Iodine applicator—1 package.
- Wire splint—1 package.
- Tourniquet and forceps—1 package.

Each unit package, with its contents, whether furnished in accordance with the above-prescribed minimum requirements as to numbers and kinds or in greater quantity, shall conform to the specifications therefor contained in Federal Specification GG-K-391 (November 6, 1941) and Emergency Alternate Federal Specification E-GG-K-391 (July 5, 1943), issued by Procurement Division, Treasury Department, Washington, D. C. [Rule 3.3492 (b) of Motor Carrier Safety Regulations, Revised.]

It is further ordered, That this order shall be effective forthwith and shall continue in effect until December 31, 1944, unless sooner revoked or modified by order of the Commission; and

It is further ordered, That notice of this order be given to motor carriers and 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 with the Director, Division of the Federal Register.

(Sec. 204, 49 Stat. 546, 52 Stat. 1237, 54 Stat. 921, 56 Stat. 176; 49 U.S.C. 304)

By the Commission, Division 5.

[SEAL]

W. P. BARTEL,  
 Secretary.

[F. R. Doc. 43-15271; Filed, September 18, 1943; 11:16 a. m.]

<sup>1</sup> These specifications may be obtained from the Superintendent of Documents, Washington, D. C., at a cost of five cents each.

Chapter II—Office of Defense Transportation

[Suspension Order ODT 19-1, Amdt. 1]

PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, SUSPENSIONS, AND PERMITS

SUBPART G—MOVEMENT OF LIQUID CARGO IN BULK IN GREAT LAKES, INLAND WATERWAY, COASTWISE AND INTERCOASTAL SHIPPING

Pursuant to Executive Order 8989, § 522.700 of Suspension Order O.D.T. No. 19-1 (7 F.R. 6499) is hereby amended by striking out paragraphs (g), (h) and (i) thereof and by designating paragraphs (j) and (k) as paragraphs (g) and (h), respectively.

(E.O. 8989, 6 F.R. 6725)

This Amendment 1 to Suspension Order O.D.T. No. 19-1 shall become effective on September 28, 1943.

Issued at Washington, D. C., this 18th day of September 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-15276; Filed, September 18, 1943; 11:54 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order No. T-51]

CLAY COUNTY COLLIERIES, INC., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 17, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the war effort, and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

Notice: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address  
Clay County Collieries, Inc., 801 Odd Fellow Building, Indianapolis, Indiana. Community Coal Co., Inc., Smith Mills, Kentucky. I. E. "Bob" Coyer, Grove City, Pennsylvania. Elk Lick Coal Company, First National Bank Building, Scranton, Pennsylvania. Elm Grove Coal Co., Cutler, Illinois. McKitterick Coal Company, 48 Chillicothe Street, Jackson, Ohio. Schubert Coal Company, 405 N. Market Street, Mascoutah, Illinois.

[F. R. Doc. 43-15327; Filed September 20, 1943; 10:32 a. m.]

[Order No. T-52]

AMES MINING CO. ET AL.

ORDER TERMINATING APPOINTMENT OF OPERATING MANAGERS

SEPTEMBER 7, 1943.

Orders have been issued terminating Government possession and control of the coal mines for which the persons listed in Appendix A have served as Operating Managers for the United States, and the mining companies have duly executed and delivered to the Administrator, Instrument No. 1, as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712).

Accordingly, I hereby order and direct that the appointments of the Operating Managers for the United States listed in Appendix A, attached hereto and made a part hereof, be, and they are hereby, terminated.

HAROLD L. ICKES,  
Secretary of the Interior.

APPENDIX A

Name of Operating Manager and Name of Mining Company

D. H. Morton, Ames Mining Company, Box 842, Charleston, West Virginia. John E. Bartley, John E. Bartley, Ashcamp, Kentucky. Alex Bonnyman, Blue Diamond Coal Company, Inc., Box 80, Knoxville, Tennessee. W. S. Leckie, Borderland Collieries Company, Borderland, West Virginia. Crispin Ogelbay, The Brule Smokeless Coal Company, Ottago,

West Virginia. P. H. Burnell, Burnell Coal Mines, Gosh, Wyoming. D. M. Higinbotham, Canyon Coal & Coke Co., 59 W. Main Street, Uniontown, Pennsylvania. Malcolm McAvity, Consolidation Coal Company, 30 Rockefeller Plaza, New York, New York. W. J. Davidson, Davidson-Connellsville Coal & Coke Co., Second National Bank Building, Connellsville, Pennsylvania. George H. Larson, DeFrance Coal Co., Post Office Box 446, Albuquerque, New Mexico. Louis Giuliano, Giuliano and Sons Coal Co., P. O. Box 108, Florence, Colorado. D. A. Henderson, Henderson Coal Company, Brokenhe, Oklahoma. H. D. Hilemen, John M. Hirst and Company, 932 Leader Building, Cleveland, Ohio. L. C. Campbell, Koppers Coal Division, Eastern Gas and Fuel Association, Pittsburgh, Pennsylvania. W. S. Leckie, Leckie Fire Creek Coal Company, Fireco, West Virginia. W. F. McLean, McLean Coal Co., Bridgeville, Pennsylvania. W. W. Banthead, Mammoth Coal Mining Company, Jasper, Alabama. Marvin R. Jones, Marion County Coal Mining Corporation, Inc., Centralia, Illinois. W. V. Ratliff, Miller Coal Company, Regina, Kentucky. Stephen A. Kotch, Millersville Collieries Company, Inc., Achland, Pennsylvania. Adolph Eggick, Monitor Coal Co., Route 4, Bay City, Michigan. W. J. Willits, Norton Coal Company, Norton, Virginia. G. H. Werner, No. 5 Pinckneyville Mining Co., Inc., Pinckneyville, Illinois. A. W. Hawley, Preston County Coke Company, Cascade, West Virginia. T. M. Gibson, Ruth-Elkhorn Coals, Inc., Blackwood, Virginia. Sam Schlanna, Schlanna Coal Co., Box 573, Forest City, Pennsylvania. H. R. Shane, Shane Brothers, Rochester, Pennsylvania. A. H. Truax, Truax-Traer Coal Company, 8 South Michigan Ave., Chicago, Illinois. James D. Robertson, Union Coal Company, Burgettstown, Pennsylvania. A. L. Brautegan, Victoria Coal Company, Monessen, Pennsylvania. George Wellart, The Wellart Coal Company, Washingtonville, Ohio. Willard E. Latchem, Willard E. Latchem Coal Co., Charleroi, Pennsylvania.

[F. R. Doc. 43-15328; Filed, September 20, 1943; 10:32 a. m.]

General Land Office.

WYOMING

AIR NAVIGATION SITE WITHDRAWAL

Air-navigation site withdrawal No. 16 reduced; air navigation site withdrawal No. 43 revoked.

The orders of the Acting Secretary and the Assistant Secretary of the Interior dated December 29, 1928, and November 1, 1930, withdrawing certain lands in Wyoming for use by the Department of Commerce in the maintenance of air-navigation facilities, are hereby revoked so far as they affect the following-described lands, within Wyoming Grazing District No. 4:

SIXTH PRINCIPAL MERIDIAN

T. 20 N., R. 102 W.,  
Sec. 32, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 18 N., R. 113 W.,  
Sec. 26, SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 17 N., R. 114 W.,  
Sec. 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
The areas described aggregate 120 acres.

September 8, 1943.

MICHAEL W. STRAUS,  
First Assistant Secretary  
of the Interior.

[F. R. Doc. 43-15262; Filed, September 17, 1943; 4:44 p. m.]

## Office of the Secretary.

## FIELD EMPLOYEES OF BUREAU OF MINES

## WAGE FIXING PROCEDURES

For the purpose of determining the prevailing rate of wages to be paid certain classes of field employees of the Bureau of Mines and to enable the payment to such employees of time and one-half for work in excess of 40 hours per week, the following procedure is established:

**I. Wage Board.** A Wage Board, composed of three representatives of the Department, is hereby established to determine prevailing wages for similar work in the locality of their employment for persons employed by the Bureau of Mines, excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and excluding employees whose wage rates are fixed by wage boards which have been previously established, and to make recommendations with respect to such wages to the Secretary of the Interior.

**II. Procedure to be followed by Board.** In determining the prevailing wages for the labor classifications being considered by the Board, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these labor classifications by local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations to the Secretary of the Interior as to the rates of wages to be paid to the Government employees of the classes above specified. The wages recommended, upon approval by the Secretary, shall become effective upon the date approved, unless otherwise directed by the Secretary of the Interior; *Provided*, That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

**III. Effective period of approved wage determinations.** Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless

directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided*, That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, who shall act as Chairman of the Board, and Guy W. Numbers, selected from the Office of the Secretary of the Interior.

John M. Morris, Member of the Board, and John D. Secrest, Alternate Member of the Board, selected from the Bureau of Mines.

MICHAEL W. STRAUS,  
*Acting Secretary of the Interior.*

JULY 8, 1943.

[F. R. Doc. 43-15268; Filed, September 17, 1943; 4:43 p. m.]

## SOUTHWESTERN POWER ADMINISTRATION

## WAGE FIXING PROCEDURES

For the purpose of determining the prevailing rate of wages to be paid certain classes of employees of the Southwestern Power Administration and to enable the payment to such employees of time and one-half for work in excess of forty hours a week, the following procedure is established:

**I. Wage Board.** A Wage Board, composed of three representatives of the Department, is hereby established to determine prevailing wages for similar work in the locality of their employment for persons employed by the Southwestern Power Administration, excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior.

**II. Procedure to be followed by Board.** In determining the prevailing wages for the labor classifications being considered by the Board, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these labor classifications by local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by

the Wage Board, the Board shall make its recommendations to the Secretary of the Interior as to the rates of wages to be paid to the Government employees of the classes above specified. The wages recommended, upon approval by the Secretary, shall become effective as of the beginning of business on September 1, 1943, unless otherwise directed by the Secretary of the Interior; *Provided*, That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

**III. Effective period of approved wage determinations.** Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided*, That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Douglas G. Wright, who shall act as Chairman of the Board, selected from the Southwestern Power Administration.

John P. Robertson, Member of the Board, selected from the Division of Power, and

Guy W. Numbers, Member of the Board, selected from the Office of the Secretary of the Interior.

HAROLD L. ICKES,  
*Secretary of the Interior.*

SEPTEMBER 1, 1943.

[F. R. Doc. 43-15268; Filed, September 17, 1943; 4:43 p. m.]

SOUTHWESTERN POWER ADMINISTRATION  
WAGE BOARDRECOMMENDATIONS TO SECRETARY OF THE  
INTERIOR

Pursuant to the order of the Secretary of the Interior dated September 1, 1943, and entitled "Wage Fixing Procedures, Southwestern Power Administration, Department of the Interior," the Wage Board of that Administration has determined prevailing wage rates for the operation and maintenance employees of the Southwestern Power Administration, with headquarters presently located at Tulsa, Oklahoma.

The Southwestern Power Administration Wage Board finds that the hourly wage rates listed below are prevailing for similar work in the area covered by that Administration and recommends them for your adoption:

Labor classification	Recommended basic hourly rate for SPA employees
Dispatcher, lead	\$1.30
Electrician, chief plant	1.24
Labor foreman, maintenance	.75
Laborer, maintenance	.60
Line foreman	1.37
Lineman	1.24
Lineman apprentice	1.06
Mechanic, chief plant	1.30
Mechanic, plant	1.10
Mechanic's helper, plant	.90
Operator, substation	1.10
Operator, plant	1.24
Operator, assistant	.98
Truck driver-lineman helper-groundman	.90

It is the understanding of the Wage Board that the Southwestern Power Administration employees of the classes above specified, paid in accordance with this schedule, are in recognized trades or occupations and will receive overtime pay on the basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to forty-hour week Act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The Wage Board recommends that all employees of the Southwestern Power Administration not allocated to grade be classified or reclassified in accordance with the foregoing schedule, effective as of the beginning of business on September 1, 1943.

The Wage Board further recommends that no person employed by the Southwestern Power Administration on or after September 1, 1943, shall receive a reduction in basic wage rate due to promulgation of the recommended rates listed above.

The foregoing recommendations approved and adopted by the Southwestern Power Administration Wage Board this 2d day of September, 1943.

DOUGLAS G. WRIGHT,  
*Chairman.*  
JOHN P. ROBERTSON,  
*Member.*  
GUY W. NUMBERS,  
*Member.*

Approved: September 6, 1943

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 43-15265; Filed, September 17, 1943; 4:43 p. m.]

BUREAU OF MINES WAGE BOARD

RECOMMENDATIONS TO THE SECRETARY OF THE INTERIOR

Pursuant to the order of the Secretary of the Interior dated July 8, 1943, and entitled Wage Fixing Procedures, Field Employees, Bureau of Mines, Department of the Interior, the Bureau of Mines Wage Board has determined prevailing wage rates for operation and maintenance employees of the Bureau of Mines at the helium plants located at Amarillo and Exell, Texas, Otis and Cunningham, Kansas, Shiprock, New Mexico, and the Helium Terminal Station at Gallup, New Mexico.

The Bureau of Mines Wage Board finds that the hourly wage rates listed below are appropriate for the work in question and recommends them for your adoption:

Labor classification	Recommended basic hourly rate for B/M employees
Carbon dioxide removal operator, 1st class	\$0.85
Carbon dioxide removal operator, 2d class	.80
Carbon dioxide removal operator, 3d class	.85
Carbon dioxide removal operator, leading, 1st class	1.10
Carbon dioxide removal operator, leading, 2d class	1.05
Carbon dioxide removal operator, leading, 3d class	1.00
Carpenter, maintenance	1.00
Electrician, 1st class	1.20
Electrician, 2d class	1.15
Electrician, 3d class	1.10
Electrician foreman, 1st class	1.40
Electrician foreman, 2d class	1.35
Electrician foreman, 3d class	1.30
Electrician's helper, 1st class	.95
Electrician's helper, 2d class	.90
Electrician's helper, 3d class	.85
Engine man, maintenance, 1st class	1.10
Engine man, maintenance, 2d class	1.05
Engine man, maintenance, 3d class	1.00
Helium plant helper, 1st class	.87½
Helium plant helper, 2d class	.82½
Helium plant helper, 3d class	.77½
Labor foreman, 1st class	1.10
Labor foreman, 2d class	1.05
Labor foreman, 3d class	1.00
Laborer, maintenance	.50
Laborer leadman, maintenance	.60
Laborer (semi-skilled), maintenance	.67½
Machinist, 1st class	1.05
Machinist, 2d class	1.00
Machinist, 3d class	.95
Machinist foreman, 1st class	1.40
Machinist foreman, 2d class	1.35
Machinist foreman, 3d class	1.30
Machinist helper, 1st class	.90
Machinist helper, 2d class	.85
Machinist helper, 3d class	.80
Machinist (high pressure equipment), 1st class	1.20
Machinist (high pressure equipment), 2d class	1.15
Machinist (high pressure equipment), 3d class	1.10
Mixed gang foreman (gas field), 1st class	1.20
Mixed gang foreman (gas field), 2d class	1.15
Mixed gang foreman (gas field), 3d class	1.10
Operator*, 1st class	1.10
Operator*, 2d class	1.05
Operator*, 3d class	1.00
Operator*, assistant, 1st class	.95
Operator*, assistant, 2d class	.90
Operator*, assistant, 3d class	.85
Operator, helium plant, 1st class	1.12½
Operator, helium plant, 2d class	1.10
Operator, helium plant, 3d class	1.07½
Operator, helium plant, assistant, 1st class	1.05
Operator, helium plant, assistant, 2d class	1.02½
Operator, helium plant, assistant, 3d class	1.00
Operator, helium plant, leading, 1st class	1.25
Operator, helium plant, leading, 2d class	1.20
Operator, helium plant, leading, 3d class	1.15
Operator, leading, 1st class	1.20
Operator, leading, 2d class	1.15
Operator, leading, 3d class	1.10
Welder, 1st class	1.15
Welder, 2d class	1.10
Welder, 3d class	1.05

\*Engines and compressors, electrical equipment, or steam equipment.

Labor classification	Recommended basic hourly rate for B/M employees
Welder foreman, 1st class	\$1.50
Welder foreman, 2d class	1.45
Welder foreman, 3d class	1.40
Welder helper, 1st class	.95
Welder helper, 2d class	.90
Welder helper, 3d class	.85
Welder (high pressure), 1st class	1.30
Welder (high pressure), 2d class	1.25
Welder (high pressure), 3d class	1.20
Welder-coppersmith, 1st class	1.25
Welder-coppersmith, 2d class	1.20
Welder-coppersmith, 3d class	1.15
Welder-coppersmith (high pressure), 1st class	1.40
Welder-coppersmith (high pressure), 2d class	1.35
Welder-coppersmith (high pressure), 3d class	1.30
Welder-coppersmith foreman, 1st class	1.60
Welder-coppersmith foreman, 2d class	1.55
Welder-coppersmith foreman, 3d class	1.50

It is the understanding of the Wage Board that Bureau of Mines employees of the classes above specified, paid in accordance with this schedule, are in recognized trades or occupations and will receive overtime pay on the basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to forty-hour week Act (Sec. 23, Act of March 28, 1934; 48 Stat. 522).

The Wage Board recommends that no person employed by the Bureau of Mines shall receive a reduction in basic wage rate due to promulgation of the recommended rates listed above.

The Wage Board further recommends that all operation and maintenance employees at the helium plants and helium terminal station above specified, except employees necessarily or appropriately allocable to grade under the Classification Act of 1923, as amended, be classified or reclassified in accordance with the foregoing schedule, effective at the beginning of business on October 16, 1943.

The foregoing recommendations approved and adopted by the Bureau of Mines Wage Board this 26th day of August, 1943.

DUNCAN CAMPBELL,  
*Chairman.*  
GUY W. NUMBERS,  
*Member.*  
JOHN D. SECREST,  
*Alternate Member.*

Approved: September 4, 1943.

ABE FORTAS,  
*Acting Secretary of the Interior.*

[F. R. Doc. 43-15267; Filed, September 17, 1943; 4:43 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES  
ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners

under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1941 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learners Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

*Single Pants, Shirts, and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry*

Booneville Manufacturing Company, Booneville, Mississippi; Army cotton khaki shirts, civilian work shirts; 10 percent (T); effective September 18, 1943, expiring September 17, 1944.

Carolina Maid Products, Incorporated, Granite Quarry, North Carolina; Dresses; 10

learners (T); effective September 29, 1943, expiring September 28, 1944.

Central Wash Suit Company, Incorporated, Broad and Wayne Streets, Haverstraw, New York; Ladies' slacks, skirts, jackets, active sportswear, snow suits, and children's outerwear; effective October 6, 1943, expiring October 5, 1944.

Joseph A. Daniels Company, 52-12th Street, Fall River, Massachusetts; Cotton dresses and aprons; 10 learners (T); effective September 16, 1943, expiring September 15, 1944.

F. P. Clothing, 181 Granite Street, Manchester, New Hampshire; Men's topcoats, overcoats and sackcoats; 5 learners (T); effective September 20, 1943, expiring September 19, 1944.

Hoosier Factories, Incorporated, Michigan Street, Michigan City, Indiana; Army trousers, work and dress trousers; 10 percent (T); effective September 18, 1943, expiring September 17, 1944.

C. F. Smith Company, 126 West Los Feliz Boulevard, Glendale, California; Men's sport and work shirts; 15 learners (A.T.); effective September 17, 1943, expiring March 16, 1944.

E. R. Smock, Incorporated, Lewis Street, Eatontown, New Jersey; Women's pajamas; 5 learners (T); effective September 16, 1943, expiring September 15, 1944.

#### Knitted Wear Industry

Little Falls Manufacturing Company, 515 East Mill Street, Little Falls, New York; Cotton knit underwear for ladies, infants, children and misses; 10 percent (A. T.); effective September 20, 1943, expiring March 19, 1944.

#### Textile Industry

Valdese Weaving Company, Valdese, North Carolina; Cotton; 20 learners (A. T.); effective September 18, 1943, expiring March 17, 1944.

Best Silk Manufacturing Company, 10 West Mulberry Avenue, Pleasantville, New Jersey; Narrow fabrics (ribbon and typewriter tape) rayon, acetate and cotton; 3 learners (T); effective September 16, 1943, expiring September 15, 1944.

Signed at New York, N. Y., this 18th day of September 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-15356; Filed, September 20, 1943; 11:25 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and part 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F. R. 2862) to the employers listed below effective as of the dates specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of oppor-

tunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Puerto Rico Mills, Incorporated, of Puerta de Tierra, Puerto Rico, to employ seventy-seven learners in the Hosiery Industry distributed among the following operations: Legging, final inspection, foot inspection, leg inspection, seaming, looping, topping, footing, winding and mending; (a) Legging, seaming, looping, topping, footing and winding at 10 cents an hour for the first 480 hours; 12½ cents an hour for the second 480 hours; 15 cents an hour for the third 480 hours; 18¾ cents an hour for the fourth 480 hours, and 25 cents an hour for every hour thereafter. (b) Final inspection, foot inspection, leg inspection, mending at 12½ cents an hour for the first 480 hours; 18¾ cents an hour for the second 480 hours; and 25 cents an hour for every hour thereafter. For all hours over forty worked in any one workweek, one and one-half times the applicable piece rate or the rate established herein, whichever is the higher, shall be paid. This special certificate shall become effective on July 1, 1943 and shall remain in effect for a period not exceeding six months thereafter.

The Robesonian, Incorporated, Lumberton, North Carolina; Printing and Publishing; 2 learners (T); Linotype operator and printer for a learning period of 480 hours at 30 cents per hour; Effective September 20, 1943, expiring March 20, 1944.

Signed at New York, N. Y., this 18 day of September 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-15355; Filed, September 20, 1943; 11:25 a. m.]

[Administrative Order 217]

#### METAL ORE, COAL, PETROLEUM, AND NATURAL GAS EXTRACTION INDUSTRIES

##### INDUSTRY COMMITTEE APPOINTMENT, ETC.

Acceptance of resignation from and appointment to Industry Committee No. 66 for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries.

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor.

Do hereby accept the resignations of George W. Stocking of Austin, Texas; J. M. Banks of Los Angeles, California; and Joseph R. Kelahan of Alton, Illinois, from Industry Committee No. 66 for the Metal Ore, Coal, Petroleum, and Natural Gas Extraction Industries, and do appoint in their stead, respectively, Robert Preston Brooks of Athens, Georgia, as representative for the Public; M. V. Cousins of Shreveport, Louisiana, as representative for the Employers; and Richard Baird of New York, New York, as representative for the Employees on such Committee.

Signed at New York, New York, this 14th day of September 1943.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 43-15354; Filed, September 20, 1943; 11:25 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket No. 534]

BRANIFF AIRWAYS, INC.

##### NOTICE OF HEARING

In the matter of the application of Braniff Airways, Inc., for amendment of its existing certificate of public convenience and necessity for route No. 9, so as to include Moline, Ill., as an intermediate point.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned for September 27, 1943, 10 a. m. (eastern war time) in Room 1851 Commerce Department, 14th Street and Constitution Avenue, N.W., Washington, D. C., before Examiners F. A. Law, Jr., and Barron Fredericks.

Dated Washington, D. C., September 18, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 43-15352; Filed, September 20, 1943; 11:00 a. m.]

[Docket No. 585]

TRANSCONTINENTAL & WESTERN AIR, INC.

##### NOTICE OF HEARING

In the matter of the application of Transcontinental & Western Air, Inc., for amendment of certificate of public convenience and necessity to include Columbia, Mo., as an intermediate point on route No. 2.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on September 24, 1943, 10 a. m. (eastern war time) in Room 1851 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner Lawrence J. Kusters.

Dated Washington, D. C., September 16, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 43-15353; Filed, September 20, 1943; 11:00 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6545]

PRESS WIRELESS, INC.

##### NOTICE OF APPLICATIONS

In re: Applications of Press Wireless, Inc.; dated July 28, 1943; for modification of licenses from "fixed public press" to "fixed public" service; class of service, Fixed Public Press Service; class of stations, Point-to-point telegraph; locations, Hicksville, New York; Los Angeles, California.

You are hereby notified that the Commission having examined the above-described applications, and being unable to determine upon examination of such applications that public interest, convenience or necessity would be served by the granting thereof, has designated the matters for hearing for the following reasons:

1. To determine whether the interest of the United States public and of the United States communication system as a whole will be served by authorizing another telegraph carrier to enter the field of commercial communications with foreign points at this time.

2. To determine whether a grant of the above-described applications will result in diversion of telegraph traffic from existing communication channels and whether such a grant will result in any increase in the total volume of telegraph traffic handled by United States carriers.

3. To determine the effect of a grant of the above-described applications upon the relations of United States telegraph carriers with their foreign correspondents.

4. To determine the effect of a grant of the above-described applications upon the operating efficiency of the United States communication system as a whole.

5. To determine whether there is a public need for additional communications channels for handling commercial telegraph traffic with foreign points, which cannot adequately be met by carriers already authorized to handle such traffic.

6. To determine whether a grant of the above-described applications would be consistent with the policy of the Joint Chiefs of Staff and the Board of War Communications with respect to communication service between the United States and foreign points.

7. To determine whether the circuit capacity and system capacity of United States carriers authorized to furnish commercial telegraph service with foreign points are adequate to handle the present volume of such traffic and any foreseeable increase therein.

8. To determine whether applicant has the necessary offices, physical equipment, and qualified personnel to provide efficient and economical public commercial telegraph service with foreign points.

9. To determine whether applicant is prepared, if authorized by the Commission, to provide comprehensive commercial telegraph service with foreign points.

10. To determine whether applicant would provide less, equally, or more efficient and expeditious commercial telegraph service with foreign points than that provided by carriers now authorized to furnish such service.

11. To determine the effect of the rendition by applicant of commercial telegraph service with foreign points, in addition to press and government telegraph service, upon the quality of the

press and government telegraph service rendered by it.

12. To determine what rates for commercial telegraph service with foreign points applicant is prepared to propose to its foreign correspondents.

13. To determine whether a grant of the above-described applications will result in a sound rate structure for telegraph service with foreign points.

14. To determine whether the establishment of the rate structure proposed by applicant for commercial telegraph service with Cuba would better serve the public interest than the maintenance of the rate structure now in effect for such service.

15. To determine the number of facilities and frequencies needed by applicant to render the services applied for and further to determine whether applicant's use thereof is the most efficient use of such facilities and frequencies.

16. To determine whether in the light of the evidence adduced on the foregoing issues, public interest, convenience or necessity would be served by a grant of the applications herein designated for hearing.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant upon the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules and Regulations. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules and Regulations.

The applicant's address is as follows: Press Wireless, Inc., 435 North Michigan Avenue, Chicago, Illinois.

Dated at Washington, D. C., September 18, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-15362; Filed, September 20, 1943; 11:52 a. m.]

#### FEDERAL POWER COMMISSION.

[Docket No. G-489]

WEST TEXAS GAS COMPANY

##### NOTICE OF APPLICATION

SEPTEMBER 16, 1943.

On September 3, 1943, West Texas Gas Company, a Delaware corporation with its principal place of business at Lubbock National Bank Building, Lubbock, Texas, by its Vice President, P. C. Spencer, 630 Fifth Avenue, New York City, New York, filed with the Federal Power Commission its application for a certificate of public convenience and necessity to operate certain facilities described below, under Section 7 of the Natural Gas Act as amended.

Notice is hereby given of the filing of the aforesaid application for a certificate

of public convenience and necessity authorizing the operation of the following described facilities:

(i) A loop line consisting of approximately eight miles of 10 3/4 inch OD pipe line immediately south of Applicant's Plainview Compressor Station in Hale County, Texas;

(ii) An additional 400 HP engine at Applicant's Turkey Creek Compressor Station in Potter County, Texas.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 1, 1943, file with the Federal Power Commission, a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 43-15326; Filed, September 20, 1943; 10:32 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 5048]

UNITY STAMP COMPANY, INC.

### COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has been and is now violating the provisions of subsection (a) of section 2 of the Clayton Act (U.S.C. Title 15, section 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Unity Stamp Company, Inc., is a corporation organized and existing under and by virtue of the laws of the State of New York, with its principal office and place of business located at 7 West 30th Street, New York, New York.

PAR. 2. Respondent corporation is now and has been since June 19, 1936, engaged in the business of processing, manufacturing, offering for sale, selling and distributing made-to-order straight line stamps, hereinafter referred to as rubber stamps. Such commodities processed and manufactured by the respondent are sold direct to the consuming public. Some customers of the respondent purchasing such products are located in states other than the state in which respondent's business is located and some customers, although located within the state in which the respondent's business is located, direct that the shipment of their purchases be made by the respondent to their branch offices located in states other than the state in which the respondent's business is located, and in such cases respondent causes such products to be shipped and transported across state lines from respondent's place of business to such customers or to such branch offices of such customers. There is and has been at all times mentioned a continuous course of

trade and commerce in said products between respondent's factory and the purchasers of said products, some of which are located in states other than the state in which respondent's business is located, as aforesaid. Said products are sold and distributed for use within the various states of the United States.

PAR. 3. In the course and conduct of its business in commerce as aforesaid, respondent is now and during the time herein mentioned and has been in substantial competition with other corporations and with individuals, partnerships, and firms engaged in the business of processing, manufacturing, offering for sale, selling and distributing rubber stamps.

PAR. 4. In the course and conduct of its business as aforesaid, respondent, since June 19, 1936, has been and is now discriminating in price between different purchasers buying such products of like grade and quality by selling its products to some of its customers at higher prices than it sells its products of like grade and quality to other of its customers.

Among the general practices pursued by the respondent in so discriminating in price the Commission alleges that:

(1) To some customers the respondent has sold rubber stamps 3 inches or less in length and 3/8 inch or less in height at 4¢ per line, plus 4¢ for each additional line or any fraction thereof, while to other customers purchasing the same type of rubber stamp of like grade and quality, the respondent has charged for each product varying prices of 5¢, 7¢, 8¢, 10¢, 15¢, 20¢, 30¢ or 35¢ per line 3 inches or less in length and 3/8 inch or less in height plus in each instance an additional sum for each additional line or any fraction thereof.

(2) The respondent has sold at approximately the same time rubber stamps of like grade and quality at varying prices of 4¢, 5¢, 7¢, 10¢ and 15¢ per line 2 inches or less in length and 3/8 inch or less in height plus in each instance an additional sum for each additional line or any fraction thereof.

PAR. 5. The effect of the discriminations in price set forth in Paragraph Four hereof has been and may be substantially to lessen competition and to injure, destroy and prevent competition between respondent and its competitors in the sale and distribution of rubber stamps in interstate commerce and has been and may be to tend to create a monopoly in respondent in said line of commerce.

PAR. 6. The foregoing acts and practices of said respondent are in violation of the provisions of subsection (a) of section 2 of the Clayton Act (U.S.C. Title 15, section 13) as amended by the Robinson-Patman Act approved June 19, 1936.

Wherefore, the premises considered, the Federal Trade Commission on this 15th day of September, A. D. 1943, issues its complaint against said respondent.

### Notice

Notice is hereby given you, Unity Stamp Company, Inc., respondent herein, that the 22nd day of October, A. D. 1943, at 2 o'clock in the afternoon, is hereby

fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 15th day of September, A. D. 1943.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-15242; Filed, September 17, 1943; 12:38 p. m.]

## INTERSTATE COMMERCE COMMISSION.

[Corrected Special Permit 8 Under Service Order 145]

## UNION PACIFIC RAILROAD CO.

## ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.316, 8 F.R. 11089) of Service Order No. 145 of August 7, 1943, as amended (8 F.R. 11487) permission is granted for:

The Union Pacific Railroad Company to disregard the provisions of subparagraph (1) of paragraph (a) (2) and subparagraphs (1) (ii) (iii) of paragraph (b) of § 95.316 of Amendment No. 1 to Service Order No. 145 on refrigerator cars loaded with potatoes.

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 10th day of September 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-15270; Filed, September 18, 1943; 11:16 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1979]

## ANDREA FLOCCINI AND ABELE FLOCCINI

Re: Real property and bank account owned by Andrea Flocchini and Abele Flocchini.

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

1. That the last known address of Andrea Flocchini and Abele Flocchini is Avenone, Province of Brescia, Italy, and that they are residents of Italy and nationals of a designated enemy country (Italy);

2. That Andrea Flocchini and Abele Flocchini are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in Santa Barbara County, California, 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, and

b. All right, title, interest and claim of Andrea Flocchini and Abele Flocchini in and to the sum of \$750, constituting a portion of a certain bank account in the Security First National Bank of Los Angeles, which is due and owing to, and held for Andrea

Flocchini and Abele Flocchini in the name of Severino Ferrari Special Account,

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

And determining that the property described in subparagraph 3-b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) 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 further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

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

Hereby vests in the Alien Property Custodian the property described above, 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 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 this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on August 10, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.  
EXHIBIT A

All those certain lots, pieces or parcels of land situate, lying and being in the Town of Guadalupe, County of Santa Barbara, State of California, more particularly described as follows:

Lots Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18) in Block Twenty-three (23), according to the Map of the Town of Guadalupe and subdivisions 143 and 145 of the Rancho Guadalupe recorded on Rack 1, Map No. 1 of the Records of Santa Barbara County.

[F. R. Doc. 43-14747; Filed, September 9, 1943; 11:00 a. m.]

[Vesting Order 2032]

JANIS FREIMANIS, JANIS ZALCMANIS, KARLIS JANSONS

In Re: Estate of Janis Freimanis, also known as Janis Freyman and Janis Freymann, deceased; Estate of Janis Zalcmannis, also known as Janis Zalcmann and J. Salcmann, Absentee; and Estate of Karlis Jansons, also known as K. Janson, Absentee; File No. 017-3777.

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 Irving Trust Company, Woolworth Branch, New York City, depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Karlis Jansons, also known as K. Janson and Janis Zalcmannis, also known as Janis Zalcmann and J. Salcmann are persons acting or purporting to act directly or indirectly for the benefit of or on behalf of a national of a designated enemy country, Germany, who is a person within such designated enemy country, Germany, and such persons are therefore nationals of a designated enemy country, Germany.

(3) 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

Karlis Jansons also known as K. Janson, Riga, Latvia.

Janis Zalcmannis, also known as Janis Zalcmann and J. Salcmann, Riga, Latvia.

Georg Freimanis, Germany.

"Jane" Freimanis, true first name unknown, the widow of Janis Freimanis, deceased, Germany.

The heirs, legatees, devisees, distributees, names unknown, entitled to receive the assets of the Estate of Janis Freimanis, who died a resident of Germany, Germany.

And determining that—

(4) 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;

(5) The national interest of the United States requires that Karlis Jansons, also known as K. Janson, and Janis Zalcmannis, also known as Janis Zalcmann and J. Salcmann, be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$40,247.83, together with any and all additions of interest or principal thereto on deposit in the Irving Trust Company, Woolworth Branch, New York City, in the name of the Latvian Shipping Co.,

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 ap-

propriate 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: September 4, 1943.

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

[F. R. Doc. 43-15338; Filed, September 26, 1943; 10:41 a. m.]

[Vesting Order 2166]

OKURA & Co. (TRADING) LTD.

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

1. Having found in Vesting Order 185 of September 28, 1942, that Okura & Co. (Trading) Ltd., a corporation organized and doing business under the laws of the State of New York, is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that Okura & Company, New York, is a branch of Okura & Company, Tokyo, Japan, a corporation organized and doing business under the laws of Japan, and is a national of a designated enemy country (Japan);

3. Finding that of the total issued and outstanding capital stock of Okura & Co. (Trading) Ltd., consisting of 200 shares of common having a par value of \$100 each, 60 shares are registered in the name of George Akaki Kanzaki and are beneficially owned by Okura & Company, New York;

4. Finding that the said 60 shares of common capital stock of Okura & Co. (Trading) Ltd. are an interest in said business enterprise held by a national of a designated enemy country (Japan);

and determining:

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

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

Hereby vests in the Alien Property Custodian the said 60 shares of the \$100 par value common capital stock of Okura & Co. (Trading) Ltd., hereinbefore more fully described, to be held, used, admin-

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

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

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

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

Executed at Washington, D. C. on September 9, 1943.

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

[F. R. Doc. 43-15339; Filed, September 20, 1943; 10:41 a. m.]

[Vesting Order 2182]

ALADINO BRUGNOLI

In re: Guardianship estate of Aladino Brugnoli; File D-38-549; E. T. sec. 5891.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the National Bank of Fayette County, Successor Guardian, acting under the judicial supervision of the Orphans' Court of Fayette County, Pennsylvania;

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

*National and Last Known Address*

Aladino Brugnoli, 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 the property and estate of Aladino Brugnoli, of any nature whatsoever in the possession of the National Bank of Fayette County, as Successor Guardian of the estate of Aladino Brugnoli,

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: September 10, 1943.

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

[F. R. Doc. 43-15340; Filed, September 20, 1943; 10:45 a. m.]

[Vesting Order 2183]

MATTEO CASTORINO

In re: Estate of Matteo Castorino, also known as Matthew Castorino, deceased; File D-38-391; E. T. sec. 1327.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

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

*Nationals and Last Known Address*

Maria Venuti, Italy.  
Antonio Castorino, Italy.  
Giovanna Castorino, Italy.  
Caterina Castorino, Italy.  
Franco Castorino, Italy.

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, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Or-

der 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 Venuti, Antonio Castorino, Giovanna Castorino, Caterina Castorino and Franco Castorino, and each of them, in and to the Estate of Matteo Castorino, also known as Matthew Castorino, 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: September 10, 1943.

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

[F. R. Doc. 43-15341; Filed, September 20, 1943; 10:45 a. m.]

[Vesting Order 2184]

ADOLPH F. AND CLARA H. DRESEL

In re: Trust under Decree of Circuit Court of Baltimore City, of April 21, 1942, in proceedings entitled "Safe Deposit and Trust Company of Baltimore, Trustee under will of Adolph F. Dresel, deceased, and Administrator of the estate of Clara H. Dresel, deceased, vs. Mary B. Chamberlain, et al.," File D-28-3847; E. T. sec. 6480, File D-28-2123; E. T. sec. 4712.

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 Safe Deposit and Trust Company of Baltimore, 13 South Street, Baltimore, Maryland, Trustee, acting under the judicial supervision of the Circuit Court of Baltimore City, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by, na-

tionals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Otto Krücke, Germany.  
Adolph Krücke, Germany.  
Julie Luise Lachner, Germany.  
Dr. Karl Johann Brückelmann, Germany.  
Person or persons, names unknown, executors, administrators, personal representatives, heirs, distributees, legatees, devisees, and assigns of Ida Musset, deceased, 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 Otto Krücke, Adolph Krücke, Julie Luise Lachner, Dr. Karl Johann Brückelmann, and person or persons, names unknown, executors, administrators, personal representatives, heirs, distributees, legatees, devisees and assigns of Ida Musset, deceased, and each of them, in and to the trust estates created by Decree of the Circuit Court of Baltimore City, Maryland, dated April 21, 1942, in proceedings entitled "Safe Deposit and Trust Company of Baltimore, Trustee under will of Adolph F. Dresel, deceased, and Administrator of the estate of Clara H. Dresel, deceased, vs. Mary B. Chamberlain, et al.",

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

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

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

Dated: September 10, 1943.

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

[F. R. Doc. 43-15342; Filed, September 20, 1943; 10:45 a. m.]

[Vesting Order 2185]

ESTATE OF CHARLES J. FEHRER

In re: Estate of Charles J. Fehrer, deceased, File D-28-1749; E. T. sec. 830.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles A. Orth, Co-executor, 162 West Wisconsin Avenue, Milwaukee, Wisconsin, and Ferdinand C. Fehrer, Co-executor, 2359 North 27th Street, Milwaukee, Wisconsin, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Milwaukee;

(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

Wendelin Fehrer, Germany.  
Gertrude Fehrer Fischer, Germany.  
Person or persons, names unknown, the children of Gertrude Fehrer Fischer, 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:

Cash distributable and payable to Wendelin Fehrer, Gertrude Fehrer Fischer, and the person or persons, names unknown, the children of Gertrude Fehrer Fischer, in the sum of \$2,000.00,

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: September 10, 1943:

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

[F. R. Doc. 43-15343; Filed, September 20, 1943; 10:46 a. m.]

[Vesting Order 2186]

ESTATE OF GOTTLIEB EHRLING

In re: Estate of Gottlieb Ehring, deceased; File D-22-4145; E. T. sec. 7148.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein after described are property which is in the process of administration by Frieda Lill, Administratrix d. b. n., acting under the judicial supervision of the County Court of Elbert County, Colorado;

(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*

Gottlob Ehring, Germany.  
Ernst Ehring, Germany.  
Adolf Hermann, Germany.  
Adolf Karl Hermann, Germany.  
Alfred Hermann, Germany.  
Emilie Ulrich nee Hermann, Germany.  
Elsa Steltzle nee Hermann, Germany.  
Walter Hermann, Germany.  
Wilhelma Ehring, Germany.  
Theodore Ehring, 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 Gottlob Ehring, Ernst Ehring, Adolf Hermann, Adolf Karl Hermann, Alfred Hermann, Emilie Ulrich nee Hermann, Elsa Steltzle nee Hermann, Walter Hermann, Wilhelma Ehring and Theodore Ehring, and each of them, in and to the Estate of Gottlieb Ehring, 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: September 10, 1943.

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

[F. R. Doc. 43-15344; Filed, September 20, 1943; 10:46 a. m.]

[Vesting Order 2187]

TRUST UNDER WILL OF KATE HERMAN

In re: Trust u/w of Kate Herman, deceased; File No. D-57-68; ET, sec. 4853.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The National City Bank of New York, Edward Merkle of the City of New York and Rudolph Fodor of the City of Chicago, Illinois, Trustees, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York;

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

*National and Last Known Address*

Bertha Fodor, Roumania.

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, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha Fodor in and to trust created under the will of Kate Herman, 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: September 10, 1943.

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

[F. R. Doc. 43-15345; Filed September 20, 1943; 10:46 a. m.]

[Vesting Order 2188]

ESTATE OF GREGOR HERMLE

In re: Estate of Gregor Hermle, deceased; File D-28-2289; E. T. sec. 2950.

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 Alexander Walter and William F. Weniger, Executors, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania,

(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*

Karl Hermle, Germany.  
Gregor, Hermle, Germany.  
Rosa Weber, Germany.  
Agathe Hermle, Germany.  
Rosale Hermle, Germany.  
Hans Hermle, Germany.  
Richard Hermle, Germany.  
Gregor Hermle, Germany.  
Emelia Weber, 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 Karl Hermle, Gregor Hermle, Rosa Weber, Agathe Hermle, Rosale Hermle, Hans Hermle, Richard Hermle, Gregor Hermle and Emelia Weber and each of them, in and to the estate of Gregor Hermle, 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: September 10, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-15346; Filed, September 20, 1943; 10:46 a. m.]

[Vesting Order 2189]

ESTATE OF WALTER MAXWELL

In re: Estate of Walter Maxwell, deceased; D-29-79; E. T. sec. 3809.

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 National Metropolitan Bank of Washington and Mather M. Richardson, Executors, acting under the judicial supervision of the District Court of United States in the District of Columbia;

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

*National and Last Known Address*

Gertrude Eleanor Denecke, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interests 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 Gertrude

Eleanor Denecke in and to the Estate of Walter Maxwell, 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: September 10, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-15347; Filed, September 20, 1943; 10:46 a. m.]

[Vesting Order 2190]

ESTATE OF LEOPOLD ROHRER

In re: Estate of Leopold Rohrer, deceased; File D-28-2355; E. T. Sec. 3537.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Union Trust Company of New Castle, Executor, acting under the judicial supervision of the Orphans' Court of Lawrence County, Pennsylvania;

(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*

August Rohrer, St. Peter, Germany.

Amella Rohrer, St. Peter, Germany.

Lotan Rohrer, St. Peter, Germany.

Heclar Rohrer, Germany.

Ferdinand Rohrer, Hamburg, Germany.

Josephine Blattman, St. Peter, Germany.

Stefanie Blattman, St. Peter, Germany.

Agatha Blattman, St. Peter, Germany.

Theodor Blattman, St. Peter, Germany.

Joseph Blattman, St. Peter, Germany.

Pius Blattman, St. Peter, Germany.

Stefan Blattman, Totnar, Germany.

All right, title and interest whatsoever kind or nature of each and all other nationals whatsoever they may be of any and all designated enemy countries

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 August Rohrer, Amella Rohrer, Lotan Rohrer, Heclar Rohrer, Ferdinand Rohrer, Josephine Blattman, Stefanie Blattman, Agatha Blattman, Theodor Blattman, Joseph Blattman, Pius Blattman, Stefan Blattman, and each of them, and all right, title and interest of whatsoever kind or nature of each and all other nationals whatsoever they may be of any and all designated enemy countries, in and to the Estate of Leopold Rohrer, 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: September 10, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-15348; Filed, September 20, 1943; 10:41 a. m.]

[Vesting Order 2191]

ESTATE OF WILHELMINA SCHIMMEL

In re: Estate of Wilhelmina Schimmel, deceased; File No. D-28-1746; E. T. sec. 854.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles W. Frei-

burg, 136 South Main Street, Fond du Lac, Wisconsin, Executor, acting under the judicial supervision of the County Court of Green Lake County of the State of Wisconsin; and

(7) 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*

Augusta Lauschstandt, Germany.  
Descendant or descendants, names unknown, of Augusta Lauschstandt, in the event that she be deceased, Germany.

Frederick Wendt, Germany.  
Descendant or descendants, names unknown, of Frederick Wendt, in the event that he be deceased, Germany.

William Wendt, Germany.  
Descendant or descendants, names unknown, of William Wendt, in the event that he be deceased, Germany.

Ernest Wendt, Germany.  
Descendant or descendants, names unknown, of Ernest Wendt, in the event that he be deceased, Germany.

August Wendt, Germany.  
Descendant or descendants, names unknown, of August Wendt, in the event that he be deceased, Germany.

Mrs. Herman Wendt, Germany.  
Descendant or descendants, names unknown, of Mrs. Herman Wendt, in the event that she be deceased, Germany.

Paul Worm, Germany.  
Descendant or descendants, names unknown, of Paul Worm, Germany, in the event that he be deceased

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 Augusta Lauschstandt, Descendant or descendants, names unknown, of Augusta Lauschstandt, in the event that she be deceased; Frederick Wendt, Descendant or descendants, names unknown, of Frederick Wendt, in the event that he be deceased; William Wendt, Descendant or descendants, names unknown, of William Wendt, in the event that he be deceased; Ernest Wendt, Descendant or descendants, names unknown, of Ernest Wendt, in the event that he be deceased; August Wendt, Descendant or descendants, names unknown, of August Wendt, in the event that he be deceased; Mrs. Herman Wendt, Descendant or descendants, names unknown, of Mrs. Herman Wendt, in the event that she be deceased; Paul Worm, Descendant or descendants, names unknown, of Paul Worm, in the event that he be deceased, and each of them, in and to the estate of Wilhelmina Schimmel, 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: September 10, 1943.

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

[F. R. Doc. 43-15349; Filed, September 20, 1943; 10:41 a. m.]

[Vesting Order 926, Amdt.]

AUGUSTE GORSLER, ET AL.

Re: Real property in California owned by Auguste Gorsler, Wilhelm Bernhard, Marie Bachmann, nee Steinmetz, Wilhelm Steinmetz, and Rudolf Steinmetz.

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

1. That the persons whose names and last known addresses appear in Exhibit A, attached hereto and by reference made a part hereof, are citizens and residents of Germany and are nationals of a designated enemy country (Germany);

2. That the persons whose names appear in Exhibit A, attached hereto and by reference made a part hereof, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows: Real property situated in Butte County, California, 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,

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

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

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

Hereby vests in the Alien Property Custodian the property described above, 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 other-

wise 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 this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on September 10, 1943.

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

EXHIBIT A

*Name, Last Known Address, and Interest in Property*

Auguste Gorsler, Geismar Elohsfeld, Germany: Undivided one-third.

Wilhelm Bernhard, Baustrasse, Uslar, Hannover, Germany: Undivided one-third.

Marie Bachmann, nee Steinmetz, Niedern Jesa bei Goettingen, Germany: Undivided one-ninth.

Wilhelm Steinmetz, Duderstadt, Germany: Undivided one-ninth.

Rudolf Steinmetz, Duderstadt, Germany: Undivided one-ninth.

EXHIBIT B

All that certain real property situate, lying and being in the County of Butte, State of California, described as follows, to-wit:

1. The north half of the southwest quarter of the northeast quarter; the west half of the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of section 17, Township 19 North, Range 4 East, M. D. M., containing 80 acres of land, more or less.

2. Also, the southeast quarter of the southwest quarter of the northeast quarter of section 17, Township 19 North, Range 4 East, M. D. M., excepting therefrom the following described parcel of land, to-wit:

Commencing at the southwest corner of said tract, running thence easterly along the east and west center line of said section, 300 feet; thence northerly parallel to the west line of said legal subdivision 145.20 feet; thence westerly parallel to said east and west center line 300 feet to the westerly line of said legal subdivision; thence southerly along the said westerly line of said legal subdivision 145.20 feet to the place of beginning.

3. Also, all that part of the Wilcox Placer Mine in the southwest quarter of the northwest quarter of northeast quarter of section 17, Township 19 North, Range 4 East, M. D. M., lying east of Lot 23 of said Wilcox Placer Mine and south of Mitchell Avenue of the City of Oroville, containing two and 02/100 acres, more or less.

4. Also, all that part of the Wilcox Placer Mine in the northeast quarter of the southeast quarter of northwest quarter of section 17, Township 19 North, Range 4 East, M. D. B. & M., lying south of Mitchell Avenue of the City of Oroville and east of the County road; said County road being the continuation of Myers Street of said City of Oroville, subject to the right of way of the Butte and Plumas Railway Company.

Saving, excepting and excluding from said real property the following parts thereof:

1. A strip of land 60 feet wide being 30 feet on each side of the following described center line. Beginning at a point on the southerly line of Mitchell Avenue of Park Addition to the City of Oroville, at the intersection of said southerly line with the center line of Spencer Avenue of said Park Addition, produced, according to the Official Map of said Park Addition on file in the office of the County Recorder of Butte County, California, thence running along the center line of said Spencer Avenue produced S. 15°09' E. 728.2 feet to a point on the northerly line of Danielson and Brown Subdivision at the intersection of said northerly line with the center line of Danielson Avenue of said subdivision, according to the official map of same on file in the office of the County Recorder of Butte County, California, said strip of land having been conveyed for road purposes.

2. Beginning at a post in the easterly line of Myers Street (sometimes called Palermo Avenue) near the City of Oroville, California, which is 40 feet north of the north boundary line of the southeast quarter of the southeast quarter of the northwest quarter of section 17, Township 19 North, Range 4 East, M. D. B. & M.; thence along the said easterly line of said Myers Street, N. 26°33' W. 125 feet to a post; thence N. 75°05' E. 300.00 feet to a post; thence S. 26°35' E. 125 feet to a post, which is 20 feet northerly (at right angles) from the center line of the Butte and Plumas Railway; thence parallel to and 20 feet distant from the aforesaid center line of the said Railway S. 73°43' W. 272.26 feet to a post; thence S. 78°43' W. 27.00 feet to the post at the place of beginning as surveyed by B. L. McCoy, State Licensed Land Surveyor, June 5, 1926.

3. Commencing at a post at the intersection of the easterly line of Myers Street with the southerly line of Mitchell Avenue, in the City of Oroville, California, from which the center corner of section 17, Township 19 North, Range 4 East, M. D. B. & M., as established by survey of Jasper and McCoy, bears S. 25°54' E. 1165.30 feet; thence along the southerly line of said Mitchell Avenue and being parallel to southerly line of Putnam Tract, and 60 feet distant therefrom, N. 64°29' E. 100 feet to a post; thence parallel to easterly line of said Myers Street S. 24°25' E. 100 feet to a post; thence parallel to aforesaid southerly line of said Mitchell Avenue, S. 64°29' W. 100 feet to a post in the aforesaid easterly line of said Myers Street; thence along said easterly line of said Myers Street N. 24°25' W. 100 feet to the place of beginning, as surveyed by B. L. McCoy, State Licensed Land Surveyor, May 1, 1924.

4. Commencing at a post at the intersection of the easterly line of Myers Street, with the southerly line of Mitchell Avenue, in the City of Oroville, California, from which the center corner of section 17, Township 19 North Range 4 East, M. D. B. & M., as established by the survey of Jasper and McCoy, bears S. 25°54' E. 1165.30 feet; thence along the southerly line of said Mitchell Avenue, and being parallel to the southerly line of Putnam Tract, and 60 feet distant therefrom, N. 64°29' E. 200.00 feet to a post, at the place of beginning of the parcel of land herein contained; thence parallel to easterly line of said Myers Street S. 24°25' E. 120 feet to a post; thence parallel to the aforesaid south-

erly line of said Mitchell Avenue N. 61°23' E. 50 feet to a post; thence parallel to easterly line of said Myers Street, N. 24°25' W. 120 feet to a post; in the southerly line of said Mitchell Avenue; thence along the southerly line of said Mitchell Avenue, S. 64°29' W. 50 feet to the point of beginning of the parcel of land herein described.

5. Reserving from the above described property all that portion thereof occupied by the Butte and Plumas Railroad.

6. Lots 1, 2, 17 and 18 in Block 21; Lots 1, 2, 17 and 18 in Block 23, and Lots 12 and 13 in Block 29 of El Medio Tract, subdivision No. 3, in the East half of section 17, Township 19 North, Range 4 East, M. D. B. & M., according to the official map of said tract filed of record in the office of the Recorder of the County of Butte, State of California.

7. Commencing at a stake located at the southeast corner of the Danielson & Brown Subdivision of Lots Nos. 1 and 2 of Oro Vista Tract, as said subdivision is shown on that certain map on file in the office of the Recorder of Butte County, California in Map Book "4", at page 43; thence N. 0°09' E. along the easterly boundary line of said subdivision a distance of 145.20 feet to the point of beginning of the tract of land herein described; thence N. 88°44' E. parallel with the east and west center line of section 17, Township 19 North, Range 4 East, M. D. B. & M., a distance of 79.03 feet to a point; thence N. 0°09' E. parallel with the easterly boundary line of the aforesaid Danielson & Brown subdivision a distance of 137.71 feet to a point; thence S. 88°44' W. parallel with the aforesaid east and west center line of section 17 a distance of 79.03 feet to the north-easterly corner of Lot 66 of aforesaid Danielson & Brown subdivision; thence S. 0°09' W. along the easterly boundary line of aforesaid Danielson & Brown subdivision a distance of 137.71 feet to the point of beginning and containing 0.25 of an acre, more or less.

8. Commencing at the southwest corner of the southeast one quarter of the southwest one quarter of the northeast one quarter of section 17, Township 19 North, Range 4 East, M. D. B. & M., thence N. 88°44' E. along the legal subdivision line said line being the northerly boundary line of the Lee-Bromley subdivision as said subdivision is shown on that certain map filed February 8, 1903, in Map Book "6" at page 98, records of Butte County, California, for a distance of 300 feet to the point of beginning of the tract of land herein described; thence N. 00°03' E. a distance of 145.20 feet to an iron stake; thence N. 88°44' E. a distance of 93.50 feet to an iron stake; thence S. 00°03' W. a distance of 145.20 feet to the northeast corner of Lot 53 of the above mentioned Lee-Bromley subdivision; thence S. 88°44' W. along the northerly boundary line of said subdivision, a distance of 93.50 feet to the point of beginning and containing 0.323 acres, more or less.

9. Commencing at a point on the easterly side line of Myers Street distanced 100 feet from the southerly corner of the intersection of Mitchell Avenue and said Myers Street; thence southerly along the said easterly side line of Myers Street, a distance of 120 feet; thence easterly and parallel with said southerly side line of Mitchell Avenue a distance of 200 feet; thence at right angles northerly a distance of 220 feet to a point on the southerly side line of Mitchell Avenue; thence westerly along the southerly side line of Mitchell Avenue a distance of 100 feet; thence at right angles southerly, a distance of 100 feet; thence at right angles westerly a distance of 100 feet, to place of beginning.

Also commencing at a post at the intersection of the easterly line of Myers Street with the southerly line of Mitchell Avenue in the City of Oroville, Butte County, California, from which the center corner of section 17,

Township 19 North, Range 4 East, M. D. B. & M., bears S. 25°54' E. a distance of 1,165.30 feet; thence along the southerly line of Mitchell Avenue and being parallel with the southerly line of the Putnam Tract and 60.00 feet distance therefrom, N. 65°29' E. 250.00 feet to a post at the point of beginning of the parcel of land herein described; thence S. 24°25' E. a distance of 120.00 feet; thence S. 64°29' W. a distance of 50.00 feet; thence S. 24°25' E. a distance of 100.00 feet; thence N. 64°29' E. a distance of 63.00 feet; thence N. 24°25' W. a distance of 220.00 feet to the southerly line of above mentioned Mitchell Avenue; thence S. 64°29' W. a distance of 16.00 feet to the point of beginning.

10. Beginning at the southeast corner of southwest quarter of northwest quarter of northeast quarter of section 17, Township 19 North, Range 4 East, M. D. B. & M., thence north along said fractional section line to the south line of Mitchell Avenue in the City of Oroville, County of Butte, State of California; thence southwesterly along said south line of Mitchell Avenue to the east line of Spencer Avenue; thence southerly along said easterly line of Spencer Avenue a distance of 350 feet; thence northeasterly to point of beginning, containing 2.7 acres, more or less.

[P. R. Dec. 43-16334: Filed, September 20, 1943; 10:42 a. m.]

[Vesting Order 1503, Amdt.]

MARTA HAUSER

Re: Real properties, personal property and bank account all owned by Marta Hauser.

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

1. That the last known address of Marta Hauser is Katherinberg 34, b. Reichenberg, Czechoslovakia, an area annexed to Germany, and now known as Sudetengau, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Marta Hauser is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of Humboldt, State of California, 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 and interest, both legal and equitable, of Marta Hauser-in and to household furniture and personal effects, consisting of draperies, floor coverings, kitchen equipment, bedding, curtains and articles of furniture located in the dwellings known as 438 First Street and 212 "M" Street, Eureka, California, owned by Marta Hauser.

c. All right, title, interest and claim of any name or nature whatsoever of Marta Hauser in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Marta Hauser by the First National Bank, Portland, Oregon, 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 said bank which is due and owing to and held for Marta Hauser, in the name of Charles T. Raas, Trustee,

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

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) 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;

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

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

Hereby vests in the Alien Property Custodian the property described above, 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 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 this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on September 10, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

EXHIBIT A

*Parcel No. 1.* That tract of land in the County of Humboldt, State of California, described according to the United States Surveys thereof as follows:

The east half of the southwest quarter, and the southwest quarter of the southwest quarter of section 4; and the southeast quarter of the southeast quarter of section 5, Township 3 South, Range 1 East, Humboldt Meridian, containing 160 acres according to the official plat of the United States survey.

*Parcel No. 2.* That parcel of land in the City of Eureka, County of Humboldt, State of California, bounded and described as follows:

Beginning at the southwest corner of First and "F" Streets in the City of Eureka; and running thence westerly along the southerly line of First Street 30 feet; thence at right

angles southerly 50 feet; thence at right angles easterly 30 feet to "F" Street; and thence northerly along the west line of "F" Street 50 feet to the place of beginning.

*Parcel No. 3.* That parcel of land in the City of Eureka, County of Humboldt, State of California, bounded and described as follows:

Beginning at the southwest corner of Union Street and Pacific Avenue; and running thence south along the west line of Union Street 75 feet; thence at right angles west 110 feet; thence at right angles north 75 feet to Pacific Avenue; thence east along the south line of Pacific Avenue 110 feet to the place of beginning. Being a portion of Lots 3 and 4 in Block 53 of Enlargement of Clark's Addition to the City of Eureka, according to map thereof on file in the Recorder's Office of Humboldt County in Book 1 of Maps page 36.

*Parcel No. 4.* That parcel of land in the City of Eureka, County of Humboldt, State of California, bounded and described as follows:

Beginning at the southwesterly corner of Second and M Streets in the City of Eureka and running thence southerly along the westerly line of M Street 110 feet to an alley; thence westerly along the northerly line of said alley 120 feet; thence northerly and parallel with M Street 110 feet to the southerly line of Second Street; thence easterly along the southerly line of Second Street 120 feet to the place of beginning. Being Lots 3 and 4 in Block 15 as marked and numbered on the map or plat of the Town (now City) of Eureka, made by J. S. Murray in 1859 and on file in the office of the County Recorder of Humboldt County in Book 1 of Maps, page 16.

[F. R. Doc. 43-15335; Filed, September 20, 1943; 10:42 a. m.]

[Vesting Order 1935, Amdt.]

DANTE ROSSETTO

In re: Guardianship of Dante Rossetto, a minor; File F-38-3828; E. T. sec. 4099.

Whereas, the following finding among others was made in Vesting Order Number 1935 dated August 3, 1943:

"(1) The property and interests hereinafter described are property which is in the process of administration by Lehigh Valley Trust Company, 634-636 Hamilton Street, Allentown, Pennsylvania, Guardian, acting under the judicial supervision of the Orphans' Court of Lehigh County, Pennsylvania;"

and the following property and interests were vested:

"All right, title, interest, and claim of any kind or character whatsoever of Dante Rossetto in and to the property in the possession of the Lehigh Valley Trust Company, Guardian of Dante Rossetto, a minor," and

Whereas, by letter dated September 4, 1943, the Lehigh Valley Trust Company advised that said Company was not the Guardian of Dante Rossetto, a minor, but that it merely has been attending to the administrative details on behalf of Henry J. Hornbeck, one of the officers of the Company, and that Henry J. Hornbeck is in fact the Guardian of Dante Rossetto, a minor,

Now, therefore, Vesting Order Number 1935 is hereby amended by deleting therefrom the paragraphs quoted above

and substituting in lieu thereof the following paragraphs:

(1) The property and interests herein-after described are property which is in the process of administration by Henry J. Hornbeck, % Lehigh Valley Trust Company, 634-636 Hamilton Street, Allentown, Pennsylvania, Guardian, acting under the judicial supervision of the Orphans' Court of Lehigh County, Pennsylvania;

All right, title, interest, and claim of any kind or character whatsoever of Dante Rossetto in and to the property in the possession of Henry J. Hornbeck, Guardian of Dante Rossetto, a minor,

All other provisions of such Vesting Order Number 1935 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Dated: September 10, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-15337; Filed, September 20, 1943; 10:45 a. m.]

[Vesting Order 595, Amdt.]

HERMANN WANGNER

Re: Personal property owned by, and certain indebtedness owing to, Hermann Wangner.

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 Hermann Wangner, whose last known address was represented to the undersigned as being Reutlingen, Germany, is a citizen of Germany and a national of a designated enemy country (Germany);

2. That Hermann Wangner is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All steel poles located in the warehouse of Baker and Williams, 513 West 20th Street, New York, New York, owned by Hermann Wangner and believed to number approximately 366,

b. All fiber spools located in the warehouse of the Wilson Wire Works, Kearny, New Jersey, owned by Hermann Wangner, and believed to number approximately 5,200, and

c. All right, title, interest and claim of any name or nature whatsoever of said Hermann Wangner in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by New-Diamond Wire Corporation, 1819 Broadway, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all of 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 (Germany);

And determining that the property described in subparagraph 3-c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b above) 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;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such

person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, 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 this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on September 15, 1943.

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

[F. R. Doc. 43-15333; Filed, September 20, 1943; 10:42 a. m.]

[Vesting Order 1545, Amdt.]

JOHN I. GROSS

Re: Real property and bank account owned by John I. Gross and Rosina Gross, 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 the last known address of both John I. Gross and Rosina Gross, his wife, is S. Martina dell'Argine Montave, Italy, and that they are residents of Italy and nationals of a designated enemy country (Italy);

2. That John I. Gross and Rosina Gross, his wife, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Englewood, New Jersey, known as 195 West Fallsades Avenue, 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 John I. Gross and Rosina Gross, his wife, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to either or both of them by the Citizens National Bank and Trust Company of Englewood, Englewood, New Jersey, 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 bank account in the said bank which is due and owing to, and held for and in the name of, John I. Gross or Rosina Gross, his wife,

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

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) 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 further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

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

Hereby vests in the Alien Property Custodian the property described above, 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 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 this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on September 10, 1943.

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

#### EXHIBIT A

All that certain lot tract or parcel of land and premises hereinafter particularly described situate lying and being in the City of Englewood in the County of Bergen and State of New Jersey Beginning at a point in the northeasterly line of Fallsade Avenue at the most southerly corner of lands belonging to Casper I. Zabriszke and conveyed to him by two (2) certain deeds the first whereof made by Josephine O'Toole Executrix of the last Will and Testament of Edward J. O'Toole deceased January 12 1915 and recorded in the Bergen County Clerk's office in deed book 594 Page 615 and the other made by Pietro Rinaldi Sr and Ernesta Rinaldi his wife dated January 18 1921 and recorded February 4 1921 in the Clerk's Office aforesaid in deed book 1033 page 295 running thence (1) north twenty-seven (27) degrees eight (8) minutes fifty (59) seconds east along the lands belonging to the said Casper I. Zabriszke one hundred forty-nine and three one hundredths (149.03) feet thence (2) south fifty-three (53) degrees sixteen (16) minutes east fifty (50) feet thence (3) south twenty-seven (27) degrees eight (8) minutes fifty (50) seconds west one hundred forty-nine and three one hundredths (149.03) feet to the northeasterly line of Fallsade Avenue and thence (4) along the said line of said Avenue north fifty-three (53) degrees sixteen (16) minutes west fifty (50) feet to the point or place of beginning.

[F. R. Doc. 43-15336; Filed, September 20, 1943; 10:45 a. m.]

ROGER E. BROOKS

#### CERTIFICATE OF APPOINTMENT

Know all men by these presents, that, pursuant to the authority vested in me by Executive Order No. 9095, as amended, I do hereby appoint and designate Roger E. Brooks, Manager of the Honolulu Office, as my agent and delegate to make and revoke, on my behalf, authorizations of transactions with respect to any property or business enterprise subject to the authority and power conferred upon me; and with respect to any specific property or business enterprise subject to such authority and power to appoint and designate supervisors for such property or business enterprise, who shall have power to make and to revoke, on my behalf, authorizations and transactions.

All transactions, involving any such property, or by, or with, or on behalf of, or pursuant to the direction of, any business enterprise of which I have undertaken the supervision or which has been vested by me or assets of or interests in which have been vested by me, or involving any property in which such business enterprise has any interest, and control of which has been released by the Secretary of the Treasury pursuant to Executive Order No. 9095, as amended, are prohibited unless authorized by me or by my said delegate or by a supervisor designated for such property or business enterprise by me or by my said delegate.

In testimony whereof, I have hereunto set my hand and seal this 11th day of September 1943.

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

[F. R. Doc. 43-15350; Filed, September 20, 1943; 10:49 a. m.]

[Vesting Order 137, Amdt.]

JOSEPH SCHOEBEL AND ELSE SCHOEBEL

Vesting Order Number 137 of August 28, 1942, is hereby amended as follows and not otherwise:

By inserting after the words "Washington, D. C." appearing in subparagraph (b) thereof the words: "and R. E. Nungesser, Washington, D. C."

All other provisions of such Vesting Order Number 137 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 September 10, 1943.

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

[F. R. Doc. 43-15331; Filed, September 20, 1943; 10:42 a. m.]

[Vesting Order 441, Amdt.]

CERTAIN PROPERTY HELD IN TRUST BY UNION TRUST CO. OF THE DISTRICT OF COLUMBIA

Whereas, by Vesting Order No. 441, dated December 4, 1942, the undersigned vested, among other items, all right, title, interest and estate, both legal and equitable, of certain named individuals found to be nationals of a designated enemy country in certain property held in trust by the Union Trust Company of the District of Columbia, Washington, D. C.

Whereas, in listing these individuals a typographical error was inadvertently made.

Now therefore, Vesting Order No. 441 is hereby amended as follows, and not otherwise:

In line 1 of subparagraph (1) of said vesting order the name "Liana von Bredow" is hereby amended to read "Diana von Bredow".

All other provisions of said Vesting Order 441 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 September 10, 1943.

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

[F. R. Doc. 43-15332; Filed, September 20, 1943; 10:42 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-48]

RED STAR MOTOR COACHES, INC. AND THE BALTIMORE & ANNAPOLIS RAILROAD CO.

COORDINATED OPERATIONS BETWEEN BALTIMORE AND THE WESTERLY TERMINAL OF THE STATE OF MARYLAND CHESAPEAKE BAY FERRIES

Upon consideration of the application for authority to coordinate passenger transportation service filed with this Office by Red Star Motor Coaches, Inc., Salisbury, Maryland, (hereinafter called "Red Star"), and The Baltimore & Annapolis Railroad Company, Baltimore, Maryland, (hereinafter called "B & A"), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers, and to conserve and providently utilize vital equipment, material, and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Red Star in the transportation of passengers on the routes served by it between Baltimore and the westerly terminal of the State of Maryland Chesapeake Bay ferries, now at Annapolis but presently to be moved to Sandy Point, Maryland, as a common carrier by motor vehicle, shall not operate in any calendar week a greater number of bus miles than 4,730.

2. Red Star shall honor tickets issued by B & A for transportation by Red Star from Baltimore or Annapolis to points on the routes of Red Star east of Matapeake on the eastern side of the Chesapeake Bay, and B & A shall honor tickets issued by Red Star for transportation from any point on the routes of Red Star east of Matapeake on the eastern side of the Chesapeake Bay to Baltimore or Annapolis.

3. Red Star shall divert to B & A at Baltimore traffic destined to points on the routes of Red Star east of the Chesapeake Bay that cannot be accommodated in Red Star buses operated between Baltimore and the westerly terminal of the State of Maryland Chesapeake Bay ferries, and shall transport such diverted traffic from its terminal in Baltimore to the terminal of B & A in Baltimore. B & A shall transport such diverted traffic from its terminal in Baltimore to the westerly terminal of the State of Maryland Chesapeake Bay ferries.

4. Red Star shall divert to B & A traffic originating on the routes of Red Star east of the Chesapeake Bay destined to Baltimore that cannot be accommodated in Red Star buses operated between the westerly terminal of the State of Maryland Chesapeake Bay ferries and Baltimore. B & A shall transport such diverted traffic from the westerly terminal of the State of Maryland Chesapeake Bay ferries to its terminal in Baltimore.

5. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal

liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

6. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

7. As used herein:

(a) The term "bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers; and

(b) The term "bus miles" includes all miles of actual bus operation, whether in passenger service or otherwise.

8. The provisions of paragraph numbered 1 of this order shall be subject to any special permit issued by the Director, Division of Local Transport, Office of Defense Transportation, or such members of his staff as he may designate, to meet emergencies.

9. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-48".

This order shall become effective September 13, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of September, 1943.

JOSEPH B. EASTMAN,  
*Director,*

*Office of Defense Transportation.*

[F. R. Doc. 43-15278; Filed, September 18, 1943; 11:38 a. m.]

LUMBER DEALERS OF LA JUNTA, COLO.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, material and supplies, (General

Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), La Junta Trading Co., Taylor Lumber Co., The Trail Lbr. Co., and Lask Lumber Yard, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of lumber and related articles in La Junta, Colorado.

The participants in the plan propose to eliminate wasteful operations in the transportation and delivery of lumber and related articles in La Junta, Colorado, by limiting deliveries of less-than-truckload lots to Mondays, Wednesdays, and Saturdays of each week.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 13th day of September-1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-15279; Filed, September 18, 1943; 11:38 a. m.]

LAUNDRIES AND DRY CLEANERS OF LA JUNTA,  
COLO.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), Johnston Band Box Cleaners, Classey Cleaners, Superior Cleaners, and Best Laundry and Dry Cleaners, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of laundry and dry cleaning in La Junta, Colo.

The participants in the plan propose to eliminate wasteful operations in the transportation and delivery of laundry and dry cleaning in La Junta, Colo., by limiting retail pick-up and delivery services to 3 days a week and in certain areas making no pick-ups and deliveries earlier than 4 p. m. of such days. Institutional service on laundry will be performed daily.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the

successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 13th day of September 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-15280; Filed, September 18, 1943; 11:38 a. m.]

HARRY MILLER, ET AL., FLORISTS OF DEARBORN,  
MICH.

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), Harry Miller, Dearborn Flower Store, New Dearborn Floral Co., Michigan-Schaefer Florist, Ideal Flower Shop, and Theisen Greenhouses, all florists of Dearborn, Michigan, together with Milton Carroll of Detroit, Michigan, herein called the delivery agent have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in the Detroit metropolitan area.

The named florists propose to eliminate wasteful operations in the transportation and delivery of flowers and related articles in Detroit, Dearborn, Lincoln Park, Allen Park, River Rouge, Melvindale, Inkster, Ecorse, and Garden City, Michigan, by the pooling of deliveries and the employment of the named delivery agent to perform their delivery services. They estimate that effectuation of the plan will permit the retirement from this service of six delivery vehicles and will result in savings of 60,000 truck-miles a year.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 13th day of September 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-15281; Filed, September 18, 1943; 11:38 a. m.]

DURANGO, COLO., DAIRIES

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials, and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10190), Mrs. Frank Connor, David Baker, Hollywood Dairy, and Morris Jersey Dairy, all of Durango, Colorado, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of dairy products in Durango.

The participating distributors of dairy products in Durango plan to conserve commercial motor vehicle equipment, parts, and tires by making deliveries to retail customers on a basis of every second day only.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 14th day of September 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-15282; Filed, September 18, 1943; 11:39 a. m.]

REQUISITIONING AND DISPOSAL OF IDLE USED  
COMMERCIAL MOTOR VEHICLES

DIRECTIONS AND INSTRUCTIONS OF MOTOR  
TRANSPORT DIVISION

SEPTEMBER 21, 1943.

1. For the purpose of making available in the national food production program idle used commercial motor vehicles held in private hands, a plan has been developed in cooperation with the Office of War Mobilization, the U. S. Department of Agriculture, War Food Administration, and the Defense Supplies Corporation, which, in part, involves the requisitioning of such vehicles and their placement into transportation service in connection with the accomplishment of the food production program.

2. Pursuant to the Act of October 16, 1941, Executive Order 8342, as amended, Executive Order 9294, and Regulations under Requisitioning Acts issued by the War Production Board, the Chairman of that Board, on July 27, 1943, approved a proposal of the Office of Defense Transportation, dated July 9, 1943, for the requisitioning and disposal of idle used commercial motor vehicles. The pro-

posal contemplates the cooperation of the U. S. Department of Agriculture, War Food Administration, and the Office of Defense Transportation to the extent hereinafter indicated. A copy of the proposal as approved is attached hereto as Appendix 1.<sup>1</sup> In carrying out the requisitioning process, the Defense Supplies Corporation will play an important part as hereinafter shown. So that the Corporation may acquire and transfer title, the actual requisitioning and disposition will be done by it upon requests and instructions from ODT Regional Directors of the Division of Motor Transport.

3. Requisitioning and disposal of vehicles must be done in accordance with the Act, Executive Orders and Regulations above referred to. The Act provides, among other things, that (1) whenever the President, or a requisitioning authority designated by the President, determines that the use of certain equipment, supplies or munitions, or parts thereof, is needed for the defense of the United States (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, he is authorized to requisition such property upon the payment of fair and just compensation, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States. It is, therefore, important that these provisions of the statute be adhered to and that the procedural steps herein set forth be strictly observed.

4. Appropriate authority has been delegated to all Regional Directors and District Managers, Division of Motor Transport, by Administrative Order ODT 4, to initiate the requisitioning and disposal of idle used trucks in accordance with these and any subsequent instructions which may be issued.

#### WHAT EQUIPMENT MAY BE REQUISITIONED

5. The proposal relates only to idle used commercial motor vehicles, as therein defined, which are to be disposed of as shown therein. The term "idle used commercial motor vehicle" for the purpose of this program is defined as follows:

The term "commercial motor vehicle", for the purpose of this proposal and requisitioning and disposal thereunder, means (i) a straight truck, (ii) a combination truck-tractor and semi-trailer, (iii) a full trailer, or (iv) any combination thereof, propelled or drawn by mechanical power and built (or rebuilt) primarily for the purpose of transporting property, and the attachments and spare parts used, or intended for use, in conjunction with the foregoing.

The term "idle used commercial motor vehicle", for the purpose of this proposal and requisitioning and disposal thereunder, means any used commercial motor vehicle not in use but which is capable of use for the transportation of agricultural commodities and products thereof.

6. It will be observed that any vehicle to be subject to requisitioning and disposal under the plan must:

- (1) Have been built or rebuilt primarily for the purpose of transporting property;
- (2) Have been used;
- (3) Be capable of use or of being conditioned for use in the transportation of agricultural commodities and products thereof; and
- (4) Be idle, that is, when in the sound judgment of the District Manager he determines that under all the circumstances the vehicle is not presently in use and is likely to remain idle for an indefinite period.

7. If the owner is a member of the armed forces of the United States or any of its Allies, an offer to purchase or lease the equipment from him may be made either by or in behalf of an eligible purchaser, but such equipment will not be requisitioned except when specifically authorized by the Director, Office of Defense Transportation.

#### DISPOSAL OF REQUISITIONED EQUIPMENT

8. Any requisitioned vehicle may be disposed of only to a person certified as an eligible purchaser. For the purpose of this program the term "eligible purchaser" is defined as follows:

The term "eligible purchaser", for the purpose of this proposal and requisitioning and disposal thereunder, means (a) any agricultural producer who is engaged in production and who is found by the County USDA War Board to be in need of the vehicle which he desires to purchase or otherwise acquire to complete the production program on the farm which he operates, or (b) any person who engages in, or proposes to engage in, the transportation of agricultural commodities, or products thereof, and who is found by the USDA County War Board, the Regional or District Manager to be in need of the vehicle he desires to purchase or otherwise acquire for such transportation.

9. No idle used commercial motor vehicle is to be requisitioned unless:

- (1) When the owner is known, an offer to purchase it from him at a reasonable price, not exceeding the lawful ceiling price, or to lease it upon fair and reasonable terms, has been made to him by or in behalf of a person having the qualifications of an eligible purchaser and the owner either has rejected the offer or has not accepted it within a reasonable time;
- (2) The vehicle will be purchased from the Government by an eligible purchaser immediately upon its being requisitioned.

10. If the owner is not known and cannot be ascertained within a reasonable time by the use of reasonable diligence, the vehicle may nevertheless be requisitioned for disposal as indicated in subparagraph (2) above.

11. In the requisitioning and disposal of any vehicle or vehicles, accessories, attachments or spare parts to be used on such vehicle, hereinafter sometimes referred to as "property", the following procedures shall be observed:

#### PROCEDURE

##### ODT District Manager Procedures

12. Before taking any of the steps herein outlined with a view to requisitioning any property under consideration, the District Manager shall communicate with the County USDA War

Board for the county in which the property is located to ascertain whether the Board has initiated action with a view to requisitioning that property. If such action has been initiated the District Manager need go no further unless the Board desires him to proceed.

13. *Inaccessible property.* If the vehicle under consideration is not accessible for identification and appraisal, so advise the Regional Director. Authority is conferred upon him to require that the necessary information regarding the property be made available. (See paragraph 22.) When he has secured this information, he will furnish it to the District Manager, who will proceed as directed in paragraphs 14-19.

14. *Accessible property.* When the property is accessible for identification and appraisal, and if the owner is known, the District Manager will proceed as follows:

15. If no eligible purchaser is known to the District Manager or to the County USDA War Board either may locate an eligible purchaser willing to lease the property from the owner upon fair and reasonable terms, or to purchase the property from him, or from the Defense Supplies Corporation after the property is requisitioned.

16. The District Manager will communicate with the owner by registered mail at his last known address stating that the eligible purchaser (naming him) stands ready to lease the property upon fair and reasonable terms (naming the terms) or to purchase the property at a fair price (stating the amount) and advising the owner that if no answer is received within seven days from the date of the letter that a request will be made for requisitioning the property. If the owner and purchaser cannot agree upon a price or rental the District Manager shall have the fair appraised value determined as set forth in paragraph 17, and another offer to purchase at the fair appraised value, or to lease upon fair and reasonable terms, if different from the preceding offer, shall be made by letter to the owner, and he shall be advised that in case of failure to accept the offer within seven days from the date of the letter, a request will be made to requisition the property. If leasing is impractical or not feasible, the offer to lease may be omitted.

17. For the purpose outlined in paragraph 16 and of arriving at a disposal price to be paid by the purchaser if the property is requisitioned (see item (6) of paragraph 18), the District Manager shall avail himself of the services of a competent appraiser. (Each District Manager will communicate with his Regional Administrative officer for instructions as to how the services of an appraiser may be secured.) After inspection of the vehicle and making detailed written notes, for future reference, concerning the condition of the vehicle and its parts, and listing each accessory or spare part, the appraiser will place a fair and reasonable value thereon in its present condition and location that is, on a "where is, as is" basis. The value so fixed should in no case exceed the applicable ceiling price established by

<sup>1</sup>Filed as part of the original document.

Revised Maximum Price Regulation No. 341 (Rev. MPR 341), issued by the Office of Price Administration on August 10, 1943. Ceiling prices so established are in line with values of vehicles in better-than-average condition. Therefore, in most cases the fair and reasonable value of the vehicle being appraised will be less than the ceiling price depending, of course, upon the condition of the vehicle. In almost all cases the value found by the appraiser plus the reasonable cost of appraisal, but not in excess of the ceiling price, will be the disposal price to be paid to the Defense Supplies Corporation by the purchaser upon sale to him after requisitioning. (See Appendix 2 for form of contract.) In nearly all cases the value found by the appraiser will be the fair and just compensation to be paid to the owner as hereinafter provided. (A copy of Rev. MPR 341, issued August 10, 1943, and of MPR 341, issued March 31, 1943, has been or will be furnished each regional and district office.)

18. When an offer made pursuant to paragraph 16 has been refused by, or when no response to an offer has been received from, the owner within the time specified in paragraph 16, the District Manager will execute Form ODT Req. 1 and send the form to his Regional Director. In Executing the form the following details will be observed:

(1) Make at least six copies, the original and four of which are to be transmitted to the Regional Director.

(2) Use a separate form for each vehicle or group of vehicles located on one and the same premises. A separate schedule for each vehicle and its parts and accessories shall be prepared and securely attached to the request.

(3) Give an adequate description of the location of the vehicle or group of vehicles. Give also accurately and fully the name and address of the custodian or person in possession.

(4) Identify each vehicle or each unit on a separate schedule by type, manufacturer's name, year of manufacture, engine number, serial number, if any, type of body, and other identifying characteristics. Also describe fully all attachments or spare parts, if any, to be requisitioned for use on the vehicle. Describe fully the condition of the vehicle.

(5) Give accurately and fully the owner's name and last known address and the names and addresses of all persons known to have or to claim an interest in the property, such as chattel mortgagees, holders of conditional contracts of sale, tax, storage, mechanic's or garage lien claimants, etc. District Managers and USDA War Boards will make diligent efforts to ascertain the names and addresses of all claimants, but the request for requisitioning should not be delayed thereby. Additional information concerning claimants should be submitted later. In securing this information, it may be advisable to check the recording registries in the county records and the State title registrations.

(6) Insert the appraised value as found by the appraiser and the costs of appraisal, but in no case will the amount to be paid by the purchaser be more than the ceiling price fixed by OPA.

(7) When transmitting the completed form to the Regional Director the District Manager shall inform him of the name and address of the eligible purchaser and the applicable OPA ceiling price. The appraiser should be of assistance in arriving at such ceiling price.

19. If the owner is not known, execute Form ODT Req. 1, as directed in paragraph 18, inserting in lieu of the owner's name the word "Unknown".

20. When the Regional Director notifies the District Manager that a request for requisitioning has been granted, the District Manager will issue to the proposed purchaser a statement certifying that he has been found by the District Manager to be an eligible purchaser. Any County USDA War Board may also certify eligible purchasers in accordance with instructions issued by the War Food Administrator. When the Regional Director requests the agent of Defense Supplies Corporation to requisition the property, the agent will get in touch with the eligible purchaser and make arrangements with him, including the execution of a contract, for the sale of the property to him upon its being requisitioned. The contract will be substantially in the form of Appendix 2 attached hereto.

21. County USDA War Boards will also, pursuant to instructions issued by the U. S. Department of Agriculture, War Food Administration, take the steps outlined above and will submit requests for requisitioning, together with the name and address of the eligible purchaser, to the State USDA War Board. The State Board will transmit such requests, names and addresses to the Regional Director who will handle such requests in the same manner as those received from District Managers.

#### *ODT Regional Director Procedures*

22. When informed by the District Manager or State USDA War Board that certain idle used commercial motor vehicles have been located which are necessary to the war effort but which are not accessible for identification and appraisal, the Regional Director shall determine after communication with the ODT General Counsel's Office, the procedures to be followed in making the vehicles accessible for identification and appraisal.

23. Upon receipt of a request from either the District Manager or the USDA War Board to requisition idle vehicles, the Regional Director will review such request and if he finds that the requested requisitioning is necessary to afford transportation service in the achievement of the war food production program, he will grant such request.

24. Upon the approval of such request by the Regional Director, he will proceed as outlined below:

25. The Regional Director will insert in an original and five copies of Form ODT Req. 2, entitled "Requisition by the United States of America," the ODT Requisition No., the number of each schedule attached, and his name and address in the appropriate blank spaces. Each vehicle to be requisitioned shall be described on a separate schedule which must bear an identifying number and be

securely attached to the requisition. The description of the property in each such schedule should correspond to the description contained in each Form ODT Req. 1 or Form Req. 1 of the County USDA War Board. After the requisition form is prepared the Regional Director shall transmit the original and 3 copies, together with 2 copies of Form ODT Req. 1 or Form Req. 1 and one original of instructions shown as Form ODT Req. 2.1, properly filled in, to the agent of the Defense Supplies Corporation in whose area the property is located, with a request that he requisition and dispose of the property. (A list of such agents, their addresses, and the areas they serve is attached as Appendix 3.) In his letter of transmittal to the agent, the Regional Director will advise the agent of the following:

(1) The name and address of the eligible purchaser;

(2) The extent of negotiations with the owner to purchase or lease the vehicle;

(3) The value of the vehicle as found by the appraiser and the costs of appraisal;

(4) The applicable OPA ceiling price;

(5) Any other information deemed of value in the case. A copy of the requisition and of the request therefor shall forthwith be sent to the Associate Director, Division of Motor Transport, at Washington, D. C.

26. The agent will arrange with the United States Marshal's Office for the judicial district in which the property to be requisitioned is located for an exact time (date and hour) when the property is to be seized by the Marshal. The agent will notify the eligible purchaser, and the Regional Director of the time fixed.

27. Upon the seizure of the property by the Marshal, he will then and there deliver it to the agent of the Defense Supplies Corporation who will dispose of it to the eligible purchaser or purchasers. The Marshal will exhibit to the person from whose custody or possession the property was seized the original requisition (Form ODT Req. 2) and deliver to him a conformed copy, a copy of Form ODT Req. 2.1, and a receipt for the property (Form ODT Req. 3). The Marshal will also furnish to the DSC agent three conformed copies of such receipt, and will execute the return shown on the requisition form in triplicate and deliver them to the agent. The agent will transmit one conformed copy each of the requisition, of the return endorsed thereon, and of the receipt to the Regional Director. At the same time the agent will advise the Regional Director of the names and addresses of any additional persons who he may have learned claim an interest in the property.

28. Upon receiving notice from the DSC agent that the property has been requisitioned, the Regional Director will immediately transmit to each person known to have or to claim any interest in the property a notice of requisition (Form ODT Req. 4), 4 blank copies of disclaimer (Form ODT Req. 7), 4 blank copies of proof of claim (Form ODT Req. 5) accompanied by an appropriate form of verification (individual, corporate, or

by agent or attorney, as the case may be) together with power of attorney (Form ODT Reg. 6), if necessary, and with instructions for the submission of disclaimer or proof of claim. Such persons are expected to execute the appropriate forms in triplicate and forward to the Regional Director. The fourth copies may be retained by such persons for their files.

29. In order to enable the ODT to make report to the War Production Board as required by its regulations, the Regional Director shall as soon as he has received notice from the DSC agent of the requisitioning and disposal of the property, make a report thereof immediately to the Associate Director, Division of Motor Transport, at Washington, D. C., giving a description of the property, the name and address of the owner, the name and address of the purchaser, the date and place of requisitioning and disposal, and the disposal price.

30. As soon as a reasonable time has expired within which to expect proofs of claim to be made (twenty days from time of sending out of Form ODT Reg. 4 is suggested as a reasonable time), the Regional Director shall prepare and send out Form ODT Reg. 8, which is the notice of preliminary determination by him of fair and just compensation for the property. This should be mailed to all persons known to have or to claim an interest in the property regardless of whether or not they have filed a claim but should not be mailed to persons who have filed a disclaimer. A copy must also be mailed to the Associate Director, Division of Motor Transport without delay. The preliminary determination of fair and just compensation ought to equal the fair and reasonable value as found by the appraiser (see Par. 17) and indicated on Form ODT Reg. 1 or Form Reg. 1, but should not include the costs incurred in appraisal.

31. Within thirty days after the date of the notice (Form ODT Reg. 8) any claimant may file written objections to the preliminary determination specifying in detail the grounds for his objection.

32. If there is such objection and the Regional Director is nevertheless not in doubt as to the proper award to be made, he shall proceed as provided in paragraphs 34-38 below.

33. In any case in which the Regional Director is in doubt as to the proper measure to be applied in determining fair and just compensation or in any case in which there is a difference of opinion arising from such objections between the Regional Director and the person known to have or to claim an interest in the property as to the proper measure to be applied in determining compensation, the Regional Director may, in his discretion, either before or after making a preliminary determination, designate a time and place for all persons known to have or claim an interest to appear in support of their claims. Ample notice thereof must be given to all such persons. Such appearance shall be before a member of the field staff designated by the Regional Director. Such member shall hear the claimants who appear and shall receive

any evidence relative to the inquiry. A stenographic transcript of the proceedings and a copy of the written evidence shall be preserved. Following such inquiry, such member shall make his recommendation to the Regional Director as to the amount of compensation to be paid and the Regional Director shall consider such recommendation, and if he has not already made a preliminary determination he shall do so or he shall affirm, increase or decrease the preliminary determination already made. (Such inquiries or hearings should be had only in exceptional cases.)

34. The Regional Director shall not authorize payment to any claimant until such claimant has presented such proof of title to or an interest in the property requisitioned as the Regional Manager may require and until he is satisfied that payment may be safely made. In cases of doubt, the Regional Director should obtain the advice of the ODT General Counsel.

35. If the claimants cannot safely be paid the Regional Director shall nevertheless make the award in duplicate on Form ODT Reg. 9, with a notation thereon that "The persons entitled to compensation cannot now be determined", shall retain one copy in his files, and transmit the other to the DSC agent with a letter along the lines of part B of Appendix 4. The Regional Director will also advise the claimants by letter along the lines of part B of Appendix 5. No payment will be made until the person or persons entitled to receive the same shall be clearly established. Conformed copies shall be sent to the Associate Director, Division of Motor Transport, with a statement as to why claimants cannot safely be paid.

36. If payment can safely be made the Regional Director shall make the award in duplicate on Form ODT Reg. 9 and transmit one of the duplicates to the Defense Supplies Corporation agent together with a letter along the lines of part A of Appendix 4 hereto. The Regional Director shall also notify each person entitled to compensation by a letter along the lines of part A of Appendix 5 hereto. At the time Defense Supplies Corporation pays each such person, he will be required to execute a release and indemnity agreement.

37. If any person is unwilling to accept the award made to him, he will be paid 50 percent of the amount and shall be entitled to sue in the United States Court of Claims or any District Court of the United States for any additional amount which, when added to the amount paid him, he considers fair and just compensation. In any such case, the Regional Director shall immediately notify the General Counsel.

38. In any case where a number of vehicles have been requisitioned in pursuance of one requisition (Form ODT Reg. 2), and questions concerning title or interest in, or compensation for, one or more of them will delay the payment of compensation for all, a separate award of fair and just compensation may, in the discretion of the Regional Manager, be made as to any one or more of the vehicles with respect to which there are no such questions.

39. A copy of each award made shall be sent to the Associate Director, Division of Motor Transport as soon as made so that required reports can be made to the War Production Board within the time fixed.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-16277; Filed, September 18, 1943; 12:20 p. m.]

[Supplementary Order ODT 20A-10]

TAXICAB OPERATORS IN SPRINGFIELD,  
ILLINOIS AREA

COORDINATION OF OPERATION

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Springfield, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

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

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

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

<sup>1</sup> Filed as part of the original document.

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

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Local Transport, Office of Defense Transportation, Chicago, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-19" and, unless otherwise directed, should be addressed to the Division of Local Transport, Office of Defense Transportation, Chicago, Illinois.

8. This order shall become effective September 25, 1943 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of September 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

APPENDIX 1

Lincoln Cab Company, Springfield, Illinois.  
Allied Cab Company, Springfield, Illinois.  
Capitol Cab Company, Springfield, Illinois.  
Radio Cab Company, Springfield, Illinois.

[F. R. Doc. 43-15360; Filed, September 20, 1943; 11:36 a. m.]

[Supp. Order ODT 20A-20]

TAXICAB OPERATORS IN MINNEAPOLIS AND ST. PAUL, MINNESOTA AREA  
COORDINATION OF OPERATIONS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of and between Minneapolis and St. Paul, Minnesota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes

is essential to the successful prosecution of the war, *It is hereby ordered*, That:

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

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possession or obtaining the requisite operating authority.

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

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

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Local Transport, Office of Defense Transportation, Chicago, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-20" and, unless otherwise directed, should be addressed to the Division of Local Transport, Office of Defense Transportation, Chicago, Illinois.

8. This order shall become effective September 25, 1943 and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of September, 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

APPENDIX 1

Yellow Taxi Company of Minneapolis, Minneapolis, Minnesota.  
Brown and White Cab Co., St. Paul, Minnesota.

Blue & White Cab Company of St. Paul, also known as Yellow Taxi Company of St. Paul, St. Paul, Minnesota.

[F. R. Doc. 43-15361; Filed, September 20, 1943; 11:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

GYPNUM WALL BOARD, LATH AND SHEATHING

[Order No. A-1 Under MPR 163, Amdt. 13]

MODIFICATION OF MAXIMUM PRICES

Amendment No. 13 to Order No. A-1 under §1499.159b of Maximum Price Regulation No. 182—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying Amendment No. 13 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Order No. A-1 is amended by adding a new paragraph (a) (13) to read as follows:

(13) *Modification of maximum prices for gypsum wall board, lath and sheathing—(1) Manufacturers' sales.* Manufacturers' sales of gypsum wall board, lath and sheathing may be made at prices not exceeding the maximum prices specified below when the following conditions have been met:

(a) The sale is made f. o. b. at a mill located within the shipping-point originating territory set forth below;

(b) The sale must be made to the War Department, the Navy Department, the Maritime Commission, or the Federal Public Housing Authority or any lumber or building material dealer holding a War Production Board priority rating of AA-3 or higher for the purchase of gypsum board products;

(c) The gypsum wall board, lath or sheathing must be for use on a "government project"; and

(d) The gypsum wall board, lath and sheathing must be destined for use in California, Arizona, Oregon and Washington.

*Shipping point origin.*—Indiana, Iowa, Michigan, Oklahoma, Texas, Ohio:

	Per sq. ft.
Gypsum wall board 1/4".....	\$20.00
Gypsum wall board 3/8".....	23.00
Gypsum wall board 1/2".....	25.00
Gypsum lath.....	13.00
Gypsum sheathing 1/2".....	20.00

(ii) *Dealers' sales.* Any lumber or building material dealer holding a War Production Board priority rating of AA-3 or higher for the purchase of gypsum wall board, lath or sheathing for use on a "government project" within the States of California, Arizona, Oregon and

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

<sup>1</sup> Filed as part of the original document.  
No. 187—10

Washington from a manufacturer located at any of the shipping point origins specified above may add to his cost, at such shipping point, the actual cost of transportation from such shipping point to destination plus the same dollar mark-up as he would add on a shipment originating at a mill located within the State of California for a comparable sale.

(iii) Every manufacturer and every lumber or building material dealer making sales subject to this subparagraph (13) shall submit on or before the first day of each month after the effective date of this amendment to the Office of Price Administration, Building Materials Branch, Washington, D. C., a monthly report showing:

The name and address of each purchaser.  
Point of origin of shipment.  
Kind, quantity and thickness sold.  
The name and location of job.

(iv) The term "government project" used in this subparagraph (13) shall mean a project constructed pursuant to a contract entered into with any of the following government agencies or any subcontract thereunder: The War and Navy Departments, the Maritime Commission, or the Federal Public Housing Authority.

(v) This subparagraph (13) may be revoked at any time.

This amendment shall become effective September 18, 1943, and shall terminate January 1, 1944, unless otherwise extended by amendment.

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.

(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 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15254; Filed, September 17, 1943; 4:19 p. m.]

#### SLATE BURIAL VAULTS

[Order A-1 Under MPR 188, Amdt. 14]

#### MODIFICATION OF MAXIMUM PRICES

Amendment 14 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 Amendment No. 14 to Order No. A-1 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Order No. A-1 is amended by adding a new paragraph (a) (14) to read as follows:

(14) *Modification of maximum prices for slate burial vaults.* (i) Manufacturers' maximum prices for slate burial vaults produced in the counties of Lehigh, Northampton and York, in the State of Pennsylvania, established pursuant to the General Maximum Price Regulation or Maximum Price Regulation No. 188, as amended, may be modified

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

by adding an amount not in an excess of 7 cents per square foot.

(ii) Discounts and other price differentials and other terms and conditions of sale shall be at least as favorable to purchasers as were in effect by each manufacturer to his several classes of purchasers during March 1942.

(iii) On and after the 18th day of September 1943, any person who purchases slate burial vaults, for resale, from any manufacturer who has modified his maximum price in accordance with this amendment, may increase his presently established maximum price by an amount equal to his actual dollar increase in cost resulting from the increase permitted in (i) above, not to exceed 7 cents per square foot.

(iv) This subparagraph (14) may be amended or revoked by the Price Administrator at any time.

This amendment shall become effective September 18, 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 17th day of September 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-15255; Filed, September 17, 1943; 4:25 p. m.]

#### LIST OF INDIVIDUAL ORDERS UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 15, 1943.

##### Order Number and Name

RPS 67, Order 19, H. & G. Roos Tool & Mfg. Co.  
RPS 82, Order 2, Andrews Mfg. Co.  
MPR 136, as amended, Order 97, Elsemann Corp.  
MPR 149, Order 6, Richfield Oil Corp.  
RMFR 169, Order 31, Amendment 1, Swift & Co.  
2d RMFR 213, Order 11, Simmons Co.  
MPR 244, Order 41, John Knapp Sons Foundry Co.  
MPR 244, Order 42, Wilson Foundry & Machine Co.

The following orders were filed with the Division of the Federal Register on September 16, 1943.

MPR 163, Order 23, Stroud Textile Products, Ltd.  
MPR 163, Order 24, Fame Fabrics, Inc.  
MPR 224, Order 43, Benton Harbor Malleable Industries.  
MPR 224, Order 44, Ferro Machine & Foundry Co.  
MPR 427, Order 2, Stein, Hall Mfg. Co.  
2d Rev. Max. Export Price Reg., Order 9, National Carbon Co., Inc.  
2d Rev. Max. Export Price Reg., Order 10, Harte & Co., Inc.  
2d Rev. Max. Export Price Reg., Order 11, American Steel Export Co.  
2d Rev. Max. Export Price Reg., Order 12, Ernst Seidemann.  
2d Rev. Max. Export Price Reg., Order 13, Landers, Frary & Clark.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-15253; Filed, September 17, 1943; 4:26 p. m.]

[Order 4 Under § 1499.19a of GMPR]

AMERICAN TURPENTINE AND TAR CO. ET AL.

#### AUTHORIZATION OF MAXIMUM PRICES

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

(a) Pending final determination by the Price Administrator of action to be taken in modifying prices now established for sales of pine tar and pine tar oil under Order No. 30 under § 1499.29 of the General Maximum Price Regulation for certain producers named therein and under Maximum Price Regulation No. 446 for sales in regular channels of trade, and for sales of pine wood charcoal under Amendment No. 1 to Maximum Price Regulation No. 431, the persons covered by said order and regulations, including, but not limited to, American Turpentine and Tar Company, New Orleans, Louisiana, Atlantic Pine Industries Corporation, Kissimmee, Florida, Liberty Pine Products Company, Allenhurst, Georgia, Louisiana Pine Products Company, Alexandria, Louisiana, Pine Tar Products Company, Fort Myers, Florida, Retort Chemical Company, Gainesville, Florida, Southern Pine Chemical Company, Jacksonville, Florida, Southern Pine Extract Company, Tallahassee, Florida, are hereby authorized to sell and any person is authorized to buy from such persons, pine tar and pine tar oil, and pine wood charcoal at prices not in excess of the maximum prices established by the applicable order or regulation: *Provided, however*, That such persons may agree with purchasers in any contract for the sale of such commodities, that the contract price may be adjusted upward to conform to the final determination of the Price Administrator.

(b) This order, issued under § 1499.19a of the General Maximum Price Regulation, section 3 of Maximum Price Regulation No. 431, and section 3 of Maximum Price Regulation No. 446, may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 18, 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 18th day of September 1943.

GEORGE J. BURKE,  
Acting Administrator.

[F. R. Doc. 43-15322; Filed, September 18, 1943; 3:59 p. m.]

#### LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 18, 1943.

##### Order Number and Name

MPR 188, Order 652, Victory Home Dehydrator 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. 43-15365; Filed, September 20, 1943; 11:49 a. m.]

**Regional and District Office Orders.**

[Region III Order G-5 under MPR 165, Revocation of Amdts. 4, 5 and 6]

**POWER LAUNDRIES IN WAYNE CO., MICH.**

Revocation of Amendments Nos. 4, 5, and 6 to Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services. Power laundries in Wayne County, Michigan.

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, and by Revised General Order No. 32, *It is hereby ordered*, That:

(1) Amendments Nos. 4, 5, and 6 to said Order No. G-5 under Maximum Price Regulation No. 165 are hereby revoked: *Provided, however*, That this order of revocation shall not annul, invalidate, interfere with, or otherwise affect any action and proceeding undertaken or any cause of action which may have arisen under the provisions of said revoked amendments.

This order of revocation shall become effective August 24, 1943.

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

Issued August 24, 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-15220; Filed, September 17, 1943; 11:59 a. m.]

[Region III Order G-5 under MPR 165, Amdt. 6]

**POWER LAUNDRIES IN WAYNE COUNTY, MICH.**

Amendment No. 6 to Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services. Power Laundries in Wayne County, Michigan.

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 include the following sentence:

"Notwithstanding the foregoing provisions of this paragraph, Quality Laundry Company, 12000 Cloverdale, Detroit, Michigan, is permitted to use for its customer invoices a ticket used in connection with the Automatic Print Weigh Scales showing the total amount charged including the above-scheduled permitted increase, upon which shall be stamped the words "Production cost increase of 8% included in total amount."

This Amendment No. 6 to Order No. G-5 under Maximum Price Regulation No. 165, as amended, shall become effective August 23, 1943.

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

Issued August 21, 1943.

CLIFFORD J. HOUSER,  
Acting Regional Administrator

[F. R. Doc. 43-15221; Filed, September 17, 1943; 11:59 a. m.]

[Region V Order G-6 under MPR 165]

**LAUNDRY SERVICES IN WICHITA, KANSAS AREA**

Order No. G-6 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 Wichita, Kansas, area for the following retail laundry services are established to be as follows:

(1) *Bundle services—Definitions.*

1. "Damp wash," all articles washed and extracted and returned damp. Minimum bundle 11 pounds or less for 50¢ plus 4½¢ for each additional pound.

2. "Fluff dry," everything washed and dried in a tumbler, (nothing ironed). Minimum bundle 6 pounds or less for 42¢ plus 7¢ for each additional pound. If requested, shirts finished for 12¢ each.

3. "Thrift," everything washed, flat work ironed, balance returned damp. Minimum bundle 6 pounds or less for 48¢ plus 8¢ for each additional pound. If requested, shirts finished for 12¢ each.

4. "Soft finish," everything washed, wearing apparel dried (no starch). Minimum bundle 6 pounds or less for 60¢ plus 10¢ for each additional pound. If requested, shirts finished for 12¢ each.

5. "Rough dry," everything washed. Wearing apparel dried and starched, if necessary. Minimum bundle 6 pounds or less for 60¢ plus 10¢ for each additional pound. If requested, shirts finished for 12¢ each.

6. "Bachelor bundle," everything washed. Wearing apparel dried and starched, if necessary. Minimum bundle 5 pounds or less for 50¢ plus 10¢ for each additional pound. If requested, shirts finished for 12¢ each.

7. "Press finish," everything washed. Wearing apparel finished on pressing machines, but not by hand. Minimum bundle 6 pounds or less for \$1.00 plus 12¢ for each additional pound.

8. "Quality finish," everything washed. All ironed, outerwearing apparel touched by hand. Minimum bundle \$1.50. Flat work at 10¢ per pound wearing apparel at 30¢ per pound.

(2) *List services.*

	Cents
Shirts, work and dress	17
Shirts, silk and wool	25
Shirts, negligee	25
Collars	5
Undershirts, light weight	10
Drawers, light weight	10
Box, pair	4
Handkerchiefs	3
In quantities of 20	2
In quantities of 30	1
Handkerchiefs, silk	5
Night shirts	15
B. V. D.	15
Union suits	15
Union suits, wool	25
Pajamas	25
Ties	10
Sweaters	25
Pants, cotton	30
Coats, plain	30
Coats, painters	35
Unionalls	35
Overalls	20
Overalls, starched	25
Overalls, painters	25
Jumpers	20
Jumpers, starched	25
Coveralls	30
Coveralls, starched	35
Dresses, plain	35
Uniforms, short sleeve	30
Uniforms, long sleeve	35
Waists, plain	15
Waists, fancy	25
Bracieres	10
Teddies	10
Princess slips	15
Step-ins	10
Stockings	5
Ladies' union suits	15
Shirts	25
Night dresses, cotton	15
Night dresses, silk	25
Caps	5
Ladies' vests	10
Aprons, short	5
Aprons, long	10
Smocks, short sleeve	30
Smocks, long sleeve	35
Cotton blankets, single	20
Cotton blankets, double	35
Quilts	40
Comforts	45

1. In the finished list service there may be imposed a minimum charge of 50¢.

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 Quality Finish.

5. Touching up and hand finishing of undergarments may be eliminated.

6. 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, tique 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) 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 Wichita area excepting sales by hotels and institutions supplying laundry services for their guests only.

(e) 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 may be contrary hereto.

(f) The laundries in the Wichita 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.

(g) 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 7th day of September 1943.

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

Issued this 2d day of September 1943.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 43-15223; Filed, September 17, 1943; 12:02 p. m.]

[Region VII Order G-2 Under MPR 329,  
Corr.]

#### FLUID MILK IN THE SOUTHEASTERN IDAHO AREA

Correction to Order No. G-2 under Maximum Price Regulation No. 329. Order modifying prices for fluid milk purchased from producers for resale in the Southeastern Idaho Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1351.408 (d) of Maximum Price Regulation No. 329, *It is hereby ordered*, That the title to this order; namely, "Order No. G-2 issued under § 1351.408 (d) of Maximum Price Regulation No. 329" be redesignated as "Order No. G-6 under Maximum Price Regulation No. 329."

This correction shall become effective as of 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 7th day of September 1943.

CLEM W. COLLINS,  
Regional Administrator.

[F. R. Doc. 43-15222; Filed, September 17, 1943; 12:00 p. m.]

[Region VIII Order G-1 Under MPR 426]

#### RED RASPBERRIES IN DESIGNATED COUNTIES IN CALIFORNIA

Order No. G-1 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to authority vested in the Regional Administrator of the Office of Price Administration by § 1499.15 (e) (4) of Maximum Price Regulation No. 426, as amended, *It is hereby ordered*:

(a) The adjusted maximum price for sales of fresh red raspberries in any container shall be as follows:

Maximum price per pound f. o. b. country shipping point 21.5 cents.

Maximum price per pound for carlot or trucklot sales at any wholesale receiving point—cents plus cost of transportation 21.5 cents.

Maximum prices for less than carlot or less than trucklot sales to any persons other than ultimate consumers 21.5 cents per pound plus cost of transportation, plus 3 cents per pint or 4 cents per quart.

(b) This order shall apply to the following counties in the State of California: Santa Cruz, Santa Clara, Alameda, San Benito, Monterey, San Francisco, and San Mateo.

(c) This order may be revoked, amended, or corrected at any time. This order shall become effective upon issuance.

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

Issued this 7th day of September 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15216; Filed, September 17, 1943; 11:56 a. m.]

[Region VIII Order G-3 Under MPR 165,  
Amdt. 4]

#### LAUNDRY SERVICES IN THE LOS ANGELES AREA

Amendment No. 4 to Order No. G-3 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 the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165 as amended, *It is hereby ordered*, That Order No. G-3 Under Maximum Price Regulation No. 165 as amended, be amended in the following particulars:

(a) Appendix C is amended by striking out the heading "Volume discounts" and the schedule of discounts following it, and substituting the following:

#### VOLUME DISCOUNTS

Dollar volume per month for each pick-up and delivery location:	Minimum discount (percent)
\$0-\$100	Not
\$100-\$200	5
\$200-\$300	10
\$300-\$400	15
\$400 and over	20

NOTE: The volume discounts shall not apply on sales to the United States Government or any agency thereof.

This amendment shall become effective upon its issuance.

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

Issued this 8th day of September 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15215; Filed, September 17, 1943; 11:56 a. m.]

[Region VIII Order G-23 Under 18 (c),  
Amdt. 3]

#### CERTAIN FRUITS AND VEGETABLES IN CALIFORNIA

Amendment No. 3 to Order No. G-23 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables by motor carriers other than common carriers.

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-23 under § 1499.18 (c) as amended, of the General Maximum Price Regulation be amended in the following particulars: Paragraph (b) is amended to read as follows:

(b) This order shall apply to the hauling of peaches, pears, tomatoes and grapes.

This amendment shall become effective upon its issuance.

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

Issued this 8th day of September 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15219; Filed, September 17, 1943; 11:58 a. m.]

[Region VIII Order G-40 under 18 (c)]

#### FIREWOOD IN POMEROY, WASH.

Order No. G-40 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Certain firewood in Pomeroy, 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:*

(a) The maximum prices for certain sales and deliveries of specified kinds of firewood in Pomeroy, Washington, 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, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraphs (b) and (c).

(b) The maximum prices for sales of fir, tamarack, and pine forest wood, green or dry, delivered to the premises of the consumer in the City of Pomeroy, Washington, and within a radius of 3 miles thereof shall be:

(1) For wood cut in 4 ft. lengths or longer, \$12.50 per cord.

(2) For wood cut in 16 in. lengths or shorter, \$14.50 per cord.

(c) The maximum prices for sales in Pomeroy, Washington, of fir, tamarack, and pine forest wood, green or dry, f. o. b. seller's distribution yard shall be:

(1) For wood cut in 4 ft. lengths or longer, \$11.50 per cord.

(2) For wood cut in 16 in. lengths or shorter, \$13.50 per cord.

(d) If in March, 1942, the seller had an established practice of giving allowances, discounts, or other price differentials to certain classes of purchasers, he must continue such practice, and the maximum prices fixed by this order must be reduced to reflect such allowances, discounts, and other price differentials.

(e) Violations of this order shall subject the violator to all of the criminal and civil penalties provided by the Emergency Price Control Act of 1942, as amended.

(f) This order may be revoked, amended, or corrected at any time. This order shall become effective upon its issuance.

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

Issued this 8th day of September 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15218; Filed, September 17, 1943; 11:58 a. m.]

[Region VIII Order G-51 Under 18 (c)]

FIREWOOD IN BOUNDARY CO., IDAHO

Order No. G-51 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Certain firewood in Boundary County, Idaho.

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 for certain sales and deliveries of specified kinds of firewood in Boundary County, Idaho, 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, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraphs (b) and (c).

(b) The maximum prices for sales of the specified types of firewood delivered to the premises of the consumer at any point in Boundary County, Idaho, shall be as follows:

Length of wood	Unit of sale	Maximum Price
	<i>Fir, tamarack, pine, and spruce forest wood, green-cut stacked or dry-cut</i>	
4 ft.	Cord.....	12.50
2 ft.	Cord.....	19.50
16 in.	Cord.....	19.50
	<i>Green fir forest wood</i>	
4 ft.	Cord.....	8.00
2 ft.	Cord.....	9.00
16 in.	Cord.....	9.75
	<i>Green birch forest wood</i>	
4 ft.	Cord.....	10.50
16 in.	Cord.....	11.50
	<i>Fir and tamarack heavy tie slats</i>	
4 ft. or longer.	Cord.....	7.00
2 ft.	Cord.....	8.00
16 in.	Cord.....	8.50
	<i>Mixed mill slabs, mill-ends, blocks, and edgings</i>	
16 in.	Cord.....	5.00

(c) The maximum price for sales of cottonwood in 4 ft. lengths loaded on board cars at any shipping point in Boundary County, Idaho, shall be \$11.00 per cord.

(d) If in March, 1942, the seller had an established practice of giving allowances, discounts, or other price differentials to certain classes of purchasers, he must continue such practice, and the maximum prices fixed by this order must be reduced to reflect such allowances, discounts, and other price differentials.

(e) Violations of this order shall subject the violator to all of the criminal and civil penalties provided by the Emergency Price Control Act of 1942, as amended.

(f) This order may be revoked, amended, or corrected at any time. This order shall become effective upon its issuance.

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

Issued this 8th day of September 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15217; Filed, September 17, 1943; 11:58 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS UNDER GENERAL ORDER NO. 51

The following orders under General Order No. 51 were filed with the Division of the Federal Register on September 16, 1943.

III

Detroit Order No. 5,—Amd. 10, Filed 4:54 p. m.

V

Oklahoma City Order No. G-5, Filed 12:12 p. m.

Arkansas Order No. 6,—Amd. 1, Filed 12:12 p. m.

Little Rock Order No. 7, Filed 12:03 p. m.

Arkansas Order No. 8, Filed 12:09 p. m.

Kansas City, Mo. Order No. 6, Filed 12:12 p. m.

St. Louis Order No. 5, Filed 12:03 p. m.

St. Louis Order No. 6, Filed 12:07 p. m.

St. Louis Order No. 8, Filed 12:07 p. m.

Lubbock Order No. 6, Filed 12:11 p. m.

Lubbock Order No. 7, Filed 12:10 p. m.

Houston Order No. 7, Filed 12:10 p. m.

Houston Order No. 8, Filed 12:09 p. m.

Houston Order No. 9, Filed 12:09 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-15252; Filed, September 17, 1943; 4:26 p. m.]

[Arkansas Order G-1 Under Gen. Order 50]

DOMESTIC MALT BEVERAGES IN ARKANSAS

Arkansas District Order No. G-1 under General Order No. 50. Filing of prices by restaurants and similar establishments: Delegation of authority. Dollars and cents ceiling prices on domestic malt beverages.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Arkansas District Office of Region V of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and the Delegation Order of Region V, dated April 13, 1943, *It is hereby ordered:*

SECTION 1. *What this order does.* In accordance with the provisions of General Order No. 50, this order establishes in section 9 hereof, dollars-and-cents maximum prices for certain beverage items offered for sale or sold by any "person" owning or operating an "eating or drinking place" located any place in the State of Arkansas.

SEC. 2. *What this order covers.* The beverage items to which this order applies are:

Domestic malt beverages as defined in section 7 hereof and commonly known as beer or ale.

SEC. 3. *Prohibition against sales of beverage items above maximum prices.* On and after the effective date of this order, regardless of any contract, agreement, lease, or other obligation:

(a) No person shall sell or deliver any beverage item subject to this order at higher prices than the maximum prices set forth in this order.

(b) No person shall buy or receive any beverage item subject to this order in the course of trade or business at higher prices than the maximum prices set forth in this order.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

Sec. 4. *Posting*—(a) *Selling prices*. All persons subject to this order must post in the "eating or drinking place", plainly visible to their customers, their selling prices for the beverage items listed in section 9 and the prices established in accordance with section 11, at or near the place where the beverage item is offered for sale.

(b) *Maximum prices*. All persons subject to this order must post in a conspicuous place in the "eating or drinking place" a list of the dollars-and-cents maximum prices of the beverage items offered for sale, so that such list will be plainly visible to their customers.

Sec. 5. *Applicability of General Order No. 50*. This order is subject to all the provisions of General Order No. 50 which are hereby made a part of this order.

Sec. 6. *Applicability of General Maximum Price Regulation*. The following sections of the General Maximum Price Regulation, as well as amendments thereto, shall be applicable to all "eating or drinking places", subject to this order:

- (a) Sales slips and receipts—§ 1499.14.
- (b) Registration—§ 1499.15.
- (c) Licensing—§ 1499.16.

Sec. 7. *Definitions*. (a) "Domestic malt beverage" shall mean any and all malt beverages produced within the continental United States, or its territories and possessions, made by the alcoholic fermentation of an infusion or decoction, or combinations of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(b) "Domestic malt beverage sold on draught" means domestic malt beverage dispensed from a barrel, keg, or other container by a "person" owning or operating an "eating or drinking place" subject to this order.

(c) "Person" includes an individual, corporation, partnership, trust or estate, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any state, county, or municipal government, or any of its political subdivisions, and any agencies of any of the foregoing: *Provided*, That no punishment provided by this order shall apply to the United States, or to any such government, political subdivision, or agency.

(d) "Eating or drinking place" means any place, establishment, business, or location, whether temporary or permanent, stationary, or movable, including, but not limited to, a restaurant, hotel,

cafe, boarding house, diner, coffee shop, tea room, private club, dining car, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any other place from which any beverage item subject to this order is offered for sale or sold, except those places which are specifically exempted in section 8 hereof.

(e) "Beverage items" listed herein shall include all domestic malt beverages sold or served by "eating or drinking places" for consumption in or about the place or to be taken out for consumption, without additional preparation other than cooling except those items which are specifically exempted in section 8 hereof.

(f) "Hotel room service sale" means sale to a guest or guests in a hotel room when delivery is made to a guest's hotel room.

(g) "Hotel" means any establishment generally regarded as such in its community and used predominantly for transient occupancy.

(h) Other definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

Sec. 8. *Exempt sales*. (a) Sales by the following "eating or drinking places" are specifically exempt from the provisions of this order:

- (1) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars when traveling from station to station.
- (2) Hospitals, except for beverage items served to persons other than patients.
- (3) Hotel room service sales.

(b) Sales of the following beverage items are specifically exempt from the provisions of this order:

- (1) Ballantine Ale.
- (2) Morlein Beer.
- (3) Prior Beer.
- (4) Van Merritt Beer.

Such aforesaid sales, although exempt from the provisions of this order, shall remain subject to the appropriate Maximum Price Regulation or order.

Sec. 9. *Maximum "dollars-and-cents" prices*. The maximum dollars-and-cents prices which may be charged for the domestic malt beverage items subject to this order are:

(a) *In bottles*.

Brand or trade name	Maximum price per bottle	
	12 oz.	32 oz.
Blatz Beer.....	16	36
Budweiser Beer.....	16	36
Canadian Ace Beer.....	16	36
Country Club Beer.....	16	36
Hamm's Beer.....	16	36
Millers High Life Beer.....	16	36
Muehlebach Beer.....	16	36
Pabst Blue Ribbon Beer.....	16	36
Schlitz Pilsener Beer.....	16	36
20 Grand Ale.....	16	36

Brand or trade name	Maximum price per bottle	
	12 oz.	32 oz.
4 X Ale.....	Cents 16	Cents 36
Badger Beer.....	13	30
Champagne Velvet Beer.....	13	30
Cook's Goldblume Beer.....	13	30
Cream Top Beer.....	13	30
Eagle Beer.....	13	30
Falstaff Beer.....	13	30
Fischbach Beer.....	13	30
Gold Crest Beer.....	13	30
Grand Prize Beer.....	13	30
Griesdick Beer.....	13	30
Highland Beer.....	13	30
Jax Beer.....	13	30
Manhattan Beer.....	13	30
Prince of Pilsner Beer.....	13	30
Southern Select Beer.....	13	30
Stag Beer.....	13	30
Stern Brau Beer.....	13	30
Zoller Beer.....	13	30
76 Ale.....	13	30

(b) *On draught*. Any or all brands of domestic malt beverages (beer or ale) sold on draught by any "eating or drinking place" to which this order applies may be sold at a price not in excess of 1¢ for each fluid ounce, exclusive of foam: *Provided, however*, That "Miche-lob" brand beer may be sold for 10¢ per eight fluid ounces, exclusive of foam.

(c) *Non-labeled bottles*. Any domestic malt beverage item (beer or ale) offered for sale or sold in bottles by any "eating or drinking place" subject to this order, which does not have the manufacturer's label affixed thereto, or the trade name or brand stamped, printed, or engraved or appearing in raised letters on the cap or bottle as proper identification, shall not be offered for sale or sold at a price higher than the lowest maximum price fixed herein for the size of bottle of domestic malt beverage (beer or ale) offered for sale or sold.

Sec. 10. *Less than maximum prices*. Lower prices than those established by this order may be charged, demanded, paid or offered.

Sec. 11. *Other brands of domestic malt beverages*. Any person subject to this order desiring to sell any other trade name or brand of domestic malt beverage not specifically priced by section 9 herein and not specifically exempted by section 8 shall established his price upon the basis of a similar beer for which a specific price is set in this order but in no event shall the price exceed 16¢.

Sec. 12. *Taxes*. The dollars-and-cents maximum prices for the beverage items listed in section 9 hereof include municipal, state and Federal taxes in effect as of the effective date of this order. In the event of an increase in an existing tax or of the levy of a new or additional tax not in effect on the effective date of this order, the Arkansas District Director of the Office of Price Administration may make such adjustment in the maximum prices provided for herein as may appear equitable and just.

Sec. 13. *Evasion*. The price limitations set forth in this order shall not be evaded by direct or indirect methods in connection with an offer, agreement, sale or delivery of, or relating to the sale of any beverage item, alone or in con-

nection with any other commodity or by adding to the price of the beer or ale any cover charge or any other fee of any kind or by way of commission, service, transportation, or any charge or discount, premium, or other privilege, or by tying agreement or other trade understanding, or by any other means, manner, method, device, scheme, or artifice, or otherwise.

**Sec. 14. Enforcement.** "Persons" violating any provision of this order are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages, provided by the Emergency Price Control Act of 1942, as amended.

**Sec. 15. Petition 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 and acted upon by the District Director.

**Sec. 16. Effective date.** This order becomes effective September 10, 1943.

**Sec. 17. Revocation.** This order may be amended, corrected, revised, or revoked at any time.

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

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871) (E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808)

Issued at Little Rock, Arkansas, this 4th day of September 1943.

ROBERT P. HALL,  
District Director.

[F. R. Doc. 43-15256; Filed, September 17, 1943; 4:27 p. m.]

[Arkansas Order G-1 Under Gen. Order 50, Amdt. 1]

**DOMESTIC MALT BEVERAGES IN ARKANSAS**

Arkansas District Order No. G-1, Amendment No. 1 under General Order No. 50, filing of prices by restaurants and similar establishments: Delegation of

authority. Dollars and cents ceiling prices on domestic malt beverages.

An opinion setting forth the reasons accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Arkansas District Order No. G-1 under General Order No. 50 is amended in the following respects:

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

"Eating or drinking places" means any place, establishment, business, or location, whether temporary or permanent, stationary, or movable, including, but not limited to, a restaurant, hotel, cafe, boarding house, diner, coffee shop, tea room, private club, bar, tavern, delicatessen, soda fountain, cocktail lounge, catering business, or any other place from which any beverage item subject to this order is offered for sale or sold for immediate consumption except those places which are specifically exempted in section 8 hereof.

2. Section 11 is amended to read as follows:

Your ceiling prices for new brands of domestic malt beverages or brands not listed above must be determined in advance of sale by making application to the District Office of the Office of Price Administration. This office will establish your ceiling price or prices and notify you accordingly. Your application need not be in any set form but must include your name and address; the location and type of "Eating or drinking place;" the trade name or brand of the beverage or drink for which you apply for a ceiling price; the size of the bottle or glass sold to consumer; and a description of the unit of purchase and the delivered cost per unit to you.

This amendment shall become effective September 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, Gen. Order No. 50, 8 F.R. 4808)

Issued at Little Rock, Arkansas, this 10th day of September 1943.

ROBERT P. HALL,  
District Director.

[F. R. Doc. 43-15257; Filed, September 17, 1943; 4:27 p. m.]

[Region I Order G-1 Under Rev. MPR 269]

**POULTRY IN NEW ENGLAND**

Order No. G-1 under Revised Maximum Price Regulation No. 269—Poultry.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1429.14 (e) of Revised Maximum Price Regulation No. 269 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) *Application of this order.* This order modifies the provisions of Revised Maximum Price Regulation No. 269 with respect to certain sales and deliveries of native poultry items in New England. Except as otherwise provided herein all the provisions of Revised Maximum Price Regulation No. 269 shall apply to all sales and deliveries for which maximum prices are provided in this order. Any sale or delivery of native poultry items for which a maximum price is not provided by this order shall remain subject to the provisions of Revised Maximum Price Regulation No. 269. For the purposes of this order "native poultry items" shall mean all broilers, roasters, fryers, stags, capons, fowl and old roosters, hatched from the egg or reared from the day old chick in New England, when sold in any form for human consumption.

(b) *Maximum base prices.* On and after the effective date of this order the maximum base prices applicable to native poultry items in Table A of § 1429.19 of Revised Maximum Price Regulation No. 269 are modified so that, except for the sales and deliveries of native poultry items specifically excluded, said Table A shall read as follows:

TABLE A

This Table A shall not apply to any sale or delivery of native poultry items at retail, to retailers, or to ultimate consumers, including commercial, industrial, institutional or governmental users, unless a permitted increase is provided for such sale or delivery in Table B in paragraph (c) (4) of this order or unless a maximum price is provided for such sale or delivery in paragraph (d) of this order; any such sale or delivery for which such a permitted increase or such a maximum price is not so provided shall be subject to the provisions of Revised Maximum Price Regulation No. 269.

**FOOD PRODUCTS—EASTERN ZONE Basing-Point City, Chicago**

Type	Weight			Live	Dressed—Keeher-killed	Keeher-dressed and plucked	Drawn	Quick-frozen eviscerated
	Liveweight	Keeher-killed, Keeher-dressed, and dressed weight	Quick-frozen, eviscerated, and drawn weight					
Broilers and fryers.....	Under 4.....	Under 3½.....	Under 2½.....	27.5	35.0	33.5	43.5	53.5
Roasters.....	4 and over.....	3½ and over.....	2½ and over.....	27.5	35.0	33.5	44.5	50.5
Capons:								
Light.....	Under 6.....	Under 5½.....	Under 4½.....	27.5	35.0	33.5	44.5	50.5
Heavy.....	6 and over.....	5½ and over.....	4½ and over.....	31.0	38.0	36.5	47.0	52.0
Fowl.....	All weights.....	All weights.....	All weights.....	24.0	31.0	32.5	40.0	45.0
Stags and old roosters.....	All weights.....	All weights.....	All weights.....	20.0	28.5	23.0	34.0	34.0

(c) *Permitted increases.* On and after the effective date of this order the permitted increases which may be added to the maximum base prices for native poultry items as modified in paragraph

(b) of this order shall be as set forth in this paragraph (c).

(1) Any person who transports live native poultry items to the customary receiving point of a processing plant

where such live native poultry items are destined for resale by such processing plant as dressed, drawn or quick-frozen eviscerated poultry items other than at retail may sell or deliver such live native

poultry items to such processing plant at the maximum base prices established herein at such customary receiving point plus two cents per pound. For the purposes of this paragraph (c) "processing plant" means any business establishment which is engaged primarily in the business of converting live poultry into dressed, drawn or quick-frozen eviscerated poultry; it does not mean a city dresser or any person who is engaged primarily in the distribution of poultry at wholesale or at retail and who in the course of such distribution incidentally converts live birds into dressed, drawn or eviscerated birds, or dressed birds into drawn or eviscerated birds.

(2) Any person who transports live native poultry items to the customary receiving point of a city dresser may sell or deliver such live native poultry items to such city dresser at the maximum base prices established herein at such custom-

ary receiving point plus two cents per pound. For the purposes of this paragraph (c) "city dresser" means any business establishment which is engaged primarily in the business of buying live poultry items and distributing live, dressed or drawn poultry items at wholesale and at retail in the city, town, village or metropolitan area in which such business establishment is located; it shall not mean a processing plant.

(3) Any person who transports live native poultry items for a distance of five miles or more to the customary receiving point of a city dresser may sell or deliver such native poultry items to such city dresser at the maximum base price established herein at such customary receiving point plus the permitted increase allowed in subparagraph 2 of this paragraph (c) and the following permitted increases in cents per pound:

Shortest distance in road miles or railroad miles from the place where transport of live poultry begins to the place where such transport ends:

Less than 5 miles.....	No increase
5 to 50 miles.....	½ cent
50 to 100 miles.....	¾ cent
100 to 150 miles.....	1 cent
150 miles and over.....	1¼ cents

Maximum permitted increase in cents per pound

(4) In sales and deliveries of native poultry items described in Table B below the increases as indicated therein may be added to the maximum base prices in Table A in paragraph (b) of this order. These increases shall not be used in connection with any sale or delivery for which a maximum base price is not provided in Table A in paragraph (b) of this order.

TABLE B.—MAXIMUM PERMITTED INCREASES FOR CERTAIN SALES OF NATIVE POULTRY ITEMS

Seller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for "wholesaler" and "hotel supply house" only		
					Non-delivered sales	Delivered within 25 miles	Delivered beyond 25 miles
(1) All "wholesalers".....	Retailers and "hotel supply houses."	Less than 10,000 pounds.	Any poultry item other than a live, drawn or quick-frozen eviscerated poultry item.	Maximum base price at seller's shipping point.	Cents 1	Cents 1¼	Cents 1½
(2) All "wholesalers who buy live and sell live native poultry items and who have paid out a permitted increase to a live poultry transporter under Paragraph (c) of this order.	All "wholesalers" and individual retail stores.	Less than 10,000 pounds.	Any live poultry item	Maximum base price at seller's shipping point plus permitted increase established in Paragraph (c) for actual distance live poultry was transported to seller's customary receiving point not to exceed ¾ cents per pound.	½	¾	1
(3) Hotel Supply Houses making "Special Service Sales."	Hotels, restaurants, clubs, dining cars, steamship lines or institutional users.	Less than 10,000 pounds.	Any dressed poultry item.	Maximum base price at seller's shipping point.	3	3¼	3½

(d) Sales at retail by producers. The maximum prices for sales and deliveries of native poultry items other than live, drawn and quick-frozen eviscerated native poultry items by producers at retail provided in § 1429.22 of Revised Maximum Price Regulation No. 269 are hereby modified so that on and after the effective date of this order the maximum prices for such sales and deliveries of native poultry items in New England shall be calculated by adding 1½ cents per pound to the maximum base price at seller's shipping point as provided in Table A in paragraph (b) of this Order and multiplying the sum so obtained by 1.18: *Provided*, That in cases of mail order sales the seller may add to such maximum selling price his actual express or mailing expense to the buyer's receiving point. Sales and deliveries of native poultry items by processing plants at retail shall remain subject to the provisions of Revised Maximum Price Regulation No. 269.

(e) This order may be revoked, amended or corrected at any time.

(f) This Order shall become effective September 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7891; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1943.

GORDON K. CREIGHTON,  
Acting Regional Administrator.

[F. R. Doc. 43-15302; Filed, September 18, 1943; 11:52 a. m.]

[Region I Order G-1 Under MPR 422]

POULTRY IN NEW ENGLAND

Order No. G-1 under Maximum Price Regulation No. 422. Ceiling prices of certain foods sold at retail in Group 3 and Group 4 stores.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 29a of Maximum Price Regulation No. 422 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) *Modification of mark-ups.* On and after the effective date of this order the mark-ups provided in section 39 (a) of Maximum Price Regulation No. 422

are hereby modified so that with respect to all native poultry items for which the seller's net cost is increased under Order No. G-1 under Revised Maximum Price Regulation No. 269, issued by the Regional Administrator of Region I of the Office of Price Administration on September 11, 1943, the applicable mark-ups provided in Item (3), Poultry of Table B in said section 39 (a) shall read 18 and 34 instead of 20 and 36 respectively.

(b) *Definitions.* For the purposes of this order "native poultry items" shall mean all broilers, fryers, roasters, stags, capons, fowl and old roosters hatched from the egg or reared from the day old chick in New England, when sold in any form for human consumption.

(c) *Application of other regulations.* Except as otherwise provided herein all the provisions of Maximum Price Regulation No. 422 shall apply to all transactions for which mark-ups are fixed by this order.

(d) This order shall apply to sales and deliveries in New England.

(e) This order may be revoked, amended or corrected at any time.

(f) This order shall become effective September 11, 1943.

Issued this 11th day of September 1943.

GORDON K. CREIGHTON,  
Acting Regional Administrator.

[F. R. Doc. 43-15301; Filed, September 18, 1943; 11:51 a. m.]

[Region I Order G-1 Under MPR 423]

POULTRY IN NEW ENGLAND

Order No. G-1 under Maximum Price Regulation No. 423. Ceiling prices of certain foods sold at retail in independent stores doing an annual business of less than \$250,000—(Group 1 and Group 2 stores).

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 19a of Maximum Price Regulation No. 423 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Modification of mark-ups.* On and after the effective date of this order the mark-ups provided in section 28 (a) of Maximum Price Regulation No. 423 are hereby modified so that with respect to all native poultry items for which the seller's net cost is increased under Order No. G-1 under Revised Maximum Price Regulation No. 269, issued by the Regional Administrator of Region I of the Office of Price Administration on September 11, 1943, the applicable mark-ups provided in Item (3), Poultry of Table B in said section 28 (a) shall read 19 and 36 instead of 21 and 38 respectively.

(b) *Definitions.* For the purposes of this order "native poultry items" shall mean all broilers, fryers, roasters, stags, capons, fowl and old roosters hatched from the egg or reared from the day-old chick in New England, when sold in any form for human consumption.

(c) *Application of other regulations.* Except as otherwise provided herein all the provisions of Maximum Price Regulation No. 423 shall apply to all transactions for which mark-ups are fixed by this order.

(d) This order shall apply to sales and deliveries in New England.

(e) This order may be revoked, amended or corrected at any time.

(f) This order shall become effective September 11, 1943.

Issued this 11th day of September 1943.

GORDON K. CREIGHTON,  
Acting Regional Administrator.

[F. R. Doc. 43-15299; Filed, September 18, 1943; 11:51 a. m.]

[Wichita Order, G-1 Under MPR 426]

FRESH FRUITS AND VEGETABLES IN KANSAS  
Order No. G-1 under Maximum Price Regulation No. 426.

Adjustment of maximum prices for the sale of fresh fruits and vegetables named in Maximum Price Regulation No.

No. 187—11

426 when sold in the State of Kansas, except the counties of Leavenworth, Wyandotte and Johnson.

Pursuant to the Emergency Price Control Act of 1942, as amended, and section 2 (b) of Maximum Price Regulation No. 426 and pursuant to the authority delegated to the District Director of the Wichita, Kansas, District Office by Region V Delegation Order No. 27 of the Dallas, Texas, Regional Office of Price Administration, and for the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered:

SECTION 1. *What this order does.* Service wholesalers of certain fresh fruits and vegetables named in Maximum Price Regulation No. 426, may adjust their maximum prices for the sale of the listed fresh fruits and vegetables in Maximum Price Regulation No. 426 to purchasers outside their customary free delivery area, by adding to the maximum prices designated for the sale of the listed commodities in Maximum Price Regulation No. 426 a delivery charge which shall not exceed the lowest common or contract carrier rate or other available transportation from seller's warehouse to customer's receiving point in less than carlot or trucklot sales; *Provided however,* That this adjustment order shall not apply to sales between wholesalers.

SEC. 2. *Definitions.* (1) A "service wholesaler" is a wholesaler who customarily distributes food products for resale to retail stores or to commercial, industrial or institutional users, without materially changing their form, and who customarily delivers or delivers and extends credit in the purchase of such commodities.

(2) The "lowest common or contract carrier rate" means the lowest published charges for the transportation of such commodities as filed with the appropriate regulatory bodies in the State of Kansas or the Interstate Commerce Commission of the United States, where such rates are in existence.

SEC. 3. *Invoices.* The permitted increase allowed by this order to service wholesalers delivering the commodities named and designated in Maximum Price Regulation No. 426 shall be shown as a separate item on the invoice at the time of the sale.

SEC. 4. *Applicability of other regulations.* Except as the same are inconsistent with or contradictory to the terms and provisions of this order, all the terms and provisions of Maximum Price Regulation No. 426, as amended to date, shall remain in full force and effect and be applicable to and continue to govern the sales of the commodities named therein.

SEC. 5. *Revocation.* This order is subject to revocation or amendment by the District Director of the Wichita, Kansas, District Office at any time hereafter either by separate order, by amendment thereto or by any price regulation issued by the Office of Price Administration hereafter, the provisions of which may be contradictory thereto.

SEC. 6. *Effective date.* This order shall become effective on the sixth day of September 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681, Gen. Order 51, 8 F.R. 6003)

Issued at Wichita, Kansas, this 6th day of September 1943.

H. O. DAVIS,  
District Director.

[F. R. Doc. 43-15233; Filed, September 18, 1943; 11:51 a. m.]

[Arkansas Order G-1 Under MPR 426]

LETTUCE IN ARKANSAS

Order G-1 under section 2 of Maximum Price Regulation 426.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Arkansas District Office of the Office of Price Administration by section 2 of Maximum Price Regulation 426 and by Order No. 27 issued at Dallas, Texas, on July 13, 1943, and effective on that date, by Max McCullough, Regional Administrator, Region 5, it is hereby ordered:

SECTION 1. *Maximum prices for lettuce.* To the maximum prices established by Maximum Price Regulation 426 for sales of lettuce in L. A. crates intermediate sellers may add 10¢ per dozen heads where lettuce is sold in broken lots or less than one L. A. crate.

SEC. 2. *Applicability of Maximum Price Regulation 426.* Except as specifically provided in this order, the provisions of Maximum Price Regulation 426 are in no way affected and shall continue to remain in full force and effect.

SEC. 3. *Geographical applicability.* The provisions of this order apply to all of the State of Arkansas.

SEC. 4. *Revocation.* This order may be revoked, amended or corrected at any time.

SEC. 5. *Definitions.* The definitions set forth in section 8 of Maximum Price Regulation 426 shall apply to the terms used herein.

SEC. 6. *Effective date.* This order shall become effective on the 11th day of September, 1943, and shall remain in force until specifically revoked or amended.

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

Issued this 10th day of September 1943.

ROBERT P. HALL,  
District Director.

[F. R. Doc. 43-15297; Filed, September 18, 1943; 11:50 a. m.]

[Region VIII Order G-52 Under 18 (c) to GMPR]

FIREWOOD IN PARTS OF CLARK COUNTY, WASH.

Order No. G-52 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for firewood for part of Clark County, State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and

under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (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 by any supplementary regulation thereto, for the sale of the types of firewood specified below in the areas specified below, are hereby modified, as follows:

(1) For mills located in that portion of Clark County which lies east of U. S. Highway No. 99, but excluding the City of Vancouver and a radius of seven miles therefrom, and further excluding that portion of Clark County that lies within a radius of three miles of Woodland, the maximum prices for slabwood stacked out where it is readily accessible to truckers shall be as follows:

Size of slabwood	Maximum price per cord to truckers	
	Green	Bone dry
8' slabwood.....	\$2.25	\$3.25
4' slabwood.....	2.50	3.50
12' and 16' slabwood.....	2.75	3.75

(2) The retail price delivered to the consumer in the City of Vancouver and a radius of five miles therefrom of slabwood secured from mills located in that part of Clark County as specified above shall be:

Size of slabwood	Maximum price per cord delivered to premise of buyer	
	Green	Bone dry
8' slabwood.....	\$7.75	\$8.75
4' slabwood.....	8.00	9.00
12' and 16' slabwood.....	9.00	10.00
16' slabwood when buzzed in a retail fuel yard in Vancouver.....	9.75	10.75
12' slabwood when buzzed in a retail fuel yard in Vancouver.....	10.00	11.00

(b) No seller shall evade any of the provisions of this Order No. G-52 by changing the customary allowance, discounts or other price differential unless such change results in a lower price.

(c) This order revokes and supersedes all previous adjustment orders issued by the Office of Price Administration for retail sales of slabwood in Vancouver, Washington, and a radius of five miles therefrom such slabwood being hauled from mills located within the area described in paragraph (a) (1).

(d) This order may be revoked, amended or corrected at any time. This order shall become effective September 10, 1943.

(Pub. Laws 421 and 724, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of September 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-15300; Filed, September 18, 1943; 11:51 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS UNDER GENERAL ORDER NO. 51

The following orders under General Order No. 51 were filed with the Division of the Federal Register on September 17, 1943.

##### REGION IV

Jacksonville, Fla. Order No. 5, Filed 4:32 p. m.  
Jacksonville, Fla. Order No. 6, Filed 4:31 p. m.  
Jacksonville, Fla. Order No. 7, Filed 4:30 p. m.  
Jacksonville, Fla. Order No. 8, Filed 4:30 p. m.  
Jacksonville, Fla. Order No. 3, Revocation Filed 4:33 p. m.  
Jacksonville, Fla. Order No. 4, Revocation Filed 4:32 p. m.

##### REGION V

Oklahoma City Order No. G-6, Filed 4:33 p. m.  
Oklahoma City Order No. 6,—Amd. I, Filed 4:33 p. m.  
Dallas Order No. 6, Filed 4:36 p. m.  
Dallas Order No. 7, Filed 4:36 p. m.  
Wichita, Kan. Order No. G-6, Filed 4:34 p. m.  
Wichita, Kan. Order No. G-7, Filed 4:35 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-15323; Filed, September 18, 1943; 3:57 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS UNDER GENERAL ORDER NO. 51

The following orders under General Order No. 51 were filed with the Division of the Federal Register on September 18, 1943.

##### REGION I

Worcester Order No. 5, Filed 12:07 p. m.

##### REGION II

Maryland Order No. 8, Filed 12:07 p. m.  
Maryland Order No. 9, Filed 12:08 p. m.  
Albany Order No. 11, Filed 12:09 p. m.

##### REGION IV

Jackson, Miss. Order No. 5, Filed 12:09 p. m.  
Memphis, Tenn. Order No. 6, Filed 12:09 p. m.  
S. Carolina Correction to Amd. 1 to Order No. 5, Filed 12:09 p. m.  
S. Carolina Correction to Amd. 1 to Order No. 6, Filed 12:09 p. m.  
S. Carolina Correction to Amd. 1 to Order No. 7, Filed 12:09 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-15366; Filed, September 20, 1943; 11:49 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-37]

CENTRAL ILLINOIS PUBLIC SERVICE Co.  
ORDER REOPENING RECORD AND RECONVENING HEARING

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

office in the City of Philadelphia, Pennsylvania, on the 15th day of September 1943.

The Commission having heretofore instituted proceedings pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935 with respect to Central Illinois Public Service Company by order on October 16, 1941; and

Hearings having been held in this matter from time to time after appropriate notice and the record having been closed on May 4, 1943; and

Counsel for the Public Utilities Division having requested that the record in this matter be reopened and that the hearing be reconvened for the purpose of adducing additional evidence and counsel for Respondent having concurred therein; and

It appearing to the Commission that it is appropriate to grant such request;

*It is hereby ordered*, That the record in this matter be reopened and that the hearing therein be reconvened on the 30th day of September, 1943, at 10:00 a. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

*It is further ordered*, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for the purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That all interested parties desiring to be heard at such hearing shall notify the Secretary of the Commission on or before September 25, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-15239; Filed, September 17, 1943; 12:38 p. m.]

[File No. 31-494]

#### MANUFACTURERS TRUST COMPANY

##### ORDER GRANTING LIMITED EXTENSION OF EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of September 1943.

Manufacturers Trust Company, the owner of all the common stock of The Marion-Reserve Power Company, all the common stock and 6,621 shares of the preferred stock of Eastern Minnesota Power Corporation, and 248,483 shares of the common stock of New England Public Service Company, having filed an application for an indefinite extension of the exemption granted it pursuant to section 3 (a) (4) of the Public Utility Holding Company Act of 1935 by our order of April 20, 1939, and orders subsequent thereto, said application setting

forth that it has executed a contract for the sale to Ohio Public Service Company of its entire interest in the common stock of The Marion-Reserve Power Company, closing to be had on or before December 31, 1943 with an option to the buyer to extend the closing until May 1, 1944, and desiring an indefinite extension based on said proposed disposition of its interest; and the Commission having considered said application and finding that a limited extension of said exemption should be granted subject to the conditions hereinafter specified;

*It is ordered,* That Manufacturers Trust Company be and it is hereby exempted until December 31, 1943, from all the provisions of said Act applicable to it as a holding company with respect to its ownership of the voting securities of The Marion-Reserve Power Company, Eastern Minnesota Power Corporation, and New England Public Service Company;

*It is further ordered,* That all the provisions contained in the next to the last paragraph of our order in the above styled and numbered matter dated May 17, 1941 relating to the exemption of Manufacturers Trust Company with respect to its ownership of the voting securities of New England Public Service Company not in conflict with the terms of this order remain in full force and effect until further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15241; Filed, September 17, 1943; 12:38 p. m.]

[File No. 70-769]

THE NORTH AMERICAN CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of September 1943.

The North American Company, a registered holding company, having filed a declaration, and an amendment thereto, pursuant to sections 6 (a), 7 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder, regarding the issue and sale of \$34,881,500 principal amount of Bank Loan Notes to The Chase National Bank of the City of New York and nine other banks and the pledge by The North American Company to secure said indebtedness of 628,000 shares of Union Electric Company of Missouri common stock, 418,500 shares of The Cleveland Electric Illuminating Company common stock, 540,500 shares of Wisconsin Electric Power Company common stock, 12,800 shares of Washington Railway and Electric Company common stock, and 342,000 shares of Pacific Gas and Electric Company common stock, the proceeds of the loan to be used to redeem The North American Company's outstanding \$19,400,000 principal amount of 3½% Debentures, Series due 1949, and \$14,750,000

principal amount of 3¾% Debentures, Series due 1945; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its Findings and Opinion herein;

*It is ordered,* That said declaration, as amended, be and the same hereby is permitted to become effective, forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15240; Filed, September 17, 1943; 12:38 p. m.]

[File No. 811-332]

BANK STOCK TRUST SHARES, SERIES C-1

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September, A. D., 1943.

Bank Stock Trust Shares, Series C-1, a registered investment company, having filed an application pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that it has ceased to be an investment company within the meaning of said Act;

*It is ordered,* Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on October 4, 1943, at 10:00 a. m., e. w. t., in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

*It is further ordered,* That Willis E. Monty shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15275; Filed, September 18, 1943; 11:25 a. m.]

[File No. 1-1544]

ELECTRIC PRODUCTS CORPORATION

ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September, A. D., 1943.

The Pittsburgh Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, No

Par Value, of Electric Products Corporation; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

*It is ordered,* That the matter be set down for hearing at 10:00 a. m. on Monday, October 11, 1943, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

*It is further ordered,* That Willis E. Monty, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15272; Filed, September 18, 1943; 11:25 a. m.]

[File No. 70-783]

CONSOLIDATED ELECTRIC AND GAS COMPANY AND BLUEFIELD GAS COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September, A. D. 1943.

Notice is hereby given, That a declaration and amendments thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company, a registered holding company under said Act, and Bluefield Gas Company, a subsidiary thereof; and

Notice is further given, That any interested person may, not later than September 24, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective, as provided in rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

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

Bluefield Gas Company proposes to acquire and retire all of its outstanding First Mortgage, 25-year, 5% Gold Bonds, due October 1, 1937, in the aggregate principal amount of \$100,000, all of which are owned by Consolidated Electric and Gas Company and pledged by it to secure its Collateral Trust Gold Bonds. Upon such acquisition Bluefield Gas Company proposes to create in favor of Consolidated a like principal amount of open account indebtedness. An amount equal to the cash proceeds from the sale of the Bluefield assets will be deposited with the trustee under the indenture securing the Collateral Trust Gold Bonds of Consolidated concurrently with the release by the trustee of the Bluefield Gas Company Bonds for cancellation.

The declarants state that the proposed transactions are for the purpose of facilitating the sale of the assets of Bluefield Gas Company, which assets are under contract for sale for a consideration of less than \$100,000 and the subsequent dissolution of Bluefield Gas Company. It is stated that such sale is an exempt transaction pursuant to the Rules and Regulations promulgated under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15274; Filed, September 18, 1943; 11:25 a. m.]

[File Nos. 59-13, 70-774]

STANDARD POWER AND LIGHT CORPORATION  
ORDER PERMITTING DECLARATION TO  
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of September, A.D., 1943.

Standard Power and Light Corporation, a registered holding company, having filed a declaration pursuant to our order of June 19, 1942 (Holding Company Act Release No. 3607) and pursuant to the Public Utility Holding Company Act of 1935 relating to its proposed sale in the open market (a) on the New York Stock Exchange of the following portfolio securities:

- \$5,000 principal amount of first consolidated 4% bonds, due 1952 of Atlantic Coast Line Railroad Company;
- \$5,000 principal amount of first refunding 4% bonds, due 1949 of Central Pacific Railway Company;
- \$5,000 principal amount of general 4% bonds due 1958 of Chicago, Burlington and Quincy Railroad Company;
- \$5,000 principal amount of consolidated 4% bonds, due 1998 of New York Central Railroad Company;
- \$5,000 principal amount of first consolidated, 5% bonds, due 1994 of Southern Railway Company;
- \$5,000 principal amount of first refunding 4% bonds, due 1955 of Southern Pacific Railroad Company;
- \$5,000 principal amount of 3% debentures, due 1965 of Texas Corporation; and

(b) on the New York Curb Exchange of either 13 shares of the common stock

of Mountain States Power Company or 182 shares of the Class A stock of Southern Colorado Power Company. Declarant represents that he will use the proceeds from the sales of the foregoing securities to purchase obligations of the Government of the United States of America.

Said declaration having been filed on the 12th day of August, 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of the applicable sections of the Act are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to be come effective;

It is hereby ordered, That, pursuant to said Rule U-23, and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-15273; Filed, September 18, 1943; 11:25 a. m.]

SELECTIVE SERVICE SYSTEM.

[Order No. 116]

UNIVERSITY OF MARYLAND PROJECT  
ESTABLISHMENT FOR CONSCIENTIOUS  
OBJECTORS

I, Lewis B. Hershey, Director of Selective Service, 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. 8675, 6 F.R. 831, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the University of Maryland Project to be work of national importance. Said project, located at College Park, Prince Georges County, Maryland will be the base of operations for farm work in the State of Maryland, and registrants under the Selective Training and Service Act, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

The men assigned to said University of Maryland Project will work in the dairy barns, milk plant, poultry farm, agronomy department, horticultural department, laboratory, etc., all in the production of food, and shall be under the technical direction of the University of Maryland. The camp, insofar as

camp management is concerned, will be under the same institution. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act and Regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 14, 1943.

[F. R. Doc. 43-15311; Filed, September 18, 1943; 2:22 p. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AQ 113-A 4]

FALL RIVER, MASSACHUSETTS, MARKETING  
AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 et seq.), and in accordance with the applicable rules of practice and procedure (7 C.F.R., 1941 Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815), notice is hereby given of a hearing to be held at the Watuppa Grango Hall, Westport, Massachusetts, beginning at 10 a. m., e. w. t., September 27, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. These amendments have not received the approval of the War Food Administrator.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. The amendments which have been proposed are set forth below.

Amendments Proposed by the Fall River,  
Milk Producers' Association

1. Increase the Class I price to \$5.05 or \$5.27 (§ 947.4 (a)).<sup>1</sup>
2. Revise § 947.7 (a) to provide for allocation of all milk produced by producers delivering to handlers who distribute milk in the marketing area to Class I prior to the allocation of any milk from other sources to that class.
3. Revise § 947.3 (d) to provide that milk imported from another area under Federal regulation, by a handler serving several markets from the same plant, be prorated among the various markets served by the handler during that delivery period.

<sup>1</sup> \$5.05 proposed by the Fall River Milk Producers' Association. \$5.27 proposed by the New England Milk Producers' Association.

4. Add new provisions to give representatives of the War Food Administrator power to bring about necessary changes in the farm-to-market hauling of milk, which are made necessary by the shortage of critical materials, and to set the price for such services.

*Amendments Proposed by H. P. Hood and Sons*

1. Revise § 947.4 (c) to provide a maximum beyond which the butterfat differential cannot be increased.

2. Provide location differentials for milk shipped to Fall River from plants located beyond the present supply area.

*Amendments Proposed by the Dairy and Poultry Branch Food Distribution Administration*

1. Delete § 947.1 (a) (2) and substitute therefor the following:

(2) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers or perform the duties, pursuant to the act, of the War Food Administrator.

2. In the last sentence of § 947.1 (a) (7) add after the clause "which it causes to be delivered to the plant of a handler", the words "but not a producer-handler."

3. Add a new paragraph to § 947.3 as follows:

(f) A handler may elect to report all of his milk except actual plant shrinkage as used for Class I, in which case the computations pursuant to § 947.7 (a) (1) shall be on the basis of 98 percent Class I and 2 percent Class II.

4. Revise § 947.4 (b) and (c) to change the factor 33.48 to 33.0 and to provide a formula for the value of Class II milk based on its value in the products which are now manufactured from it.

5. Delete § 947.4 (d) (1).

6. Revise § 947.7 (a) (3) as follows:

(a) Revise the introductory clause to read, "for the purpose of this section, milk shall be allocated among classes in the order of the subparts of this subparagraph as follows:"

(b) Renumber subpart (ii) to (i).

(c) Add a new subpart (ii) as follows:

(ii) Milk received directly from producers at receiving plants shall be considered to have first been the handler's Class I milk, except that in case the handler has received milk from plants located beyond 15 miles from the City Hall in Fall River, milk received directly from producers may be allocated to the handler's Class II milk, up to but not in excess of a quantity equal to 5.0 percent of such receipts from producers.

(d) Renumber subpart (i) to (iii) and renumber subpart (iii) to (iv).

7. Delete § 947.9 (h); in § 947.6 (e) delete the reference "§ 947.9 (h) and § 947.11"; in § 947.6 (g) (1) and (2) add

after the reference "947.5" the words "and § 947.11"; and revise § 947.11 (a) to read as follows:

(a) *Payments by handlers.* As his prorata share of the expense of administration hereof, each handler, except as set forth in § 947.6 (f), shall, on or before the 15th day after the end of each delivery period, pay to the market administrator 5 cents per hundredweight or such lesser amount as the market administrator shall determine to be sufficient with respect to all milk produced and delivered by producers and milk received pursuant to § 947.6 (d) or from handlers subject to § 947.6 (e), and by such handler if he is also a producer during such delivery periods: *Provided*, That such handler, which is an association of producers, shall pay such prorata share of expense of administration on such milk which it causes to be delivered by member producers to a handler's plant for the marketing area and for which milk such association of producers collects payment: *And provided further*, That any amounts paid on any of the milk specified herein by any handler for cost of administration of another Federal milk marketing agreement or order may be deducted from the amount due hereunder.

8. Delete § 947.13 and substitute therefor the following:

§ 947.13 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

9. Add a new provision as follows:

*Emergency milk committee.* Handlers may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the War Food Administrator and such person or persons as the War Food Administrator may designate shall be permitted to attend and take part in such meetings.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331, South Building, Washington, D. C., or may be there inspected.

Dated: September 18, 1943.

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

[F. R. Doc. 43-15314; Filed, September 18, 1943; 3:15 p. m.]

## WAR PRODUCTION BOARD.

[Certificate 130]

RED STAR MOTOR COACHES INC.; THE BALTIMORE AND ANNAPOLIS RAILROAD CO.

COORDINATED OPERATIONS BETWEEN BALTIMORE AND THE WESTERLY TERMINAL OF THE STATE OF MARYLAND CHESAPEAKE BAY FERRIES

The ATTORNEY GENERAL:

I submit herewith Special Order ODT B-48 issued by the Director of the Office of Defense Transportation with respect to the coordination of motor vehicle service in the transportation of passengers by the Red Star Motor Coaches, Inc., Salisbury, Maryland, and The Baltimore & Annapolis Railroad Company, Baltimore, Maryland.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 375), I approve the Special Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT B-48 is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

SEPTEMBER 13, 1943.

[F. R. Doc. 43-15233; Filed, September 18, 1943; 11:37 a. m.]

[Certificate 131]

LUMBER DEALERS OF LA JUNTA, COLO.

RECOMMENDATION OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery by motor vehicle of lumber and related articles in La Junta, Colorado.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the Recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

SEPTEMBER 13, 1943.

[F. R. Doc. 43-15224; Filed, September 18, 1943; 11:37 a. m.]

[Certificate 132]

LAUNDRIES AND DRY CLEANERS OF LA JUNTA, COLO.

RECOMMENDATION OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and

<sup>1</sup> *Supra.*

delivery by motor vehicle of laundry and dry cleaning in La Junta, Colorado.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the Recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

SEPTEMBER 13, 1943.

[F. R. Doc. 43-15285; Filed, September 18, 1943; 11:37 a. m.]

[Certificate 133]

HARRY MILLER, ET AL., FLORISTS OF  
DEARBORN, MICH.

RECOMMENDATION OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery by motor vehicle of flowers and related articles in the Detroit metropolitan area.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the Recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

SEPTEMBER 13, 1943.

[F. R. Doc. 43-15286; Filed, September 18, 1943; 11:37 a. m.]

[Certificate 134]

DURANGO, COLO., DAIRIES

RECOMMENDATION OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense

<sup>1</sup> *Supra.*

Transportation concerning a plan for joint action by Mrs. Frank Connor and others named therein with respect to the transportation and delivery of dairy products by motor vehicle in Durango, Colorado.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

SEPTEMBER 14, 1943.

[F. R. Doc. 43-15287; Filed, September 18, 1943; 11:37 a. m.]

CLEVELAND PNEUMATIC AEROL, INC.

AMENDMENT OF ORDER REVOKING PREFERENCE RATINGS

Builder: Cleveland Pneumatic Aerol, Inc., 20001 Euclid Avenue, Cleveland, Ohio. Facilities to manufacture aircraft landing gear struts identified as Plancor 1053. Sponsored by the Navy Dept.-Bureau of Aeronautics.

Pursuant to the provisions of paragraph 3 of the War Production Board order issued June 10, 1943 revoking preference ratings issued to the above builder, a determination has been made that certain machine tools are necessary for the purpose set forth in said paragraph 3.

*It is therefore ordered,* That the said War Production Board order issued June 10, 1943 revoking certain preference ratings issued to the above builder be and it hereby is amended as follows:

The revocation of ratings provided in paragraph 1, and the prohibition of construction and installation provided in paragraph 3, of said order are hereby revoked with respect to the machine tools set forth on the list marked Exhibit A attached hereto and made a part hereof, as though said order issued June 10,

1943 had specifically excepted said machine tools from the effect of the order;

The builder is hereby authorized to apply, and his suppliers to extend the ratings previously assigned to deliveries of the machine tools set forth on the said list attached hereto and marked Exhibit A, and the builder is hereby authorized to install the said machine tools in the above project, and to perform such construction as may be incidental to such installation, provided that such incidental construction shall not be in violation of the provisions of Conservation Order L-41 or the provisions of Preference Rating Order P-19-h Builder's serial number 26247.

Issued this 18th day of September 1943.

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

EXHIBIT A

6—#H-12 Libby Turret Lathes 84" Gap ordered from the International Machine Tool Company, Indianapolis, Indiana, Purchase Order AD-241.

7—#4H-12 Libby Lathes, plain turret, ordered from the International Machine Tool Company, Indianapolis, Indiana, Purchase Order AD-273.

2—80" Gap, Norton External Grinders ordered from the Norton Company, Machine Tool Division, Worcester, Mass., Purchase Orders AD-409 and AD-411.

1—16 x 72 Norton External Grinder ordered from the Norton Company, Machine Tool Division, Worcester, Mass., Purchase Order AD-261.

1—16/30 x 48 Norton External Grinder ordered from the Norton Company, Machine Tool Division, Worcester, Mass., Purchase Order AD-378.

3—5¾" Cleveland S. S. Automatic Screw Machines ordered from Cleveland Automatic Machine Company, Cleveland, Ohio, Purchase Order AD-144.

1—#74 Heald Internal Grinder 6" Hollow Head ordered from the Heald Machine Company, Worcester, Mass., through their Cleveland office, Purchase Order AD-536.

1—#74 Heald Internal Grinder 10" Hollow Head ordered from the Heald Machine Company, Worcester, Mass., through their Cleveland office, Purchase Order AD-535.

2—#3A Carlton Radial Drills 4' arm 11" column ordered from the Carlton Machine Tool Company, Cincinnati, Ohio, Purchase Order AD-256.

SEPTEMBER 8, 1943.

[F. R. Doc. 43-15324; Filed, September 18, 1943; 4:00 p. m.]