



# FEDERAL REGISTER

VOLUME 11 NUMBER 115

*Washington, Thursday, June 13, 1946*

## *The President*

### EXECUTIVE ORDER 9735

#### ESTABLISHING A CABINET COMMITTEE ON PALESTINE AND RELATED PROBLEMS

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. In view of the urgency of the solution of various problems relating to the displaced Jews in Europe and to Palestine, there is hereby established under the Chairmanship of the Secretary of State, a Cabinet Committee on Palestine and Related Problems (hereinafter referred to as the Committee) composed of the Secretaries of State, War, and the Treasury. The functions and duties of the Committee shall be:

(a) To assist the President in the early consideration of the recommendations of the Anglo-American Committee of Inquiry (hereinafter referred to as the Anglo-American Committee) and of the views which may be submitted as a result of the consultations thereon, and in the determination of the steps to be taken by this Government in regard to Palestine and related problems.

(b) To propose the specific measures considered necessary or appropriate effectively to implement the decisions made by the President with regard to Palestine and related problems.

(c) So far as may be permitted by law, to implement and coordinate, either directly or through the appropriate departments and agencies of the United States Government, such policies or programs in respect of Palestine and related problems as may be approved and authorized by the President.

(d) To perform such other tasks in connection with the functions and duties described in subparagraphs (a) (b) and (c) above as the President may from time to time direct.

2. Each member of the Committee shall designate a fully deputized alternate to act for and in his behalf. The

alternates thus selected shall function as the executive agency of the Committee and shall be known as the Board of Alternates, whose Chairman shall be the alternate for the Secretary of State. The Committee is hereby empowered:

(a) To fix its rules of conduct and procedures and the pattern of its internal organization.

(b) To employ a Secretariat to be headed by a Secretary-General with such deputies and assistants and such clerical and administrative personnel as may be necessary.

(c) To utilize to the maximum extent possible by way of loan or otherwise such personnel, facilities, and services of the State, War, and Treasury Departments as may be necessary or useful to the Committee in the accomplishment of its functions and duties.

(d) Subject to subparagraph (c) hereof and within the limits of funds which may be made available to it, to employ necessary technical personnel, consultants, or advisers without regard to the civil service laws and regulations, and to make provision for such supplies, facilities, and services as may be necessary fully to discharge the Committee's responsibilities.

(e) Whenever necessary, to call upon the heads of other departments and agencies of the Government to supply experts or technical advisers to the extent available to assist the Committee or its staff in connection with its objectives.

3. In the formulation of its policy recommendations as provided in paragraph 1 hereof and in the implementation of any policies and programs approved by the President, the Committee shall be empowered:

(a) To negotiate and consult, directly or through its representatives, with accredited representatives and agencies of other governments, with public or private international bodies, with States and municipalities and private and quasi-public organizations in the United States or abroad.

(b) Upon the written request of the Chairman, or his alternate, to procure from all departments and agencies of

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which answer respondent admits all of the material allegations of fact set forth in the complaint and waives all intervening procedure, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of subsection (c) of section 2 of the act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by the Robinson-Patman Act, approved June 19, 1936, (15 U.S.C., Sec. 13)

*It is ordered,* That the respondent California Lima Bean Growers Association, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the sale and distribution of lima beans and other food products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying or granting, directly or indirectly, to any buyer anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, upon purchases made for such buyer's own account.

*It is further ordered,* That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-9927; Filed, June 12, 1946; 10:52 a. m.]

[Docket No. 5334]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ATHENSON & PASSIN, INC.

§ 3.6 (n) *Advertising falsely or misleadingly—Nature—Products:* § 3.66 (d) *Misbranding or Mislabeling—Nature:* § 3.96 (a) *Using misleading name—Goods—Nature.* In connection with the offering for sale, sale and distribution of fur products in commerce, using the word "Leopard" either alone or in conjunction with other words, to designate, describe, or refer to any product not made of leopard peltries; or otherwise representing, either through words or pictorial representations, that any product is made of leopard peltries when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Athenson & Passin, Inc., Docket 5334, May 10, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all of the material allegations of fact set forth in

said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That the respondent, Athenson & Passin, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of fur products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using the word "Leopard" either alone or in conjunction with other words, to designate, describe, or refer to any product not made of leopard peltries; or otherwise representing, either through words or pictorial representations, that any product is made of leopard peltries when such is not the fact.

*It is further ordered,* That the respondent shall within sixty days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 46-9928; Filed, June 12, 1946; 10:52 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

INVESTMENT IN LOANS PARTIALLY OR WHOLLY GUARANTEED UNDER THE SERVICEMEN'S READJUSTMENT ACT OF 1944, AS AMENDED

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 23 (b) and 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the Act, hereby adopts § 270.23b-1 [Rule N-23E-1] to read as follows:

§ 270.23b-1 *Investment in loans partially or wholly guaranteed under the Servicemen's Readjustment Act of 1944, as amended.* (a) The term "qualified investments" as used in section 28 (b) of the Investment Company Act of 1940 shall include:

(1) Any loan, any portion of which is guaranteed under Title III of the Servicemen's Readjustment Act of 1944, as amended, and which is secured by a first lien on real estate: *Provided,* The amount of the loan not so guaranteed does not exceed 66⅔ per centum of the reasonable value of such real estate as determined by proper appraisal made by an appraiser designated by the Administrator of Veterans' Affairs;

the Government such records and documents in their possession as may be necessary, relevant, or useful to the Committee in the accomplishment of its objectives hereunder.

4. In carrying out its functions and duties, and within the limits of available funds, the members of the Committee and its personnel are authorized to engage in the necessary domestic and foreign travel. When permitted by law and otherwise practicable, the Secretary of War and the Secretary of the Navy shall provide appropriate travel assistance, including the furnishing of available Government-owned transportation and other facilities.

HARRY S. TRULIAN

THE WHITE HOUSE,  
June 11, 1946.

[F. R. Doc. 46-9907; Filed, June 11, 1946; 2:15 p. m.]

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4939]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CALIFORNIA LIMA BEAN GROWERS ASSN.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of lima beans and other food products in commerce, paying or granting, directly or indirectly, to any buyer anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, upon purchases made for such buyer's own account; prohibited. (Sec. 2 (c) 49 Stat. 1527; 15 U.S.C., sec. 13 (c)) [Cease and desist order, California Lima Bean Growers Association, Docket 4939, May 9, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of May, A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the amended answer of the respondent, in

(2) Any secondary loan the full amount of which is guaranteed under section 505 (a) of Title III of the above mentioned act and which is secured by a second lien on real estate:

*Provided, however* That any such loan shall be deemed a qualified investment only so long as (i) insurance policies are required to be procured and maintained in an amount sufficient to protect the security against the risks or hazards to which it may be subjected to the extent customary in the locality, and (ii) the loan shall remain guaranteed under Title III of the Servicemen's Readjustment Act of 1944, as amended, to the extent specified in subparagraph (1) or (2) of this paragraph, as the case may be.

(b) Loans made pursuant to this section shall be valued at the original principal amount of the loan less all payments made thereon which have been applied to the reduction of such principal amount.

Rule N-28B-1 effective June 7, 1946.

(Sec. 28 (b) 54 Stat. 832; 15 U.S.C. 80a-28; Sec. 38, 54 Stat. 841, 15 U.S.C. 80a-38)

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 46-9912; Filed, June 11, 1946;  
3:02 p. m.]

## TITLE 29—LABOR

### Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 90]

#### PART 1110—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OREGON

WORKERS ENGAGED IN PERFORMING GENERAL FARM WORK OTHER THAN SHEARING SHEEP AND HARVESTING CRANBERRIES IN CURRY AND COOS COUNTIES, OREGON

§ 1110.13 *Wages and salaries of workers engaged in performing general farm work, other than shearing sheep and harvesting cranberries in Curry and Coos Counties, Oregon.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628; 11 F.R. 2517) and to the regulations of the Secretary of Agriculture issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Oregon USDA Wage Board that a majority of the producers of each agricultural commodity in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture, and based upon relevant facts submitted by the Oregon USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in performing general farm work in Curry and Coos Counties, Oregon, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued

on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628; 11 F.R. 2517)

(b) *Maximum wage rates for general farm work, other than shearing sheep and harvesting cranberries.*

1. Monthly salary rates—\$210 plus board and lodging.

2. Hourly wage rates—\$1 per hour.

No perquisites may be paid in addition to the maximum wage rates specified above unless otherwise specifically provided for herein. Wages paid on any basis other than the above shall not exceed the equivalent of the highest ceiling wage provided for herein. This section shall not be construed as establishing maximum wage or salary rates for services performed by farm managers or farm superintendents.

(c) *Administration.* The Oregon USDA Wage Board, located at 701 Pittock Block, Portland, Oregon, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued on March 23, 1945 (10 F.R. 3177)

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

(e) *Effective date.* This Supplement No. 90 shall become effective at 12:01 a. m., Pacific standard time, June 10, 1946.

(56 Stat. 765 (1942) 50 U.S.C. 961 et seq. (Supp. IV) 57 Stat. 63 (1943) 50 U.S.C. 964 (Supp. IV) 58 Stat. 632 (1944), Pub. Law 108, 79th Cong. E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681, E.O. 9577, 10 F.R. 8087; E.O. 9620, 10 F.R. 12023, E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691, regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628; 11 F.R. 2517; regulations of the Secretary of Agriculture, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581, 9 F.R. 831, 12807, 14206, 10 F.R. 3177; 11 F.R. 5903)

Issued this 10th day of June 1946.

HOWARD A. PRESTON,  
Acting Director Labor Branch,  
Production and Marketing  
Administration.

[F. R. Doc. 46-9900; Filed, June 11, 1946;  
11:54 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

[SFAW Order 38]

#### PART 602—GENERAL ORDERS AND DIRECTIVES

ORDER EXCEPTING COAL PRODUCED IN DISTRICTS 14, 15, 16, 17, 18, 19, 20, 22 AND 23 FROM PROVISIONS OF INTERIM DIRECTION ISSUED MAY 31, 1946

It appears that with respect to bituminous coal produced in Districts 14, 15,

16, 17, 18, 19, 20, 22 and 23, no further necessity exists for the application of the provisions of the Notice of Interim Direction to Shippers of Bituminous Coal Produced in All Districts and to Lake and Tidewater Commercial Dock Operators and Retail Dealers, issued May 31, 1946. Accordingly, an exception is hereby granted from the provisions of said Interim Direction with respect to all bituminous coal produced in Districts 14, 15, 16, 17, 18, 19, 20, 22 and 23.

This order shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658)

Issued this 11th day of June 1946.

OSCAR L. CHAPMAN,  
Acting Solid Fuels  
Administrator for War

[F. R. Doc. 46-9951; Filed, June 12, 1946;  
11:01 a. m.]

#### PART 602—GENERAL ORDERS AND DIRECTIVES

NOTICE CANCELING UNFILLED SPECIFIC DIRECTIONS, ISSUED PRIOR TO JUNE 1, 1946, FOR SHIPMENT OF COAL FOR EXPORT

Notice is hereby given to all interested persons that all unfilled specific directions, issued prior to June 1, 1946, by Solid Fuels Administration for War, for the shipment of coal for export, are canceled and withdrawn. In event any producer is in the process of loading, or about to load any coal, in conformity with any such direction issued prior to June 1, 1946, he shall communicate immediately with the Area Distribution Manager for such further directions as may be necessary.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658)

Issued this 11th day of June 1946.

DAN H. WHEELER,  
Deputy Solid Fuels  
Administrator for War

[F. R. Doc. 46-9952; Filed, June 12, 1946;  
11:01 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—Civilian Production Administration

*AUTHORITY:* Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 70th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3294—IRON AND STEEL PRODUCTION  
[General Preference Order M-21, Direction 12]

EMERGENCY DISTRIBUTION OF STEEL FOR PRODUCTION OF CERTAIN CRITICAL PRODUCTS

The following direction is issued pursuant to M-21.

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

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

(c) *Who can place certified orders—(1) With a producer without authorization.* A manufacturer of a critical product listed on Schedule A may certify a purchase order which he has already placed with a steel producer on the date of this direction and on which, at any time after January 1, 1946, the producer promised delivery before October 1, 1946. No specific authorization by the Civilian Production Administration is required for such certification. However, a manufacturer may not without specific authorization by CPA certify orders for steel for use in a plant not in production because of work stoppages.

(2) A manufacturer who on June 12, does not have any purchase orders placed with a producer (whether certified or otherwise) for steel of any of the types which he uses in production of critical products on Schedule A may place a certified order on a warehouse. No authorization by the Civilian Production Administration is required for this type of order. However, a manufacturer may not without specific authorization by CPA certify orders for steel for use in a plant not in production because of work stoppages.

(3) *When authorization needed.* Except for the orders listed in paragraphs (c) (1) and (2), no certified purchase order may be placed without specific authorization by CPA. Paragraph (d) below states when applications for authorizations may be made.

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

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

(3) The Civilian Production Administration may issue authority to place certified purchase orders where it determines that the steel will actually be needed for production of the critical product and that the steel is available for such purposes. Additional

steel for inventories will be rarely authorized and then less than permitted by PR-32. Such authorization will permit a manufacturer to place a new purchase order on either a producer or a warehouse, but the CPA may limit the authorization to a named supplier.

(e) *Limit on amount which may be certified.* Except as specifically authorized a manufacturer must not certify a total number of purchase orders which will call for delivery in the third quarter of a greater amount of steel than he proposes to actually put into production in the manufacture of his critical product in that period. In addition, a manufacturer of farm machinery listed on Schedule A must not certify more steel than he will require to complete critical items which he will deliver before October 31, 1946. A manufacturer need not reduce the amount permitted because of steel in his inventory, within the limits of Priorities Regulation 32, but he may not, without specific authorization, use any of the amount certified in order to build up inventories to the permitted amount. Also he may not certify for delivery in any one month more than 40% of the steel he will put into production during the third quarter.

(f) *How to place a certified order.* A purchase order which has already been placed may be certified by sending a letter to the producer or warehouse, identifying the original purchase order and reciting in substantially the following form the following certification signed as provided in Priorities Regulation 7:

I certify, subject to the penalties of section 35A of the United States Criminal Code, that I will use this steel only to make \_\_\_\_\_ (specify one or more of the end products listed in Schedule A, or if specifically authorized for another product under paragraph (m), insert name of product and phrase "authorized under paragraph (m)" and that the tonnage covered by this order together with all tonnages placed with other producers and distributors for use in these products on similarly certified orders and uncertified orders is not in excess of the quantity of such steel which I am authorized to order under the provisions of Direction 12 to Order M-21.

The same certification is to be used when placing new purchase orders with warehouses or with producers when authorized by the Civilian Production Administration.

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

(h) *Refusal of certified orders.* (1) A steel producer need not accept a certification on a previously accepted purchase order, or a new purchase order, which it receives after the first day of the month preceding the month in which delivery is requested. However, if delivery is requested in July, a producer must accept a certification under paragraph (c), if it is received on or before the 17th day of June, and need not accept it after the 17th day of June.

(2) A warehouse need not accept any certified order for a single product classification of steel in excess of 10,000 lbs. If delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired. Schedule I of Order M-21 lists the "product classifications" of steel.

(3) In order to protect the requirements of small business, a warehouse must not accept any purchase order, whether certified or not, in excess of 10,000 pounds if delivery would deplete his stock to a point where his function in the distribution of steel would be impaired.

(i) *Certified orders must be treated as rated orders.* Certified orders must be scheduled for production in preference to all other orders for the same product classification, except for orders covered by specific written directives issued by the Civilian Production Administration, or (in the case of distributors) a rating of AAA issued after January 21, 1946. Any purchase order certified under this direction must be treated as a rated order under Priorities Regulation 1 and accepted, scheduled and delivered accordingly. The rules of Priorities Regulation 1 will apply, except to the extent that this direction is inconsistent with them. Steel obtained on certified orders must be used in accordance with § 944.11 of that regulation.

(j) *The effect on steel of certain other directions.* (1) Direction 13 to Priorities Regulation 1, which suspended preference ratings (except certain AAA ratings on distributors) on steel, remains in effect for the time being.

(2) Direction 9 to Order M-21, which provides certifications for tin mill products for food and pharmaceutical purposes, remains in effect. That direction explains how producers of tin mill products should schedule orders certified under either that direction or this one.

(k) *Other distribution of steel.* Steel producers and warehouses must distribute balance of steel production after filling certified orders as follows:

(1) *Warehouse stocks.* Producers must ship to warehouses during the third quarter of 1946 not less than the same proportion of total tonnage of steel produced by them in that quarter as they shipped to warehouses during the fourth quarter of 1945.

(2) *Equitable distribution to consumers.* Producers and warehouses must distribute remaining amounts of steel in a fair and equitable manner.

(1) *Reports.* Steel Producers and warehouses must furnish such reports as may be required by the Civilian Production Administration from time to time, subject to approval by the Budget Bureau pursuant to the Federal Reports Act of 1912.

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

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

Issued this 12th day of June 1946.

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

SCHEDULE A

Manufacturers of the following products are entitled to apply certifications as described in this direction.

- (1) The following classes of farm machinery and equipment, as described in War Food Order 135 of the Department of Agriculture: Combines (harvester-threshers)
- Grain binders
- Corn binders, excluding sled and wheel type
- Corn pickers
- Field ensilage harvester—row type
- Potato diggers and pickers, excluding walking plow type
- Bean cutters or pullers
- Sugar beet and cane harvesting equipment
- Peanut diggers
- Farm haying machinery, excluding field bale loader
- Ensilage cutters (silo fillers)
- Corn shellers
- Potato sorters and graders
- Fruit and vegetable graders, washers, sackers and conveyors
- Farm tractors, wheel type
- Repair parts only for types of farm machinery listed above.

(2) The following items of residential type and manufactured for residential use: Pressed steel bathtubs, sinks and lavatories

Warm air furnaces and floor furnaces

Convactor radiation

Furnace pipe, fittings, and duct work

Steel registers and grills

- (3) Railroad brake shoes.
- (4) Dwelling units.

(Only orders for concrete reinforcing bars and mesh may be certified and only on producers or distributors who normally sell bars and mesh to contractors.)

[F R. Doc. 46-9953; Filed, June 12, 1946; 11:26 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 129, Amdt. 27]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

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.

Supplementary Order 129 is amended in the following respects:

1. Section 7 (a) is amended by adding the following to the list of commodities thereunder:

- Bibs.
- Paper and cellophane ribbon.
- Printed dials for watches and clocks.

2. Section 8 (b) is amended by adding the following to the list of commodities thereunder:

Portable swimming pool liners.

3. Section 10 (a) is amended by adding the following to the list of commodities thereunder:

- Basic refractory brick.
- Crude and ground refractory fireclay.
- Fireclay brick.
- Hgt tops.
- Ladle brick.
- Low temperature mortars.
- Runner brick.
- Silica brick.
- Silica cement.
- Sleeves and nozzles.
- Super clay and high alumina refractories.

4. Section 10 (c) is amended by adding the following to the list of commodities thereunder:

New solid white oak beer barrels, new laminated wooden beer barrels, and the staves and heading of which these barrels are made.

5. Section 15 (a) is amended by adding the following to the list of commodities thereunder:

Dynamite shell paper sold to manufacturers for use in making dynamite.

Heeling board containing more than 85% leather fiber.

This amendment shall become effective June 12, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9970; Filed, June 12, 1946; 14:52 a. m.]

PART 1306—IRON AND STEEL

[RES 6, Amdt. 17]

IRON AND STEEL 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.

Revised Price Schedule No. 6 is amended in the following respects:

1. Section 1306.8 (h) (5) is amended to read as follows:

(5) Regardless of the provisions of (1) and (2) above, extras may be charged for drawing quality in uncoated or coated hot and cold rolled carbon steel sheets and strip. Such extras shall not exceed the following:

	Per 100 lbs.
12 gauge and heavier.....	\$0.15
13 gauge to 21 gauge, inclusive.....	.25
22 gauge and lighter.....	.35

The extras established by this subparagraph (5) may be charged only when drawing quality, or physical test properties or values, beyond commercial bend tests are specified and required by the purchaser, and the producer assumes responsibility for performance within established limits. These extras may not be charged for tin mill products.

2. Section 1306.10 paragraph (h) is amended to read as follows:

(h) All customary or general privileges in effect as of April 16, 1941, including, without limiting the generality of the foregoing, delivery and other services of all kinds, credit or other terms of payment, functional discounts and allowances such as those customarily made to jobbers, dealers or other distributors and discounts and allowances, customarily made to specific classes of purchasers such as manufacturers of roofing materials, chain link fencing, culverts, etc., shall be continued without diminution or extra charge: *Provided*, That this paragraph shall not apply to any reductions in published or quoted base prices arising from specific competitive situations.

3. Section 1306.17 (a) sub-paragraph (15) is amended to read as follows:

(15) Nails and staples, all types and finishes except miscellaneous nails and brads priced on a list and discount basis—\$0.85 per 100 lbs.

4. Section 1306.17 (b), subparagraph (5) is amended to read as follows:

(5) Miscellaneous nails and brads priced on a list and discount basis—add \$0.85 per 100 to the applicable maximum delivered price otherwise established by this schedule.

5. Section 1306.17 (b) (1) is amended to read as follows:

(1) Pipe and oil country tubular goods:

(i) In the case of items customarily priced on a list and discount basis, the following modifications may be made:

Buttweld and lapweld—decrease applicable discounts by 3 points.

Electric weld and seamless—decrease applicable discounts by 2.5 points.

(ii) In the case of items customarily priced on any other basis, the following modifications may be made:

Buttweld and lapweld—increase the maximum price otherwise established by this schedule by \$6.00 per net ton.

Electric weld and seamless—increase the maximum price otherwise established by this schedule by \$5.00 per net ton.

6. Section 1306.17 (b) (6) is amended to read as follows:

(6) Steel screen wire cloth. The maximum basing point base prices of steel screen wire cloth, both black painted and galvanized, in standard length rolls of 100 lineal feet and in standard widths of 18" to 48" inclusive, shall be as follows:

[Net prices per 100 square feet]

	Shipments to jobbers' stocks		Direct shipments for jobbers' account	Shipments to retail dealers
	Carload	Less than carload		
<i>Pacific coast</i>				
12 mesh black.....	\$2.07	\$2.32	\$2.53	\$2.80
14 mesh black.....	2.37	2.63	2.92	3.33
16 or 18 by 14 mesh black.....	2.74	3.05	3.33	3.80
18 mesh black.....	3.12	3.48	3.87	4.41
12 mesh galvanized.....	2.24	2.50	2.76	3.14
14 mesh galvanized.....	2.53	2.79	3.09	3.63
16 or 18 by 14 mesh galvanized.....	2.92	3.21	3.50	4.00
18 mesh galvanized.....	3.23	3.65	4.04	4.61
<i>Areas other than the Pacific coast</i>				
Discount from list price.....	33 1/8% and 20%	33 1/4% and 17 1/2%	33 1/8% and 16%	33 1/8%
List prices		Black	Galvanized	
12 mesh.....		\$3.60	\$3.80	
14 mesh.....		4.10	4.40	
16 or 18 by 14 mesh.....		4.70	5.00	
18 mesh.....		5.40	5.70	

7. Section 1306.17 (b) (2) is amended to read as follows:

(2) All alloy steel products except stainless—increase the applicable maximum price (base price plus extras) other-

wise established by this schedule by 8.2 percent.

This amendment shall become effective this 11th day of June 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9915; Filed, June 11, 1946; 4:29 p. m.]

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

[RMPCR 119, Amdt. 6]

**ORIGINAL EQUIPMENT TIRES AND TUBES**

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 119 is amended in the following respects:

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

(1) To sales by a seller of a particular type and size of original equipment tire, tube, or assembly or a particular buyer if that seller sold that item to that buyer at a price at least 5 percent less than the prices set forth in Appendix A for that size and type of original equipment assembly during January 1944 (or if no sale was made during January 1944 to that buyer, on the most recent date on which a sale was made between April 27, 1942, and January 1, 1944)

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

(2) To sales of original equipment tires, tubes, and/or flaps unless the sale is of a complete assembly consisting of tire and tube as well as tire flap where the tire flap would be delivered with the tire under normal business practice.

3. Appendix A is amended to read as follows:

**APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES**

(Assemblies include tire, tube and/or flap, where flap would be delivered with tire in normal business practice. Assembly prices include only regular construction tubes. Special purpose tubes, such as puncture proof or dual type, must be priced specially under section 3.)

Size	Ply	Assembly
<b>1. PASSENGER CAR ASSEMBLY</b>		
<i>Regular tread</i>		
4.50-12	4	\$9.85
4.40/4.50-21	4	10.18
4.40/4.50-21	6	11.63
4.75/5.00-19	4	10.44
4.75/5.00-19	6	11.63
5.25/5.50-17	4	9.29
5.25/5.50-17	6	12.49
5.25/5.50-18	4	11.18
5.25/5.50-18	6	14.43
5.25/5.50-19	4	12.54
5.25-20	4	11.72
5.25-20	6	13.07
5.50-15	4	8.14
5.50-15	6	9.32
5.50-16	4	8.33
5.50-16	6	9.71
6.00-16	4	10.05
6.00-16	6	11.63
6.00-15	4	9.75
6.00-15	6	11.34
6.25/6.50-16	4	11.63
6.25/6.50-16	6	13.63

See footnotes at end of table.

**APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued**

Size	Ply	Assembly
<b>1. PASSENGER CAR ASSEMBLY—CON.</b>		
<i>Regular tread</i>		
6.00-17	6	\$17.42
6.00-18	4	13.62
6.00-18	6	12.55
6.20-15	4	11.33
6.20-15	6	13.52
6.20-17	4	17.45
6.20-18	4	13.97
6.20-18	6	16.22
7.00-17	4	13.03
7.00-15	4	11.41
7.00-16	4	13.55
7.00-16	6	17.41
7.00-17	6	16.11
7.20-15	4	17.00
7.20-15	6	18.50
7.20-16	6	18.93
<b>2. MOTORCYCLE</b>		
3.00-18	4	5.18
3.20-18	4	5.22
4.00-18	2	6.05
4.00-18	4	6.00
4.20-18	2	6.43
4.20-18	4	6.33
3.20-19	4	6.05
5.00-16	4	7.55
<b>3. TRUCK AND BUS</b>		
<i>Regular tread</i>		
6.00-16	6	13.67
6.00-17	6	13.63
6.00-20	6	14.75
6.00-20, 20 x 6	6	18.63
6.20-16	6	17.73
6.20-16	8	18.57
6.20-17	6	17.74
6.20-20	6	18.70
6.20-20, 32 x 6	8	21.50
7.00-15	6	17.00
7.00-15	8	17.82
7.00-16	6	16.19
7.00-16	8	16.91
7.00-17	6	19.09
7.00-17	8	22.63
7.00-18	6	23.72
7.00-20	8	24.05
7.00-20, 32 x 6	10	29.90
32 x 6 1/2	10	33.69
32 x 6 1/2	12	37.60
35 x 6 1/2	10	42.01
7.20-15 1/2	4	15.65
7.20-16	4	17.60
7.20-16	6	19.00
7.20-16	8	20.41
7.20-16	10	22.67
7.20-17	8	23.63
7.20-18	8	25.05
7.20-20	8	26.53
7.20-20	10	29.63
7.20-20, 34 x 7	10	37.32
7.20-20, 34 x 7	12	42.64
7.20-24	8	31.45
7.20-24, 33 x 7	10	42.77
8.25-18	10	57.19
8.25-20	10	41.67
8.25-20	12	45.61
8.25-21	10	48.18
9.00-13	4	11.16
9.00-13	6	21.22
9.00-13	8	22.21
9.00-16	8	33.61
9.00-16	10	40.63
9.00-16	12	44.57
9.00-18	10	44.72
9.00-18	12	52.73
9.00-20	10	45.53
9.00-20	12	52.21
9.00-20	14	59.21
9.00-20, 36 x 8	12	53.63
9.00-22	10	48.24
9.00-21	10	52.70
9.00-24, 40 x 8	12	60.77
10.00-18	12	60.84
10.00-20	12	61.20
10.00-20, 38 x 9	14	70.48
10.00-22	12	65.67
10.00-24	12	64.23
10.00-24, 42 x 9	14	85.57
10.00-16	6	35.47
10.00-16	8	41.62
10.00-18	10	50.81
10.00-18	12	61.72
10.00-18	14	69.15
10.00-18	16	75.50
10.00-18	18	81.72
10.00-18	20	84.72
10.00-20	12	63.43
10.00-20	14	73.16
10.00-20	16	81.44
10.00-20	18	84.63
10.00-21	14	77.19
10.00-21	16	83.69
10.00-24	14	83.69

**APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued**

Size	Ply	Assembly
<b>3. TRUCK AND BUS—CONTINUED</b>		
<i>Regular tread</i>		
12.00-20	14	\$21.80
12.00-20	16	19.74
12.00-22	14	19.15
12.00-21	14	17.97
12.00-21 1/2 x 10	16	121.69
13.00-20	16	125.69
13.00-21	16	137.12
14.00-20	12	135.93
14.00-20	16	143.41
14.00-20	18	174.45
14.00-20	20	165.44
14.00-21	12	147.55
14.00-21	14	150.58
14.00-21	16	174.61
14.00-21	18	174.59
14.00-21	20	173.67
<b>4. TRAILER SERVICE—LOW PLATFORM</b>		
7.20-15	8	23.23
7.20-15	10	20.52
7.20-15	12	25.79
7.20-18	8	20.25
7.20-18, 32 x 7	10	42.79
7.20-18, 32 x 7	12	45.55
7.20-18, 32 x 7	14	51.73
8.25-17	10	37.55
8.25-17	12	42.42
8.25-17	14	48.05
9.00-15	10	47.07
9.00-15	12	50.41
9.00-15	14	55.45
9.00-15	16	61.03
9.00-15	18	65.69
9.00-17	12	59.80
9.00-17	14	65.09
9.00-17	16	62.79
11.00-21	20	132.73
<b>5. DESERT TYPE</b>		
9.00-13	4	13.15
9.00-13	6	21.22
9.00-13	8	22.19
10.50-16	6	54.62
10.50-16	8	59.81
10.50-16	10	64.72
10.50-16	12	64.72
11.00-18	6	64.72
13.50/14.00-20	10	111.34
13.50/14.00-20	8	124.13
14.00-21	12	135.93
14.00-21	10	139.62
14.00-21	12	147.55
14.00-21	14	152.53
<b>6. COMBAT</b>		
6.00-16	6	21.35
6.00-20	8	24.51
6.00-16	8	41.34
8.25-20	10	80.43
9.00-16	8	67.11
9.00-20	12	69.35
<b>7. OFF-ROAD AND SPECIAL SERVICE</b>		
7.00-15	12	27.61
7.00-20	10	32.57
7.00-15	10	32.13
7.00-15	12	37.75
7.00-15	14	44.64
8.25-18	10	39.74
8.25-20	10	43.83
8.25-20	12	48.69
9.00-15	10	53.67
9.00-18	10	47.12
9.00-20	10	49.25
9.00-21	12	55.91
9.00-21	14	63.97
9.00-15	12	62.65
9.00-15	14	70.20
9.00-15	16	78.27
9.00-15	18	87.27
9.00-20	12	64.52
9.00-20	14	73.17
9.00-22	12	68.43
9.00-22	14	73.77
9.00-24	12	71.53
11.00-20	12	72.44
11.00-20	14	82.23
11.00-22	12	77.31
11.00-22	14	81.82
11.00-21	12	82.60
11.00-21	14	94.52
12.00-20	14	92.73
12.00-20	16	102.50
12.00-21	14	113.65
12.00-21	16	123.41
13.00-20	16	132.31
13.00-21	14	118.65
13.00-21	16	144.24
13.00-21	18	152.55
14.00-20	16	150.63
14.00-21	16	162.02
14.00-21	18	162.71
14.00-21	20	172.20
14.00-21	22	182.13

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Table with 3 columns: Size, Ply, Assembly. Section 7: OFF-THE-ROAD AND SPECIAL SERVICE—continued. Section 8: EARTHMOVER. Section 9: INDUSTRIAL & WHEELBARROW. Sub-sections include Straight side pneumatic, Power lawn mower, Hand lawn mower, Wheelbarrow, and Jumbo, Jr.

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Table with 3 columns: Size, Ply, Assembly. Section 9: INDUSTRIAL & WHEELBARROW—continued. Sub-sections include Hand lawn mower, Wheelbarrow, Jumbo, Jr., Air Corps standard, Single tube—Lug base, Solid—Lug base type, and Cushion type—Lug base zero pressure.

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Table with 3 columns: Size, Ply, Assembly. Section 10: SOLID INDUSTRIAL AND CUSHION—continued. Sub-sections include Cured-on type and Pressed-on type.

See footnotes at end of table.

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Size	Ply	Assembly
<b>10. SOLID INDUSTRIAL AND CUSHION—continued</b>		
<i>Pressed-on type<sup>1</sup>—Continued</i>		
16 x 3 1/4 x 12		\$7.61
16 x 3 1/2 x 12 1/2		7.22
20 x 3 1/2 x 15		10.33
20 x 3 1/2 x 16		8.49
20 1/2 x 3 1/2 x 6 3/4		9.01
22 x 3 1/2 x 17 3/4		9.39
24 x 3 1/2 x 18		11.84
24 x 3 1/2 x 20		10.69
24 x 3 1/2		10.75
25 x 3 1/2 x 18 1/2		9.39
27 x 3 1/2 x 23 1/2		10.98
28 x 3 1/2 x 22		13.25
28 x 3 1/2 x 24		9.82
30 x 3 1/2 x 23		16.78
8 1/2 x 4 x 4		6.07
10 x 4 x 5 1/2		7.41
10 x 4 x 6 1/2		7.13
12 x 4 x 8		7.64
14 x 4 x 10		8.45
15 x 4 x 11 1/4		8.49
16 x 4 x 12		8.50
16 x 4 x 12 1/2		8.64
18 x 4 x 14		9.74
20 x 4 x 16		10.11
22 x 4 x 17 3/4		10.43
24 x 4 x 20		11.45
28 x 4 x 23 1/2		12.49
32 x 4 x 28		15.11
34 x 4 x 30		15.69
27 x 4 1/2 x 23 1/2		14.58
12 x 4 1/2 x 8		8.35
16 x 4 1/2 x 12		10.09
22 x 4 1/2 x 17 3/4		12.53
9 x 5 x 5		8.88
10 x 5 x 6 1/2		8.53
10 1/2 x 5 x 6 1/2		8.55
15 x 5 x 11 1/4		9.51
17 x 5 x 12 1/2		10.46
18 x 5 x 14		10.76
20 x 5 x 16		11.82
21 x 5 x 15		13.84
21 x 5 x 15 1/2		13.88
24 x 5 x 18		16.52
24 x 5 x 20		14.93
29 x 5 x 23 1/2		17.50
32 x 5 x 28		18.53
10 x 6 x 6 1/2		9.84
10 1/2 x 6 x 6 1/2		10.62
15 x 6 x 11 1/4		12.59
17 x 6 x 12 1/2		13.50
20 x 6 x 16		15.37
22 x 6 x 17 3/4		15.69
10 x 7 x 6 1/2		10.11
10 1/2 x 7 x 6 1/2		10.25
12 x 7 x 8		12.29
15 x 7 x 11 1/4		14.93
17 x 7 x 12 1/2		15.63
18 x 7 x 14		17.37
20 x 7 x 16		18.22
22 x 7 x 17 3/4		16.16
24 x 7 x 18 1/2		24.19
24 x 7 x 20		18.87
28 x 7 x 22		35.97
28 x 7 x 23 1/2		21.65
15 x 8 x 11 1/4		16.95
20 x 8 x 16		20.28
22 x 8 x 16		20.48
22 x 8 x 17 3/4		24.85
22 x 8 x 22		42.44
15 x 9 x 11 1/4		19.59
20 x 9 x 14		26.80
20 x 9 x 16		25.24
15 x 10 x 11 1/4		24.22
20 x 10 x 16		31.81
22 x 10 x 16		40.55
22 x 10 x 17 3/4		36.73
26 x 10 x 20		32.74
28 x 10 x 22		54.88
18 x 12 x 14		39.53
22 x 12 x 16		28.20
22 x 12 x 22		65.33
18 x 14 x 14		41.89
22 x 14 x 16		63.59
22 x 14 x 22		78.89
28 x 14 x 22		76.78
28 x 16 x 22		98.41
22 x 18 x 16		95.42
27 x 3 1/2		7.95
<b>Solid truck</b>		
32 x 3		10.63
32 x 4		21.04
34 x 4		22.75
36 x 4		23.68
32 x 5		28.13
34 x 5		29.68
36 x 5		31.72
40 x 5		34.93
36 x 6		33.34
40 x 6		42.32
36 x 7		48.23
40 x 7		52.18
34 x 8		52.20
36 x 8		54.63
40 x 8		60.05

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Size	Ply	Assembly
<b>10. SOLID INDUSTRIAL AND CUSHION—continued</b>		
<i>Solid truck—Continued</i>		
36 x 10		\$59.05
40 x 10 1/2		53.52
40 x 10		56.73
36 x 12		87.64
40 x 12		95.09
40 x 14		117.52
40 x 16		162.55
<i>Tractor trailer</i>		
23 x 7		34.97
28 x 10		54.55
28 x 12		65.33
28 x 14		74.89
<i>Zero pressure</i>		
21 x 5		15.29
21 x 6		20.09
30 x 6		27.64
28 x 7		32.79
34 x 7		39.51
34 x 8		33.79
42 x 8		49.04
42 x 10		51.11
42 x 12		53.53
46 x 12		58.81
<b>11. GRADER</b>		
<i>For flat base rims</i>		
6.00-20	6	15.12
6.50-20	8	22.41
7.00-20	8	27.14
7.00-20 (32 x 6)	10	23.00
7.00-21	10	29.84
7.50-16	4	13.03
7.50-20	10	23.05
8.25-20	10	31.37
8.25-21	10	45.45
9.00-24	10	52.50
9.00-24	12	70.53
10.00-24	10	58.09
<i>For drop center rims</i>		
9.00-24	8	33.12
9.00-24	10	40.63
10.00-24	8	47.84
11.00-24	8	52.81
12.00-24	6	41.12
	8	52.63
	10	60.13
12.00-28	6	59.19
13.00-20	8	61.74
	10	74.00
13.00-24	6	53.13
	8	64.00
	10	69.45
13.00-28	6	60.24
	8	73.61
	10	81.11
14.00-20	10	87.16
14.00-24	8	67.02
	10	68.83
	10	91.65
	8	80.00
	8	88.24
<b>12. AGRICULTURAL</b>		
<i>Form tractor</i>		
3.60-12	2	4.72
3.50-12	2	4.00
4.00-8	4	4.50
4.60-12	2	5.45
4.60-15	4	6.21
4.60-18	2	5.50
4.60-19	4	7.53
5.00-12	2	6.57
5.00-15	4	7.70
5.00-16	2	6.00
	4	8.25
5.25-21	6	11.77
5.50-16	2	8.40
5.50-16	4	8.88
5.50-16	6	10.62
6.00-12	4	8.67
6.00-12	6	10.77
6.00-16	4	9.24
6.00-20	6	10.77
6.00-20	4	12.10
6.00-22	6	11.71
6.00-22	2	12.11
6.00-22	4	13.87
6.50-16	4	10.72
6.50-16	6	12.72
7.00-22	4	15.53
7.50-10	4	15.57
7.50-10	6	18.32
7.50-16	2	19.45
7.50-16	4	13.12
7.50-18	6	14.53
7.50-18	4	14.75
7.50-18	6	15.45
<i>Industrial tractor front</i>		
4.00-19	4	7.23
5.00-16	4	7.59
5.00-16	6	8.58
6.00-16	4	9.24
6.00-16	6	10.77
7.00-16	6	13.82
7.00-16	6	14.50
7.00-18	6	17.54
7.50-21	6	18.40
<i>Rear</i>		
6.00-22	4	15.53
8-21	4	19.19
9-21	4	22.55
10-21	4	29.65
10-24	4	34.45
10-24	6	33.65
12-24	6	42.63
12-24	8	43.26
12-24	8	43.59
12-24	8	53.58
13-24	8	53.51

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Size	Ply	Assembly
<b>12. AGRICULTURAL—continued</b>		
<i>Form tractor—Continued</i>		
7.50-20	4	\$14.57
7.50-20	6	16.19
7.50-20	8	20.75
7.50-22	2	15.29
9.00-19	6	22.51
9.00-19	8	26.15
9.00-19	10	32.99
9.00-21	4	41.85
9.00-21	6	47.00
9.00-21	8	47.00
9.00-21	10	52.49
9.00-21	6	53.27
11.25-21	4	39.70
11.25-21	6	48.54
11.25-21	8	44.03
11.25-21	8	49.50
11.25-21	10	58.50
12.75-21	4	61.27
12.75-21	6	65.09
12.75-21	8	69.62
12.75-21	8	73.50
13.50-21	4	65.13
13.50-21	6	67.99
13.50-21	8	68.13
13.50-21	8	74.01
13.50-21	10	72.00
13.50-21	10	81.24
4-19	4	7.23
5-20	4	17.53
6-21	2	13.50
7-21	2	15.10
7-21	4	15.33
7-21	4	19.11
7-21	4	21.05
8-21	4	32.11
8-21	4	19.63
8-21	6	19.10
8-21	6	22.45
8-21	6	33.40
8-21	6	34.40
8-21	8	23.76
9-21	4	32.14
9-21	4	35.81
9-21	6	31.03
9-21	6	33.25
9-21	6	35.67
9-21	6	41.85
9-21	6	35.34
9-21	6	39.55
10-21	4	34.45
10-21	6	39.75
10-21	6	39.62
10-21	6	44.50
11-21	4	39.21
11-21	4	43.05
11-21	4	34.71
11-21	4	45.77
11-21	6	43.00
11-21	6	47.56
11-21	6	70.59
12-21	4	48.45
12-21	4	50.26
12-21	6	61.40
13-21	6	52.07
13-21	6	51.72
14-21	6	61.91
14-30	6	63.33
14-31	6	72.45
15-30	8	92.26
18-25	10	184.55
<i>Industrial tractor front</i>		
4.00-19	4	7.23
5.00-16	4	7.59
5.00-16	6	8.58
6.00-16	4	9.24
6.00-16	6	10.77
7.00-16	6	13.82
7.00-16	6	14.50
7.00-18	6	17.54
7.50-21	6	18.40
<i>Rear</i>		
6.00-22	4	15.53
8-21	4	19.19
9-21	4	22.55
10-21	4	29.65
10-24	4	34.45
10-24	6	33.65
12-24	6	42.63
12-24	8	43.26
12-24	8	43.59
12-24	8	53.58
13-24	8	53.51

See footnotes at end of table.

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Size	Ply	Assembly
<b>12. AGRICULTURAL—continued</b>		
<i>Rear—Continued</i>		
13.00-24	8	\$58.50
13.00-28	6	61.27
13.00-28	8	68.69
13.00-32	6	68.02
13.00-32	8	75.80
14.00-24	6	57.39
14.00-24	8	65.13
14.00-28	6	65.18
14.00-28	8	74.01
14.00-32	6	72.99
14.00-32	8	81.34
<i>Cane and rice tractor</i>		
7.50-18	6	20.35
7.50-20	6	22.78
9.00-36/11-36	6	66.29
10.00-36/12-36	6	74.34
10-38	6	60.52
12-38	6	84.19
11.25-36	6	81.69
12.75-28	6	81.95
13.60-28	6	88.63
18-26	10	184.86
15-30	6	91.93
<i>Implement</i>		
3.50-12	4	5.86
4.00-7	4	4.65
4.00-9	4	5.74
4.00-12	4	5.89
4.00-12	6	6.53
4.00-16	4	6.12
4.00-18	2	5.15
4.00-18	4	6.21
4.00-30	4	14.87
5.00-16	4	6.85
5.00-16	4	7.43
5.00-21	2	7.65
5.00-21	4	8.75
5.00-30	4	16.82
5.00-36	6	18.97
5.50-16	4	7.47
5.50-16	6	9.22
6.00-9	4	10.99
6.00-9	6	12.45
6.00-9	8	13.90
6.00-16	4	7.97
6.00-16	6	9.44
6.00-20	4	10.53
6.00-20	6	12.85
6.50-16	6	8.03
6.50-16	6	9.65
6.50-16 1/2	6	11.70
6.50-16	8	11.21
6.50-30	4	18.30
6.50-30	6	20.97
7.00-10	4	9.67
7.00-10	6	11.10
7.00-10	4	10.67
7.00-10	6	12.27
7.00-10	8	13.53
7.00-18	4	11.80
7.00-18	6	13.29
7.00-18	8	14.61
7.00-24	4	17.93
7.00-24	6	21.25
7.00-24	8	24.85
7.50-23	4	23.60
7.50-23	6	27.71
7.50-30	4	27.74
7.50-30	6	31.92
7.50-30	8	36.65
8.25-24	4	25.11
9.00-16	10	26.78
9.00-24	6	29.37
9.00-24	8	32.56
9.00-30	4	34.98
9.00-30	6	40.06
9.00-30	8	45.13
9.00-36	10	49.92
9.00-36	12	57.35
9.00-40	8	51.46
11.25-24	6	38.43
11.25-24	8	42.71
11.25-24	10	49.45
11.25-28	6	42.63
11.25-28	8	47.14
11.25-28	10	51.65
11.25-30	10	72.02
12.75-32	8	66.28
<i>Moderate traction implement</i>		
4.00-30	6	15.36
4.00-30	4	16.83
5.00-21	4	9.40
5.00-30	6	19.06
5.00-40	6	20.23
<i>Traction implement</i>		
4.00-8	4	6.21
4.00-12	2	5.65
4.00-12	4	6.33
4.00-18	2	5.67
4.00-24	4	10.51
5.00-12	2	6.81

APPENDIX A—TABLES OF MAXIMUM PRICES FOR ORIGINAL EQUIPMENT ASSEMBLIES—Continued

Size	Ply	Assembly
<b>12. AGRICULTURAL—continued</b>		
<i>Traction implement—Continued</i>		
5.00-15	2	\$6.89
5.00-15	4	7.33
5.00-16	2	6.92
5.00-21	4	9.40
5.50-16	2	7.59
5.50-16	4	8.42
5.50-28	4	18.42
6.00-16	4	8.75
6.00-16	6	10.15
6.00-22	2	12.23
6.00-22	4	11.35
7.50-10	2	10.95
7.50-16	4	11.73
7.50-16	6	13.50
7.50-18	4	12.63
7.50-18	6	14.28
7.50-20	4	15.03
7.50-20	8	20.84
7.50-22	2	21.11
7.50-24	4	19.27
7.50-24	8	26.72

<sup>1</sup> Special tread mud and snow: The maximum price for mud and snow tread shall be 105% of the assembly price of the regular tread of the same size.

<sup>2</sup> Auto rail.

<sup>3</sup> Road roller.

<sup>4</sup> Two cap.

<sup>5</sup> RMS tread.

<sup>6</sup> Semisolid.

<sup>7</sup> Wheelbarrow.

<sup>8</sup> Plain base.

<sup>9</sup> Neoprene solid industrial cured-on and pressed-on type tires shall be priced at 115% of regular construction tires.

<sup>10</sup> Dom A.

<sup>11</sup> AKC low.

<sup>12</sup> Semi-pneuf.

<sup>13</sup> Low section Trailer.

<sup>14</sup> Hillside combine.

This amendment shall become effective June 11, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9916; Filed, June 11, 1946; 4:29 p. m.]

**PART 1305—ADMINISTRATION**

[SO 129, Amdt. 26]

**EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES**

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.

Supplementary Order 129 is amended in the following respects:

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

(c) *Millwork as follows:*

Wooden picture frame mouldings.

2. Section 3 is amended to read as follows:

**SEC. 3. Lumber primary forest products, and containers and accessories—**  
(a) *Miscellaneous forest products as follows:*

Domestically grown bamboo poles.

Florist foliage.

Imported briarwood.

(b) *Containers and accessories as follows:*

Wooden cooperage dowels.

3. In section 10, paragraph (c) is deleted and paragraphs (d) and (e) are redesignated (c) and (d), respectively.

4. Section 11 is amended to read as follows:

**SEC. 11. Lumber, primary forest products and containers and accessories—**  
(a) *Lumber and primary forest products as follows:*

Bourbon grade stave and heading bolts priced in section 12 of Maximum Price Regulation 535-6.

Sitka spruce cigar box lumber.

(b) *Containers and accessories as follows:*

Cigar boxes, wooden, or combination wood and paper.

Milk bottle crates of metal or metal and wood in combination, used for the delivery of milk in glass bottles and for the return of empty glass bottles to the dairy.

New white oak bourbon cooperage and new bourbon cooperage stock which meet the grade requirements specified in the "Grade Rules and Specifications" of the Associated Cooperage Industries of America, Inc., and are priced in Maximum Price Regulation 424 or the General Maximum Price Regulation.

Post and rail (hurdle type) fencing made from split or round locust, chestnut, Tennessee red cedar or white cedar.

Sitka spruce cigar box shook.

(c) *Services performed on primary forest products as follows:*

The dehydrating or artificial seasoning of any primary forest product by the Tenger process, also known as "Tengerizing"

5. Section 13 (a) is amended by adding the following to the list of commodities thereunder:

Chrome ores.

Cobalt.

Ferrocobalt, metals and products covered by MPR 489.

Ferrochromium and chromium metal.

Ferrosilicon and silicon metal.

Molybdenum.

Tungsten.

Vanadium.

This amendment shall become effective June 12, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9969; Filed, June 12, 1946; 11:52 a. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**

[FPR 2, Amdt. 12 to Supp. 4]

**CORN**

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.

The second paragraph of Section 8 is amended to read as follows:

If you are a trucker-merchant under this definition, your maximum price per bushel, bulk, for the sale of any lot of corn is your supplier's maximum price on the sale and delivery to you plus your hauling allowance from the point where you received delivery from your supplier to the point of delivery to your customer. *Provided*, That if you deliver the corn to a terminal base point other than Cinchn-

nati, Ohio or Louisville, Kentucky, or to a barge loading point your maximum price shall not exceed the base price at such terminal base point less 2½ cents per bushel, nor shall it exceed the base price at such barge loading point.

This amendment shall become effective June 17, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator

Approved: June 3, 1946.

CLINTON P ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-9355; Filed, June 12, 1946;  
11:53 a. m.]

**PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES**

[MPR 564, Amdt. 12]

**FOUNTAIN PENS AND MECHANICAL PENCILS**

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. 564 is amended in the following respects:

1. Section 23 is amended by adding the following retail ceiling prices for fountain pens and mechanical pencils to the lists of manufacturers already included in the regulation.

Name	Brand	Article	Model	Retail ceiling price
Academy Award Products, Inc.	Academy Award	Ball point pen	69	\$15.00
Avon Products Co.		Mechanical pencil	69	3.00
J. Battino		Fountain pen	A-169	2.67
		do	F-169	1.77
A. G. Debs		Mechanical pencil	599-A	1.00
Decat Manufacturing Co.		do	5	2.00
Eagle Pencil Co.		Ball point pen	1	12.50
		do	2	15.00
Globe Pencil Advertising Co.		Mechanical pencil	7	1.00
Imperial Pen & Pencil Co.		Fountain pen	57	1.63
Kwik-Rite Manufacturing Co.		Ball point pen	1	4.00
Listo Pencil Corp.		Mechanical pencil	1	.25
		do	3	.25
		do	1623	.35
		do	1625	.50
		do	5	.65
Mercury Pen Co.	Monogram	Fountain pen	69	4.05
Morrison Pen Co.		Mechanical pencil	74	2.00
Schlosser Pen Co.		Fountain pen	73	4.00
		Pen and pencil set	73 and 74	6.00
Progressive Tool Works		Mechanical pencil and lighter	1	3.00
Servall Pen Co.		Mechanical pencil	49	.75
W. A. Shaeffer Pen Co.	Stratowriter	Ball pen		15.00
	Fineline	Mechanical pencil		1.00

2. Section 23 is amended by changing the listing of the Eberhard Faber Corporation Model No. 400 to read as follows:

Name	Brand	Article	Model	Retail ceiling price
Eberhard Faber Corp.		Ball pen	1	\$15.00

This amendment shall become effective on the 12th day of June 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9364; Filed, June 12, 1946;  
11:53 a. m.]

**PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC AND ADMIXTURES**

[MPR 39, Amdt. 13]

**WOVEN DECORATIVE FABRICS**

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.

17 F.R. 5243, 5512, 6774, 8946; 8 F.R. 7822, 17426; 9 F.R. 458, 14067; 10 F.R. 1662, 11663, 14063, 14659.

Maximum Price Regulation No. 39 is amended in the following respects:

1. Section 1400.160 is amended in the following respects:

a. The heading is amended to read as follows:

§ 1400.160 *Petitions for amendment, adjustment, or exception.*

b. Paragraph (b) is amended to read as follows:

(b) Any reseller may petition the Office of Price Administration, Washington 25, D. C., for an exception from the provisions of § 1400.165 (c) (2). The petition shall be filed in the manner provided for filing petitions for adjustment under Revised Procedural Regulation No. 1.<sup>2</sup> An exception may be granted if, in addition to the information there called for, the petitioner shall state facts showing that:

(1) During the six month period ending April 11, 1941 he maintained a place of business geographically located and operated separately from the place of business of the supplier whom he controlled, was controlled by, or with whom he was under common control; and in that business he resold in the performance of a recognized distributive function and at prices competitive with those charged by independent resellers textile fabrics which he purchased from such supplier.

(2) His current relationship to his supplier is substantially the same as it was

<sup>2</sup> 9 F.R. 10476.

during the six months period ending April 11, 1941, and he currently maintains a separate place of business in which he resells textile fabrics in the performance of a recognized distributive function at prices competitive with those charged by independent resellers; and

(3) During the year immediately prior to December 2, 1944, he purchased woven decorative fabrics from such supplier and through the separate place of business resold them in the performance of a recognized distributive function at prices competitive with those charged by independent resellers.

2. Section 1400.165 (b) (5) (iii) is amended to read as follows:

(iii) Regardless of the other provisions of this subparagraph (5) a decorative service wholesaler shall reduce that portion of a percentage factor which is in excess of 100% by 20% if the sale is to a furniture manufacturer other than a custom furniture manufacturer and by 10% if the sale is of a full piece or more for stock to the piece goods department of a department store: *Provided*, That in no event need a decorative service wholesaler use a percentage factor of less than 140% in determining his maximum price under this subparagraph (5)

This amendment shall become effective June 12, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9359; Filed, June 12, 1946;  
11:54 a. m.]

**PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES**

[EMPR 471, Amdt. 12]

**LEGUME AND GRASS SEED**

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

Section 8 (a) (11) is amended to read as follows:

(11) "Noxious weed seeds" for which discounts must be made in this regulation are seeds of *Lepidium draba*, *Lepidium repens* (Schrenk) Boiss, *Hymenophysa Pubescens* C. A., Mey., white top; *Cirsium arvense* Scop., Canada thistle; *Cuscuta* spp., dodder; *Agropyron repens* Beauv., quackgrass; *Sorghum halepense* Pers., Johnson grass (except when present in *Huban sweetclover seeds*) *Convolvulus arvensis*, bindweed; *Centaurea picris* Pall., Russian Knapweed; *Sonchus arvensis*, perennial sowthistle; *Euphorbia esula*, leafy spurge: *Provided*, That these weed seeds are considered noxious and their rate of occurrence is such that labeling to show their presence is required by the laws and regulations of the State in which the legume or grass seeds in question are delivered (or by the Federal Seed Act, if delivered in the District of Columbia)

This amendment shall become effective June 17, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 3, 1946.

CLINTON P ANDERSON,  
U. S. Department of Agriculture.

[F. R. Doc. 46-9963; Filed, June 12, 1946; 11:53 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,<sup>1</sup> Amdt. 184]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

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

In Table 3 (Maximum Prices for Apples)<sup>1</sup> of Appendix K in section 15 the indicated items in Columns 4 and 5 are amended to read as follows:

Column 1	Column 4	Column 5
Item No.	Season	Maximum prices for fruit loaded on car or truck at shipping point
1	Beginning of season—Aug. 31.....	\$3.60
2	Sept. 1 to Oct. 31.....	3.03
12	Beginning of season—Aug. 31.....	10.80
13	Sept. 1 to Oct. 31.....	9.24
23	Beginning of season—Aug. 31.....	.080
24	Sept. 1 to Oct. 31.....	.068
34	Beginning of season—Aug. 31.....	.072
35	Sept. 1 to Oct. 31.....	.060
45	Beginning of season—Aug. 31.....	.096
46	Sept. 1 to Oct. 31.....	.054
54	Beginning of season—Aug. 31.....	.06
55	Sept. 1 to Oct. 31.....	.048

This amendment shall become effective June 12, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved June 6, 1946.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-9962; Filed, June 12, 1946; 11:53 a. m.]

<sup>1</sup> 10 F.R. 8021, 7500, 7539, 7578, 7688, 7683, 7799, 8069, 8239, 8238, 8612, 8467, 8611, 8657, 8905, 8936, 9023, 9118, 9119, 9277, 9628, 9928, 10087, 10025, 10229, 10311, 10303, 11072, 12213, 12084, 12408, 12447, 12532, 12637, 12702, 12745, 12960, 13129, 13271, 13313, 13369, 13595, 13776, 14027, 15035, 15174; 11 F.R. 557, 608, 1102, 1356, 1213, 1526, 1818, 1819, 2931, 2771, 2822, 3158, 3029, 3300, 3600, 3793, 4292, 4295, 4390, 4973.

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,<sup>1</sup> Corr. to Amdt. 80 (§ 1388.1231)]

HOTELS AND ROOMING HOUSES

Item 115c of the Rent Regulation for Hotels and Rooming Houses is corrected to read as follows:

(115c).....	Emporia.....	Kansas.....	Lyon.....	July 1, 1945	May 1, 1946	June 15, 1946
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Effective May 1, 1946.

Issued June 12, 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9966; Filed, June 12, 1946; 11:54 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Corr. to Amdt. 86 (§ 1388.1181)]

HOUSING

Item 115c of the Rent Regulation for Housing is corrected to read as follows:

(115c).....	Emporia.....	Kansas.....	Lyon.....	July 1, 1945	May 1, 1946	June 15, 1946
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Effective May 1, 1946.

Issued June 12, 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9967; Filed, June 12, 1946; 11:54 a. m.]

PART 1393—ICE  
[MPR 154, Amdt. 16]  
ICE

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.

In section 12 (g) the following is added to the first undesignated paragraph:

Any Regional Administrator and any district director may take disposing action on such applications. Delegations of authority by any Regional Administrator to any district director within his region pursuant to § 1393.8 of this regulation shall be considered delegations of authority pursuant to this § 1393.12 (g)

This amendment shall be effective as of April 10, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9960; Filed, June 12, 1946; 11:53 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMFR 165, Amdt. 6 to Rev. Supp. Ser. Reg. 50]

AUTOMOTIVE SERVICES

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

<sup>1</sup> 11 F.R. 4000, 4163, 5482, 4730, 5542, 5945, 5825, 5951, 5952.

<sup>2</sup> 10 F.R. 13528, 13454, 14399; 11 F.R. 247, 248, 740, 1299, 1773, 2116, 2189, 2445, 3480, 4015, 4153, 4731.

filed with the Division of the Federal Register.

A new subparagraph (8) is added to § 1499.648 (c) to read as follows:

(8) The Regional Administrator for Region IV may issue area orders establishing maximum prices for automobile washing, greasing, polishing, tire changing, and battery services, in Region IV

This amendment shall become effective June 17, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9961; Filed, June 12, 1946; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[MPR 580,<sup>1</sup> Amdt. 14]

RETAIL CEILING PRICES FOR CERTAIN APPAREL AND HOUSE FURNISHINGS

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 580 is amended in the following respects:

1. Section 6 (b) is amended by changing the heading thereof to read as follows: "(b) Amendment by OPA to reduce markups."

2. A new paragraph (c) is added to section 6 to read as follows:

(c) Amendment by OPA, in special instance, to increase markups. The OPA Regional Office for the region in which your OPA District Office is located may increase the markup for any cost line on your chart so as to bring it in line with the markups under the regulation when your markup for that cost line is abnormally low because the offering price stated on your chart for that cost line is a price which was conclusively found by the Office of Price Administration to have been reduced as a result of enforcement proceedings.

<sup>1</sup> 10 F.R. 3015.

3. Paragraph (a) of section 25 is amended to read as follows:

(a) Base date pricing charts and amendments thereto filed under section 2 or filed, permitted or required by section 6;

This amendment shall become effective June 17, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9965; Filed, June 12, 1946; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14B, Amdt. 4]

BREAD AND BAKERY PRODUCTS

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

The description of the first area in the table in section 7 (a) (1) of Revised Supplementary Regulation 14B is amended to read as follows:

Areas	Baked weight per loaf (ounces)	Sales at wholesale (cents)	Sales at retail (cents)	Sales at retail by chain stores (cents)	Sales at retail by private label (cents)
In the State of Utah	16 to 18	7 1/2	8 1/2	7 1/2	
In Uinta, Lincoln, Sweetwater, Sublette, Teton and Carbon Counties in the State of Wyoming	19 to 22	9	11	9	
Mesa, Delta and Montrose Counties in the State of Colorado. Onda, Franklin and Lake Counties in the State of Idaho. In Fargo, North Dakota and Moorhead, Minnesota.	21 to 27	10	12	10	

This amendment shall become effective June 17, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 3, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-9956; Filed, June 12, 1946; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14B, Amdt. 5]

BREAD AND BAKERY 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.

A new section 13 is added to Revised Supplementary Regulation 14B to read as follows:

Sec. 13. *Emergency adjustment in maximum prices.* Maximum prices for sales by producers of bread and bread-type rolls other than rye bread and rye rolls, as defined in paragraph (e) of section 7 of this regulation, as determined under any other provision of this revised supplementary regulation or any other regulation or order, are hereby increased at the rate of one cent per pound in the case of bread and by one cent per dozen in the case of bread-type rolls. Each producer may apply such increases in the case of bread by adjustment in his maximum price per loaf, by adjustment of the weight of the loaf, or by a combination of both, so as to result in an increase of one cent per pound. Any decrease in weight pursuant to section 12 hereof shall be disregarded for purposes of this section. Whenever a producer increases or decreases his maximum price per loaf of bread or sales unit of bread-type rolls pursuant to this section, any

reseller may increase or must decrease his maximum price by a like amount per loaf or unit. This section shall not be applicable to sales of bread or sales units of rolls where the weight has been increased and the price adjusted since March 15, 1946, under the provisions of section 2 of this regulation. However, any producer who has increased his weight and price under section 2 since March 15, 1946, may revert to his former weight and price and then take advantage of the provisions of this section 13.

Note: Under this section you are permitted to increase your maximum price of your bread 1 cent per pound either by an adjustment in price or by adjustment of the weight, or by a combination of both. In making your calculations you will proceed as follows:

Divide your present price of bread by your baked weight. The result will be your present price per ounce of bread. Since the section permits an increase of 1 cent per pound you are permitted an increase of 0.0625 cent per ounce. Now add 0.0625 cent to your present price per ounce of bread to arrive at your new price per ounce.

To your present price per loaf add 1 cent, and then divide your new price by your new price per ounce to arrive at your new baked weight where an adjustment in weight is required. There are listed below several examples of this procedure.

Example No. 1. A 14 ounce loaf with a maximum price of 7¢. The 7¢ price divided by 14 ounces gives you 0.5000¢ as your present price per ounce.

0.5000¢ present price per ounce plus  
0.0625¢ permitted increase per ounce

0.5625¢ new price per ounce

7.0000¢ present price per loaf plus  
1.0000¢ increase in price per loaf

8.0000¢ new price per loaf.

8.0000¢ divided by 0.5625¢ equals 14.22 new baked weight ounces. The result after adjustment is an 8¢ price and a baked weight of 14.22 ounces.

The same loaf of bread need not be increased in price but can be decreased in weight as follows:

7.0000¢ divided by 0.5625¢ gives you 12.44 new baked weight ounces. The result after adjustment is a 7¢ price and a baked weight of 12.44 ounces.

Example No. 2. An 18-ounce loaf with a maximum price of 10¢. Price 10¢ divided by 18 ounces gives you 0.5555¢ present price per ounce.

0.5555¢ present price per ounce plus  
0.0625¢ permitted increase per ounce

0.6181¢ new price per ounce  
10.0000¢ present price per loaf plus  
1.0000¢ increase in price per loaf

11.0000¢ new price per loaf.

11.0000¢ divided by 0.6181¢ gives you 17.80 new baked weight ounces. The result after adjustment is 11¢ price and a baked weight of 17.80 ounces.

The same loaf of bread need not be increased in price but can be decreased in weight as follows:

10.0000¢ divided by 0.6181¢ gives you 16.18 new baked weight ounces. The result after adjustment is a 10¢ price and a baked weight of 16.18 ounces.

This amendment shall become effective June 12, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 6, 1946.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 46-9957; Filed, June 12, 1946; 11:52 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 45]

MODIFICATIONS OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

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

Paragraph (t) of section 2.7 is amended in the following respect:

1. Subdivision (i) of subparagraph (1) is amended to read as follows:

(i) Cotton rope and yarn (excluding dyed yarns), twine and cord (excluding cotton tire cord, tire cord fabric, and cord breaker fabric) made entirely (except for other material used in the core) of cotton and/or cotton waste, and carded cotton yarns<sup>2</sup> sold for use as wrapping twine or for resale for ultimate use as wrapping twine.

This amendment shall become effective June 12, 1946.

Issued this 12th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9958; Filed, June 12, 1946; 11:54 a. m.]

<sup>1</sup> 10 F.R. 1163, 2014, 4156, 7117, 7497, 7657, 9337, 9540, 9363, 10921, 11491, 12691, 12312, 15271, 13652, 13556, 14766, 14742, 15067, 15036, 15467; 11 F.R. 115, 249, 493, 497, 509, 677, 689, 849, 1405, 1534, 1839, 2042, 2339, 4163, 2300, 3163, 3200.

<sup>2</sup> Carded cotton yarns means those yarns priced under Maximum Price Regulation 33 at the producer level.

## TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation,  
Department of the Interior

## PART 402—ANNUAL WATER CHARGES

LUGERT-ALTUS IRRIGATION PROJECT,  
OKLAHOMA

CROSS REFERENCE: For addition to tabulation in § 402.2 see Bureau of Reclamation, Department of the Interior in Notices section.

No.	
307	—4¼ percent Treasury Bonds of 1947-52.
352	
443	—3 percent Treasury Bonds of 1951-55.
526	—3½ percent Treasury Bonds of 1949-52.
531	
536	
546	—2⅞ percent Treasury Bonds of 1955-60.
547	
548	
557	—2¾ percent Treasury Bonds of 1948-51.
561	—2¾ percent Treasury Bonds of 1951-54.
567	—2¾ percent Treasury Bonds of 1956-59.
572	
574	—2½ percent Treasury Bonds of 1949-53.
581	—2½ percent Treasury Bonds of 1948.
584	—2¾ percent Treasury Bonds of 1958-63.
593	
604	—2½ percent Treasury Bonds of 1950-52.
598	—2¾ percent Treasury Bonds of 1960-65.
603	
599	—2 percent Treasury Bonds of 1947.
626	—2 percent Treasury Bonds of 1948-50 (dated Dec. 8, 1939).
627	—2¼ percent Treasury Bonds of 1951-53.
637	—2¼ percent Treasury Bonds of 1954-56.
641	—2 per cent Treasury Bonds of 1953-55.
649	—2 percent Treasury Bonds of 1948-50 (dated March 15, 1941).
651	—2½ percent Treasury Bonds of 1952-54.
661	—2½ percent Treasury Bonds of 1956-58.
670	—2½ percent Treasury Bonds of 1967-72 (dated Oct. 20, 1941).
672	
673	—2 percent Treasury Bonds of 1951-55.
676	—2 percent Treasury Bonds of 1949-51 (dated Jan. 15, 1942).
681	—2¼ percent Treasury Bonds of 1952-55
684	—2 percent Treasury Bonds of 1949-51 (dated May 15, 1942).
685	—2½ percent Treasury Bonds of 1962-67
692	
689	—2 percent Treasury Bonds of 1949-51 (dated July 15, 1942).
698	—2 percent Treasury Bonds of 1950-52 (dated Oct. 19, 1942).
701	—2½ percent Treasury Bonds of 1963-68—available in the \$1,000,000 denomination, registered form.
702	—1¾ percent Treasury Bonds of 1948—available in the \$1,000,000 denomination, registered form.

II. *Modification of circulars.* 1. Notice is hereby given that in addition to the denominations provided for in the above-mentioned circulars, bearer and registered bonds of the \$1,000,000 denomination will be available for authorized transactions on and after July 1, 1946.

[SEAL] FRED M. VINSON,  
*Secretary of the Treasury.*

[F. R. Doc. 46-9926; Filed, June 12, 1946;  
10:31 a. m.]

By the Commission.

[SEAL] T. J. SLOWIE,  
*Secretary.*

[F. R. Doc. 46-9923; Filed, June 12, 1946;  
10:08 a. m.]

## Notices

## TREASURY DEPARTMENT.

## Office of the Secretary.

[1946 Dept. Circ. 789]

\$1,000,000 DENOMINATION OF TREASURY  
BONDS

## ADDITION TO OUTSTANDING ISSUES

JUNE 10, 1946.

I. *Enumeration of Department circulars affected.* 1. The following listed Treasury Department circulars offered for subscription and set forth the terms of various issues of Treasury bonds in denominations ranging up to \$100,000, in both bearer and registered form:

## DEPARTMENT OF THE INTERIOR.

## Bureau of Reclamation

[No. 1]

LUGERT-ALTUS IRRIGATION PROJECT,  
OKLAHOMAANNOUNCEMENT OF ANNUAL WATER RENTAL  
CHARGES<sup>1</sup>

MAY 27, 1946.

1. I have determined that it is factually impossible, in view of the provision for construction of distribution works by the United States under the contract with the Lugert-Altus Irrigation District dated January 12, 1942, to make water available for irrigation use during the

<sup>1</sup> Affects § 402.2, Chapter II, Title 43.

season of 1946 as contemplated in article 7 of the contract of January 12, 1942.

2. *Water rental.* Pursuant to article 9 of the contract of January 12, 1942, irrigation water will be furnished, when available, upon a rental basis under approved applications for temporary water service during the irrigation season of 1946 where the progress of construction will permit, to the irrigable lands in the Lugert-Altus Irrigation District described below:

## INDIAN MERIDIAN

T. 3 N., R. 20 W.,  
Sec. 5, NE¼, SE¼, and S½SW¼,  
Sec. 8, NE¼.

T. 4 N., R. 20 W.,  
Sec. 8, SW¼,  
Sec. 17, W½,  
Sec. 20, E½NW¼ and SW¼;  
Sec. 29, S½NE¼ and S½SE¼,  
Sec. 32, S½NE¼, SE¼, and E½SW¼.

3. *Charges and terms of payment.* The water rental charge shall be \$4.00 per acre-foot for each acre-foot of water requested. No application for the initial delivery of less than five acre-feet of water for each ownership will be received by the District. All charges shall be payable by the District to the United States in advance of the delivery of water.

4. Water will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

5. Individual applications for water on forms approved by the United States and the payments required for this announcement will be received at the office of the Secretary of the Lugert-Altus Irrigation District, Altus, Oklahoma. Requests by the District for water and payments by the District to the United States will be received at the office of the Bureau of Reclamation, Altus, Oklahoma. (Act of June 17, 1902, 32 Stat. 388 as amended or supplemented)

MICHAEL W STRAUS,  
*Commissioner*

[F. R. Doc. 46-9924; Filed, June 12, 1946;  
10:10 a. m.]

## COLUMBIA BASIN PROJECT, WASHINGTON

## FIRST FORM RECLAMATION WITHDRAWAL

MAY 3, 1946.

## THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the act of June 26, 1936 (49 Stat. 1976), it is recommended that the following-described lands be withdrawn from public entry under the first form of withdrawal as provided by section 3 of the act of June 17, 1902 (32 Stat. 388)

## COLUMBIA BASIN PROJECT

## WILLIAMETTE MERIDIAN, WASHINGTON

T. 19 N., R. 27 E.,  
sec. 2, S½N½ and S½.

Respectfully,

WILLIAM E. WARNE,  
*Acting Commissioner.*

I concur: May 14, 1946.

FRED W. JOHNSON,  
*Commissioner of the General  
Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the district land office to be noted accordingly.

OSCAR L. CHAPMAN,  
Under Secretary.

MAY 20, 1946.

[F. R. Doc. 46-9925; Filed, June 13, 1946;  
10:10 a. m.]

#### DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[P. & S. Docket No. 425]

SIoux CITY STOCK YARDS Co.

#### NOTICE OF PETITION FOR MODIFICATION

Pursuant to the provisions of the Packers and Stockyards Act 1921, as amended (7 U. S. C. 181 et seq.) the Secretary of Agriculture on December 13, 1934, issued an order prescribing reasonable rates and charges for stockyard services rendered by the respondent. Upon petitions for modification filed by respondent, this order has been modified from time to time.

By an original and supplemental petition filed on May 23 and May 28, 1946, the respondent has requested that the proposed schedule of rates and charges set out in the data attached to respondent's petition be established at respondent's stockyard.

The effect of such proposed modification, if granted, would increase the rates and charges at respondent's stockyard, thus resulting in additional revenues to respondent, and, therefore, public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of such petition for modification.

All interested persons who desire to be heard upon the matter requested in said petition for modification shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 7th day of June 1946.

E. A. MEYER,  
Assistant Administrator.

[F. R. Doc. 46-9913; Filed, June 11, 1946;  
3:52 p. m.]

[P. & S. Docket No. 450]

DENVER UNION STOCK YARD Co.

#### NOTICE OF PETITION FOR MODIFICATION

By an order entered on February 17, 1937, pursuant to the provisions of the

Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Secretary of Agriculture prescribed reasonable rates and charges to be observed by the respondent. Except for minor modifications made during the years 1938 and 1939, this order remained in effect until April 1, 1940, when the order of February 17, 1937, was modified, and, as so modified, still remains in effect.

By a petition filed on May 31, 1946, the respondent has requested that the proposed schedule of rates and charges set out in Exhibit 2 attached to respondent's petition be established at respondent's stockyard.

The effect of such proposed modification, if granted, would increase the rates and charges at respondent's stockyard, thus resulting in additional revenues to respondent, and, therefore, public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and all interested persons of the filing of such petition for modification.

All interested persons who desire to be heard upon the matter requested in said petition for modification shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 7th day of June 1946.

E. A. MEYER,  
Assistant Administrator.

[F. R. Doc. 46-9914; Filed, June 11, 1946;  
3:52 p. m.]

#### HANDLING OF MILK IN CLEVELAND, OHIO, MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO  
FILE WRITTEN EXCEPTIONS WITH RESPECT  
TO PROPOSED MARKETING AGREEMENT AND  
TO PROPOSED ORDER

#### Correction

In Federal Register Document 46-9770 appearing at page 6348 of the issue for Tuesday, June 11, 1946, the following changes should be made:

1. In the third column on page 6350, the price in the sixth line of the first paragraph should read "\$0.85"; and in the twelfth line of the fourth paragraph the word "these" should read "those"

2. In footnote 10 "F.R." should read "H. R."

3. In section 2 (c) (8) the word "milk" in the eighth line should read "milk"

4. In the list in section 3 (a) (2) (1) the ninth and eleventh items should read:

Woodville, Ohio, Seader's Sons Co.  
Beloit, Ohio, Telling-Belle Vernon Co.

5. In section 6 (c) (1) the price in the third line should read "\$0.45"

6. In paragraph (a) of section 7 the nineteenth line should read "ers, has a utilization of skim milk or but."

7. In section 8 (c) "Class II" should read "Class III"

#### FEDERAL COMMUNICATIONS COM- MISSION.

SERVICE ALLOCATIONS FOR 920-940 AND  
940-960 MEGACYCLE BANDS<sup>1</sup> &

#### PUBLIC NOTICE

JUNE 3, 1946.

In the Commission's report of allocations from 25,000 kilocycles to 30,000,000 kilocycles (Docket 6651) dated May 25, 1945, the frequency band 920-940 megacycles was allocated to the experimental broadcast services, and the 940-960 megacycle band was allocated to fixed- and experimental broadcast services, the latter band on a shared basis between broadcasting and low power fixed services such as police facsimile, control circuits, public service, special emergency automatic relays or repeaters, relay broadcast, and broadcast studio-to-transmitter links.

The Commission has received urgent inquiries as to the exact manner in which the various services mentioned above would be accommodated in the different bands provided. Potential manufacturers and users of FM studio-to-transmitter link equipment are particularly anxious to have the Commission indicate in detail the frequencies which are available to that service.

Accordingly, the following tentative service-allocation plan for the frequency bands 920-940 and 940-960 megacycles has been formulated for the various services which reflects the desire of the Commission that certain frequencies be made definitely available for the immediate use of specific services having a pressing need for them:

(1) Assignments to FM studio-to-transmitter links may be made in the upper portion of the 920-940 megacycle band in the event that future requirements indicate that insufficient space is available in the band of frequencies 940-952 megacycles.

(2) Assignments to Experimental Broadcasting Service in the 920-940 megacycle band may be made progressively upward from 920 megacycles.

(3) The band of frequencies 952-960 megacycles is to be used for fixed circuits such as police facsimile, control circuits, etc., with assignments progressing downward from 960 megacycles.

(4) The band of frequencies 940-952 megacycles is to be used for FM studio-to-transmitter links with assignments progressing upward from 940 megacycles.

(5) Assignments in the frequency bands 920-940 and 940-960 megacycles are to be on multiples of 100 kilocycles in order that a flexible channeling system may be provided. (The bandwidths

<sup>1</sup>Part 4—Rules governing broadcast services other than standard broadcast.

Part 5—Rules and regulations governing experimental radio service.

required by the different services concerned can be accommodated through the assignment of an appropriate number of adjacent channels to each station.)

(6) A frequency tolerance of .01% and a bandwidth of 500 kilocycles are advocated for FM studio-to-transmitter links.

The relatively narrow beams which may be employed by point-to-point stations in this region of the spectrum should make possible a high degree of frequency conservation by means of geographic separation as differentiated from frequency separation. It is contemplated that the authorization of FM studio-to-transmitter equipment will require the showing of a definite need for the use of a radio circuit instead of a wire circuit.

It is to be pointed out that general provisions have been made in the Commission's report of allocations from 25,000 kilocycles to 30,000,000 kilocycles (Docket 6651) dated May 25, 1945, for the operation of the above-mentioned services in bands other than 940-960 megacycles, and the policies proposed herein do not preclude such operation provided a proper need can be shown to exist. However, detailed allocation plans for such bands must necessarily be formulated around the over-all indicated requirements of all services to which the bands apply, with particular reference to the suitability of the bands for each of the services for which consideration must be given.

The Commission wishes to obtain the comments of all services which expect to use frequencies between 920 and 960 megacycles with regard to the above proposed policies and with particular attention to the following subjects:

(a) Distances to be covered and power considered necessary.

(b) Practical transmission bandwidth, frequency tolerance, and receiver selectivity data for each type of emission and communication service contemplated.

(c) Whether frequency space allowed above for each service is considered adequate.

(d) Directive characteristics of antennas proposed for each type of service and the maximum degree of directivity believed practical.

It is requested that comments from those interested in this subject be submitted in writing to the Secretary of the Commission by June 15, 1946.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F R. Doc. 46-9920; Filed, June 12, 1946;  
10:08 a. m.]

[Docket No. 6768]

**FM BROADCASTING OTHER THAN NON-COMMERCIAL EDUCATIONAL BROADCAST SERVICE ORDER PROVIDING OPPORTUNITY FOR ORAL ARGUMENT**

In the matter of promulgation of rules and regulations and Standards of Good Engineering Practice for FM broadcasting other than non-commercial educational broadcast service. Docket No. 6768.

At a session of the Federal Communications Commission held in its offices in Washington, D. C. on the 24th day of May 1946;

Whereas, it appears that the public interest, convenience, and necessity may be served by the adoption of the attached proposed amendments to the Commission's rules and regulations, and Standards of Good Engineering Practice for FM broadcasting other than non-commercial educational broadcast service;

Now, therefore, *It is ordered*, That any persons desiring to submit written statements with respect to these proposed rules and regulations and standards, file such statements with the Commission on or before June 15, 1946; and any persons desiring the opportunity of oral argument file their requests with the Commission on or before June 15, 1946; and

*It is further ordered*, That in absence of protests on or before June 15, 1946, the proposed rules and regulations and standards will be promulgated.

§ 3.202 *Areas of the United States.* For the purpose of allocation the United States is divided into two areas. The first area—area I—includes southern New Hampshire; all of Massachusetts, Rhode Island, and Connecticut; southeastern New York as far north as Albany-Troy-Schenectady; all of New Jersey, Delaware, and the District of Columbia; Maryland as far west as Hagerstown; and eastern Pennsylvania as far west as Harrisburg.<sup>1</sup> The second area—area II—comprehends the remainder of the United States not included in area I.

§ 3.203 *Class A stations.* (a) A class A station is a station which operates on a Class A channel and is designed to render service primarily to a community or to a city or town other than the principal city of an area, and the surrounding rural area. The transmitter power and antenna height of a class A station shall normally be capable of coverage equivalent<sup>2</sup> to a minimum of 0.1 kw and a maximum of 1.0 kw effective radiated power at 250 feet antenna height, as determined by the methods prescribed in the Standards of Good Engineering Practice Concerning FM Broadcast Stations. Class A stations will not be authorized with more than 1 kw effective radiated power. Standard power ratings of transmitters used for Class A stations shall be not less than 250 watts nor more than 1000 watts. A normal minimum separation for class A stations of 50 miles will be

<sup>1</sup> In some of the territory contiguous to area I, the demand for frequencies requires that applications be given careful study and consideration to insure an equitable distribution of facilities throughout the region. This region includes the remainder of Maryland, Pennsylvania, and New York (except the northeastern corner) not included in area I; Virginia, West Virginia, North Carolina, South Carolina, Ohio, and Indiana; southern Michigan as far north as Saginaw; eastern Illinois as far west as Rockford-Decatur; and southeastern Wisconsin as far north as Sheboygan. Other regions may be added as required.

<sup>2</sup> For the purpose of determining equivalent coverage, the 1000 uv/m contour should be used.

provided on the same channel and 35 miles on adjacent channels.

(b) Twenty channels beginning with 104.1 mc and ending with 107.9 mc (channels 281 through 300) are designated as Class A channels. All of these channels are available for assignment in cities which are not the central city or cities of a metropolitan district. Ten of these channels are also available for assignment in central cities of metropolitan districts which have fewer than six class B stations.<sup>3</sup>

(c) The main studio of a class A station shall be located in the city served and the transmitter shall be located as near the center of the city as practicable.

§ 3.204 *Class B stations.* (a) A Class B station is a station which operates on a class B channel and is designed to render service primarily to a metropolitan district or principal city and the surrounding rural area, or to rural areas removed from large centers of population. The service area of a class B station will not be protected beyond the 1000 uv/m contour; however, class B assignments will be made in a manner to insure, insofar as possible, a maximum of service to all listeners, whether urban or rural, giving consideration to the minimum signal capable of providing service. Standard power ratings of transmitters used for class B stations shall normally be 1000 watts or greater. In the following subsections, antenna height above average terrain and effective radiated power are to be determined by the methods prescribed in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.

(1) In area I, class B stations will be licensed to operate with a service area equivalent<sup>2</sup> to a minimum of 10 kw effective radiated power and antenna height of 300 feet above average terrain and a maximum of 20 kw effective radiated power and antenna height of 500 feet above average terrain.<sup>4</sup> In metropolitan districts in area I with a population greater than 250,000 the minimum service area shall be the equivalent<sup>2</sup> of 20 kw effective radiated power and an antenna height of 350 feet above average terrain. Class B stations in area I will not be licensed with an effective radiated power greater than 20 kw.

(2) In area II, class B stations will be licensed to operate with a service area equivalent<sup>2</sup> to a minimum of 2 kw effective radiated power and antenna height of 300 feet above average terrain and a normal maximum of 20 kw effective radiated power and antenna height of 500 feet above average terrain.<sup>4</sup> In area II,

<sup>3</sup> For the time being, until more FM broadcast stations are authorized, the Commission will not authorize class A stations in central cities of metropolitan districts having four or more standard broadcast stations.

<sup>4</sup> In the determination of appropriate coverage, consideration should be given to population distribution, terrain, service from other FM stations, trade area and other economic factors. Among the recognized trade area authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas) and Hagstrom Map Co. (Four Color Retail Trading Area Map).

where it is shown that the public interest would be served by authorizing greater power or antenna height either to serve greater area or to provide a higher signal intensity within an area, the power, antenna height, and area will be determined on the merits of the case, with particular attention being given to rural areas which would not otherwise receive service.

(b) Sixty channels beginning at 92.1 mc and ending at 103.9 mc (channels 221 through 280) are designated as class B channels.

§ 3.205 *Station location.* (a) Each FM broadcast station shall be considered located in the state and city where the main studio is located.

(b) The transmitter of each FM broadcast station shall be so located that satisfactory service is delivered to the city where the main studio is located, in accordance with the Standards of Good Engineering Practice Concerning FM Broadcast Stations: *Provided, however* Upon special showing of need, authorization may be granted to locate the transmitter so that adequate service is not rendered to this city, but in no event shall this city be beyond the 50 uv/m contour.

§ 3.206 *Main studio.* The term "main studio" means the studio from which the majority of local programs originate and/or from which a majority of station announcements are made of programs originating at remote points.

The following changes are proposed for the Standards of Good Engineering Practice Concerning FM Broadcast Stations.

2. *Engineering standards of allocation.*

A. Sections 3.202 to 3.206 inclusive of the rules and regulations describe the basis for allocation of FM Broadcast Stations, including the division of the United States into Areas I and II. Where reference is made in the rules to antenna heights of Class A stations, section 2 E (1) of these Standards should be consulted; for Class B stations, section 2 E (2) should be consulted.

B. In determining the predicted and measured field intensity contours of FM broadcast stations the following shall govern:

(1) Class A stations will normally not be required to determine their contours.

(2) Class B stations shall determine the extent of their 1000 uv/m and 50 uv/m contours.

The above contours shall be determined in accordance with the methods prescribed in these Standards.

C. Although some service is provided by tropospheric waves, the service area is considered to be only that served by the ground wave. The extent of the service is determined by the point at which the ground wave is no longer of sufficient intensity to provide satisfactory broadcast service. The field intensity considered necessary for service is as follows:

TABLE I

Area:	Median field intensity
City business or factory areas	1000 uv/m
Rural areas	50 uv/m

A medium field intensity of 3000 to 5000 uv/m should be placed over the principal city to be served, and a median field intensity of 1000 uv/m should be placed over the business district of cities of 10,000 or greater within the metropolitan district served. The location of the main studio of a class A station is specified in § 3.203 of the rules. A field intensity of 5000 uv/m should be provided over the main studio of a class B station except as otherwise provided in § 3.204 of the rules.

These figures are based upon the usual noise levels encountered in the several areas and upon the absence of interference from other FM stations.

D. A basis for allocation of satellite stations has not yet been determined. For the present, applications will be considered on their individual merits.

E. The service area is predicted as follows:

(1) *Class A stations.* A map, topographic where obtainable, shall be submitted for the area within 15 miles of the proposed antenna site. On this map shall be indicated the antenna location and a circle of 10 miles radius with the antenna location as center. Representative points shall be picked on this circle 15 degrees apart and the elevation of these points determined. The average elevation of these points will be considered the average elevation of the circle. The difference between the elevation of the center of the radiating system and the average elevation of this circle shall be considered the height of the antenna over the terrain 10 miles from the transmitter. In cases where the applicant believes this method to be grossly in error due to peculiarities of the terrain, this method shall be used for determining the antenna height but a showing may be made, if desired, determining the height by other means and describing the method used. Calculations of the service contours of Class A stations are not required.

(2) *Class B stations.* (No changes in present section 2 E (2))

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9921; Filed, June 12, 1946; 10:08 a. m.]

[Docket No. 7610]

PEORIA BROADCASTING Co. (WMBD)

ORDER DESIGNATING REINSTATED APPLICATION FOR HEARING ON STATED ISSUES

In re application of Peoria Broadcasting Company (WMBD) Peoria, Ill., File No. B4-P-2717; Docket No. 7610; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of May 1946;

The Commission having under consideration the petition of Peoria Broadcasting Company (WMBD) requesting leave to amend its above-listed application for construction permit for increase in nighttime power to 5 kw. and to make

changes in its vertical antenna for day use, and that the grant heretofore made be reinstated without a hearing;

It is ordered, That said application be, and it is hereby, reinstated as a new application as of this date, and that the petition be, and it is hereby, granted insofar as it requests leave to amend and in all other respects denied;

It is further ordered, That said application be, and it is hereby, designated for hearing upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant to construct and operate Station WMBD as proposed.

2. To determine the areas and populations which would gain or lose primary service through the operation of Station WMBD as proposed and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether such service would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of Station WMBD as proposed would involve objectionable interference with any existing broadcast service, and the nature and extent of any such interference, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operation of Station WMBD would involve objectionable interference with Station CFOS, Owen Sound, Ontario, and the nature and extent of any such interference.

6. To determine whether the operation of Station WMBD as proposed would involve interference with the pending applications of KRBC (File No. 33-B-2553) Booth Radio Stations, Inc., Grand Rapids, Michigan (File No. B2-P-4152) and Civic Broadcasting Corporation, Anderson, Indiana (File No. B4-P-4572) or with any other proposed broadcast service, and the nature and extent of any such interference, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of the station as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-9322; Filed, June 12, 1946; 10:03 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-734]

PENN-YORK NATURAL GAS CORP.

NOTICE OF APPLICATION

JUNE 10, 1946.

Notice is hereby given that on May 31, 1946, an application was filed with the

Federal Power Commission by Penn-York Natural Gas Corporation ("Applicant"), a corporation organized under the laws of the Commonwealth of Pennsylvania, with its principal place of business in Buffalo, New York, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the Applicant to construct and operate the facilities hereinafter described.

Applicant proposes to construct the following-described facilities:

(1) One additional 8" pipeline stream bed crossing at Cattaraugus Creek, parallel to, connected with, and approximately one hundred (100) feet distant from Applicant's presently existing 8" pipeline which crosses Cattaraugus Creek at a point on the Erie and Cattaraugus county line and which 8" pipeline extends from Applicant's Arcade Station in Wyoming County, New York, to its Sheridan Station, in Chautauqua County, New York, the Cattaraugus Creek crossing being located approximately twenty-five (25) miles west of said Arcade Station. The length of the proposed new pipeline crossing will be approximately one thousand (1,000) feet, and the two pipeline crossings will be joined with appropriate headers and valves to permit operation of either singly.

(2) Applicant also proposes to construct one steel building, 40' x 80' to be used as a garage, warehouse and workshop, and to be located in the Town of Arcade, Wyoming County, New York. Applicant submits that this proposed building will be located at a central point on the company's pipeline system and will provide centralized, more efficient and less costly operation of its system.

The application recites that Applicant owns and operates a pipeline which extends from Harrison Township, Potter County, Pennsylvania, to the distribution lines of Republic Light, Heat and Power Co., Inc., at two points known respectively as Billo Station, Town of Alden, Erie County, New York, and Sheridan Station, Town of Sheridan, Chautauqua County, New York. The application further states that Applicant presently has one producing gas well and that it purchases the bulk of the gas it transports and sells to Republic Light, Heat and Power Co., Inc. from New York State Natural Gas Corporation.

Applicant proposes by means of the proposed pipeline to assure maintenance of adequate service by elimination of the hazard involved, should a break occur in the one pipeline now crossing Cattaraugus Creek during flood and ice conditions. Applicant submits that the construction of the proposed pipeline will provide a much greater degree of safety and that it is in the public interest that this crossing be constructed. Applicant proposes by means of the proposed steel building to provide more centralized, more efficient and less costly operation of its system. Applicant states that it does not presently own any similar garage, warehouse and workshop facility at a central point on its system, and that its present facilities are not movable and are insufficient in size, in addition to being located

in Pennsylvania at the extreme south end of its 10" pipeline.

The estimated over-all capital cost of constructing the proposed facilities is \$20,000.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Penn-York Natural Gas Corporation should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-9954; Filed, June 12, 1946;  
11:50 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6387]

GUSTAV ADOLPH,

In re: Bank account owned by Gustav Adolph, also known as Dr. Gustav Adolph. F-28-4312-E-1.

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

1. That Gustav Adolph, also known as Dr. Gustav Adolph, whose last known address is Muenchen-Solln, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Gustav Adolph, also known as Dr. Gustav Adolph, by Manufacturers and Traders Trust Company, 284 Main Street, Buffalo 5, New York, arising out of a Trust Department Account, Account Number 2425, entitled Agent and Custodian for Gustav Adolph, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country.

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

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

[F. R. Doc. 46-9856; Filed, June 11, 1946;  
11:16 a. m.]

[Vesting Order 6300]

M. BENKIRAN

In re: Bank account owned by M. Benkiran. F-39-255-E-1.

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

1. That M. Benkiran, whose last known address is 202 Nippon Bldg., 79 Kyomachi, Kobe, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to M. Benkiran, by Wells Fargo Bank and Union Trust Co., 4 Montgomery Street, San Francisco, Calif., arising out of a Checking Account, entitled M. Benkiran, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

[SEAL]

JAMES E. MARKHALI,  
*Alien Property Custodian.*

[F. R. Doc. 46-9857; Filed, June 11, 1946;  
11:16 a. m.]

[Vesting Order 6393]

MARTIN BREITENBACH

In re: Bank account owned by Martin Breitenbach. F-28-23808-E-1.

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

1. That Martin Breitenbach, whose last known address is 4 Lichtenberg Platz, Hanover, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obliga-

tion owing to Martin Breitenbach, by Bonner County National Bank, Sandpoint, Idaho, arising out of a Checking Account, entitled Martin Breitenbach, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

[SEAL]

JAMES E. MARKHALI,  
*Alien Property Custodian.*

[F. R. Doc. 46-9858; Filed, June 11, 1946;  
11:16 a. m.]

[Vesting Order 6394]

BUNKA BOEKI SHO-SHA

In re: Debt owing to Bunka Boeki Sho-Sha, also known as Bunka Boeki Sho Sha. F-39-1409-C-1.

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

1. That Bunka Boeki Sho-Sha, also known as Bunka Boeki Sho Sha, the last known address of which is Tokyo, Japan, is a corporation, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8339, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan).

2. That the property described as follows: That certain debt or other obligation owing to Bunka Boeki Sho-Sha, also known as Bunka Boeki Sho Sha, by Kyoko Suzuki, 274 Murray Avenue, Larchmont, New York, in the amount of \$19,468, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 3, 1946.

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

[F. R. Doc. 46-9859; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6397]

ARTHUR EICHENGRUEN

In re: Debt owing to Arthur Eichengruen. F-28-7545-C-1.

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

1. That Arthur Eichengruen, whose last known address is Hotel Regina, Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: All those debts or other obligations owing to Arthur Eichengruen, by N. V. Algemeene Chemische & Technische My. "Achefem," 17 West 60th Street, New York 23, New York, including particularly but not limited to a portion of the sum of money on deposit with The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account entitled "Achetem," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

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

[F.R. Doc. 46-9860; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6398]

GUSSIE ERLICH

In re: Bank account owned by Gussie Erlich. File No. F-28-21188 E-1.

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

1. That Gussie Erlich, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Gussie Erlich, by The Bronx Savings Bank, 429 East Tremont Avenue, New York, New York, arising out of a savings account, Account Number 154,178, entitled Beckyie Moskowitz, Trustees, deceased, Gussie Erlich, Niece, Beneficiary, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on June 3, 1946.

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

[F. R. Doc. 46-9861; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6399]

STEFFI FRIEDMANN

In re: Bank account owned by Miss Steffi Friedmann. File No. F-28-1202 E-1:

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

1. That Miss Steffi Friedmann, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Miss Steffi Friedmann, by The Chase National Bank of the City of New York, 20 Pine Street, New York, New York, arising out of a suspense account, entitled Cash Travelers L/C Account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

And having made all determinations and taken all action required by law,

Including appropriate consultation and certification, and deeming it necessary in the national interest,

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

[SEAL]

JAMES E. MARKHALL,  
*Alien Property Custodian.*

[F. R. Doc. 46-9362; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6400]

GUSTAV THOS REINHOLD HANSEN

In re: Stock and bank account owned by Gustav Thos Reinhold Hansen. File No. F-28-23820-D-1.

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

1. That Gustav Thos Reinhold Hansen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Forty four shares of \$10.00 par value preferred capital stock of Acme Brewing Company, 762 Fulton Street, San Francisco, California, a corporation organized under the laws of the State of California, evidenced by Certificate Number P-827, and registered in the name of Gustav Thos Reinhold Hansen, together with all declared and unpaid dividends thereon, and all rights, including redemption, derived thereunder, and

b. That certain debt or other obligation owing to Acme Brewing Company, by the Bank of America National Trust & Savings Association, 1 Powell Street, San Francisco, California, arising out of a blocked account, Account Number 903, entitled Gustav Thos Reinhold Hansen, maintained at the branch office of the aforesaid bank located at McAllister and Fillmore Streets, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Gustav Thos Reinhold Hansen, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

[SEAL]

JAMES E. MARKHALL,  
*Alien Property Custodian.*

[F. R. Doc. 46-9363; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6401]

JOHANNA MARGARETHA HANSEN

In re: Stock and bank account owned by Johanna Margaretha Hansen. File No. F-28-23822-D-1.

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

1. That Johanna Margaretha Hansen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. Eighty seven shares of \$10.00 par value preferred capital stock of Acme Brewing Company, 762 Fulton Street, San Francisco, California, a corporation organized under the laws of the State of California, evidenced by Certificate Number P-828, and registered in the name of Johanna Margaretha Hansen, together with all declared and unpaid dividends thereon, and all rights, including redemption, derived thereunder, and

b. That certain debt or other obligation owing to Acme Brewing Company, by the Bank of America National Trust & Savings Association, 1 Powell Street, San Francisco, California, arising out of a blocked account, Account Number 925, entitled Acme Brewing Co., Trustee for Johanna Margaretha Hansen, maintained at the branch office of the aforesaid bank located at McAllister and Fillmore Streets, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Johanna Margaretha Hansen, the aforesaid national of a designated enemy country;

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return

such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on June 3, 1946.

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

[F. R. Doc. 46-9864; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6402]

WILHELM HANSEN

In re: Stock and bank account owned by Wilhelm Hansen. File No. F-28-23819-D-1.

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

1. That Wilhelm Hansen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Forty-four shares of \$10.00 par value preferred capital stock of Acme Brewing Company, 762 Fulton Street, San Francisco, California, a corporation organized under the laws of the State of California, evidenced by Certificate Number P-829, and registered in the name of Wilhelm Hansen, together with all declared and unpaid dividends thereon, and all rights, including redemption, derived thereunder, and

b. That certain debt or other obligation owing to Acme Brewing Company, by the Bank of America National Trust & Savings Association, 1 Powell Street, San Francisco, California, arising out of a blocked account, Account Number 913, entitled Acme Brewing Co., Trustee for Wilhelm Hansen, maintained at the branch office of the aforesaid bank located at McAllister and Fillmore Streets, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Wilhelm Hansen, the aforesaid national of a designated enemy country;

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

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

[F. R. Doc. 46-9865; Filed, June 11, 1946;  
11:17 a. m.]

[Vesting Order 6404]

MATHIAS JOHANNSEN

In re: Bank account owned by Mathias Johannsen. F-28-23099-E-1.

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

1. That Mathias Johannsen, whose last known address is Achtrup, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Mathias Johannsen, by Almira State Bank, Almira, Washington, arising out of a Blocked Checking Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

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

[F. R. Doc. 46-9866; Filed, June 11, 1946;  
11:18 a. m.]

[Vesting Order 6406]

AUG. KIRCHMAN

In re: Bank account owned by Aug. Kirchman, also known as August Kirchman. F-28-6948-E-1.

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

[Vesting Order 6403]

HEINRICH LATZ

In re: Bank account owned by Heinrich Latz. F-28-4174-E-1.

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

1. That Heinrich Latz, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Heinrich Latz, by Union Bank & Trust Co. of Los Angeles, Los Angeles, California, arising out of a term savings account, Account Number 85687, entitled Heinrich Latz, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 4, 1946.

[SEAL]

JAMES E. MARSHALL,  
Alien Property Custodian.

[F. R. Doc. 46-9263; Filed, June 11, 1946; 11:18 a. m.]

[Vesting Order 6410]

FRAU MARIE MEHLHORN

In re: Bank account owned by Frau Marie Mehlhorn. F-28-7802-E-1.

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

1. That Frau Marie Mehlhorn, whose last known address is Poesneck-Thur Neustader Str. 89, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Frau Marie Mehlhorn by The Hibernia Savings & Loan Society, Market, McAllister and Jones Streets, San Francisco, California, arising out of a savings account, Account Number 603 809, entitled Emil H. Zitzmann, dec'd., Trustee for Frau Marie Mehlhorn, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

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

1. That Aug. Kirchman, also known as August Kirchman, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Aug. Kirchman, also known as August Kirchman, by Citizens State Bank of Joplin, 626 Main Street, Joplin, Missouri, arising out of a checking account, entitled Aug. Kirchman, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

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

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

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

Executed at Washington, D. C., on June 3, 1946.

[SEAL]

JAMES E. MARSHALL,  
Alien Property Custodian.

[F. R. Doc. 46-9267; Filed, June 11, 1946; 11:18 a. m.]

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

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

Executed at Washington, D. C., on June 4, 1946.

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

[F. R. Doc. 46-9869; Filed June 11, 1946;  
11:18 a. m.]

[Vesting Order 6412]

MRS. PAULA MEYER

In re: Debt owing to Mrs. Paula Meyer. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Paula Meyer, whose last known address is Frankfurt/Main, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: \$23,913.53 of that certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in the amount of \$52,414.49, arising out of an inactive dollar checking account, entitled Emmanuel Vies, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing

of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on June 4, 1946.

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

[F. R. Doc. 46-9870; Filed, June 11, 1946;  
11:18 a. m.]

[Vesting Order 6415]

DR. K. MURAKAMI AND SUYE MURAKAMI

In re: Bank account owned by Dr. K. Murakami and Suye Murakami. D-39-16792-E-1.

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

1. That Dr. K. Murakami and Suye Murakami whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan),

2. That the property described as follows: That certain debt or other obligation owing to Dr. K. Murakami and Suye Murakami, by Bank of America National Trust and Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 3738A, entitled Murakami, Dr. K. or Suye, maintained at the branch office of the aforesaid bank located at Salinas, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

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

And having made all determinations and taken all action required by law, including appropriate consultation and

certification, and deeming it necessary in the national interest,

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

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

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

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

Executed at Washington, D. C., on June 4, 1946.

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

[F. R. Doc. 46-9871; Filed, June 11, 1946;  
11:18 a. m.]

[Vesting Order 6418]

ALBERT PIETZSCH

In re: Bank account owned by Albert Pietzsch. F-28-6642-E-1.

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

1. That Albert Pietzsch, whose last known address is Hofbrunn Str. 11, Muenchen-Solln, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Albert Pietzsch, by Manufacturers and Traders Trust Company, 284 Main Street, Buffalo 5, New York, arising out of a Trust Department Account, Account Number 2427, entitled Agent and Custodian for Albert Pietzsch, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evi-

dence of ownership or control by, the aforesaid national of a designated enemy country.

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

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

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

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

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

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

Executed at Washington, D. C., on June 4, 1946.

[SEAL]

JAMES E. MARKHALL,  
Alien Property Custodian.

[F. R. Doc. 46-9872; Filed, June 11, 1946; 11:19 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MFR 120, Order 1679]

CHITTUM & WILKINSON ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120. It is ordered.

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 3.

The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.214 and all other provisions of Maximum Price Regulation No. 120.

CHITTUM & WILKINSON, P. O. Box 621, ELKINS, W. VA., SILVESTER No. 2 MINE, H. V. BENTONING SEAM, MINE INDEX No. 222, HANDBOURG COUNTY, W. VA., RAIL SHIPPING POINT: COALTON, W. VA., STEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 4

	Size group Nos.				
	1	2	3	4	5
Price classification.....	J	J	J	H	H
Rail shipment and railroad fuel.....	233	233	273	233	273
Truck shipment.....	313	313	233	273	233

HALL & BOBBOR COAL CO., 217 BRYAN AVE., CLARKEBURG, W. VA., HALL No. 1 MINE, PITTSBURGH SEAM, MINE INDEX No. 220, HANDBOURG COUNTY, W. VA., RAIL SHIPPING POINT: BRYAN, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.				
	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and railroad fuel.....	233	233	233	233	233
Truck shipment.....	313	313	313	233	233

ROBERT SHATZER, PHILIPPI, W. VA., ROBERT SHATZER MINE, PITTSBURGH SEAM, MINE INDEX No. 223, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT: MERIDEN No. 3 SEAM, W. VA., STEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.				
	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and railroad fuel.....	233	233	233	233	233
Truck shipment.....	313	213	313	233	233

TAGA COAL CO., ZELLENFELDE, PA., EMERIE MINE, H. V. FREEDOR SEAM, MINE INDEX No. 221, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT: CLEMENTS, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.				
	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment and railroad fuel.....	233	233	233	233	233
Truck shipment.....	243	243	313	233	233

This order shall become effective June 12, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9886; Filed, June 11, 1946; 11:31 a. m.]

[MFR 120, Order 1631]

WALTER BLEDSOE & CO. AND ENOS COAL MINING CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered.

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 11. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.222 and all other provisions of Maximum Price Regulation No. 120.

WALTER BLEDSOE & CO., MERCHANTS NATIONAL BANK BLDG., TERRE HAUTE, IND., WICK MINE STORAGE FILE, THE VEIN SEAM, MINE INDEX No. 220, PERRY COUNTY, IND., RAIL SHIPPING POINT, PERRY COUNTY, IND., STORAGE FILE

	Size group Nos.	
	1	1
Price classification.....	1	1
Rail shipment.....	117	117
Truck shipment.....	117	117

1 Previously established.

ENOS COAL MINING CO., 415 MERCHANTS BANK BLDG., INDIANAPOLIS, IND., CANAL COAL CO., STORAGE FILE, No. 3 SEAM, MINE INDEX No. 202, PERRY COUNTY, IND., RAIL SHIPPING POINT, LITTLE, IND., STORAGE FILE

	Size group Nos.	
	14	15
Price classification.....	14	15
Rail Shipment.....	133	133

This order shall become effective June 12, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9223; Filed, June 11, 1946; 11:30 a. m.]

[MPR 120, Order 1680]

DEE UMBRIA COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (A) (6) of Maximum Price Regulation No. 120. It is ordered.

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed, by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in

which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.226 and all other provisions of Maximum Price Regulation No. 120.

DEE UMBRIA COAL CO., MULBERRY, KANS., DEE UMBRIA No. 7 MINE, CHEROKEE SEAM, MINE INDEX No. 2049<sup>1</sup> CRAWFORD COUNTY, KANS., PRODUCTION GROUP No. 1 FOR ALL METHODS OF SHIPMENT, RAIL SHIPPING POINT MULBERRY, KANS., DEEP MINE

	Size group Nos.														
	1,2,3	4	5	6	7	8	9	10	11	12	13	14	15		
By all methods of transportation including truck or wagon.....	430	430	405	390	375	380	390	365	340	325	325	305	205		
Railroad locomotive fuel (any size).....														365	

ELLIS COAL CO., BRONAUGH, MO., ELLIS COAL CO. MINE, UNNAMED SEAM, MINE INDEX No. 607,<sup>1</sup> VERNON COUNTY, MO., PRODUCTION GROUP No. 1 FOR RAIL SHIPMENT, RAIL SHIPPING POINT, BRONAUGH, MO., STRIP MINE

Rail shipment.....	333	333	338	318	313	288	283	283	283	268	213	183	153
Truck shipment <sup>1</sup> .....	348	348	323	308	293	298	308	283	258	243	243	223	123

<sup>1</sup> Previously established.

Railroad locomotive fuel:														
3" x 1/4 unwashed 3" x 0 washed.....														27
2" x 1/4 unwashed 2" x 0 washed.....														253
1 1/4" x 0 washed.....														248
Any other size not specifically listed.....														283
														3

JULIAN C. FOOTE, ROUTE No. 1, AMORET, MO., FAITHFUL No. 4 MINE, FOSTER SEAM, MINE INDEX No. 2050, BATES COUNTY, MO., PRODUCTION GROUP No. 2 FOR ALL METHODS OF SHIPMENT, RAIL SHIPPING POINT, AMORET, MO., DEEP MINE

By all methods of shipment including truck or wagon.....	445	445	420	405	390	385	405	380	360	365	365	345	230	
Railroad locomotive fuel (any size).....														390

This order shall become effective June 12, 1946.

(56 Stat: 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250; 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9887; Filed June 11, 1946; 11:31 a. m.]

The maximum prices established in paragraph (1) for Carbon Fuel No. 3 Mine, Mine Index No. 86 and all references thereto are hereby deleted.

This amendment shall become effective June 16, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9884; Filed, June 11, 1946; 11:31 a. m.]

[MPR 120, Amdt. 6 to Order 1343]

BITUMINOUS COAL IN DISTRICT 8

ESTABLISHMENT OF MAXIMUM PRICES

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

Order No. 1343 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

[Rev. SO 119, Order 251]

A. MARCHAND, INC.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* A. Marchand, Incorporated, 680 Fifth Avenue, New York, New York, may compute its adjusted ceiling prices for bathroom and closet fixtures of its manufacture by increasing by 15 percent the ceiling prices to each class of purchaser as established by Maximum Price Regulation No. 188.

As used in this paragraph "ceiling prices as established under Maximum Price Regulation No. 188", shall mean the ceiling prices established under that regulation without the inclusion in those ceiling prices either directly or indirectly of any adjustment, either individual or industry-wide.

(b) *Ceiling prices of purchasers for resale.* (1) A purchaser for resale, who had an established ceiling price prior to the effective date of this order for any article, whose manufacturer's ceiling price was adjusted in accordance with the provisions of this order, may increase that established ceiling price by 15 percent.

(2) A purchaser for resale who had no established ceiling price prior to the effective date of this order for any article whose ceiling price is subject to this order, shall determine his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is one which meets all the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the resale ceiling price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter, properly established under OPA regulations.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted ceiling prices for resales of the articles. This notice may be given in any convenient form.

(e) All requests contained in the application for price adjustment filed by A. Marchand, Incorporated, assigned OPA Docket No. 6069-SO-119-56C, not specifically granted by this order are hereby denied.

(f) The provisions of Supplementary Order No. 153 shall have no application to any sale or delivery of any article subject to this order.

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

This order shall become effective on the 11th day of June 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9919; Filed, June 11, 1946; 4:29 p. m.]

[MPR 188, Amdt. 2 to Order 5 Under Order 4418]

ERO MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Order No. 4418 under § 1499.159b of Maximum Price Regulation No. 188; *It is ordered,* That Order No. 5 under Order No. 4418 under § 1499.159b of Maximum Price Regulation No. 188, be and it hereby is amended in the following respect:

1. The table of adjustment charges in paragraph (a) for Regular Fibre Universal Seat Covers is amended to read as follows:

Regular fibre Universal seat covers:	
Coupe A.....	\$0.51
Coupe B.....	.51
Coupe C.....	.64
Coupe D.....	.76
Coupe E.....	.69
Coach A.....	1.11
Coach B.....	1.01
Coach C.....	1.00
Coach D.....	1.02
Coach E.....	1.09
Coach H-R.....	1.11
Coach K.....	.90
Sedan A.....	.75
Sedan B.....	.98
Sedan D.....	1.04
Sedan E.....	1.04
Sedan H-R.....	1.05
Sedan K.....	.87

This amendment shall become effective on June 11, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9917; Filed, June 11, 1946; 4:30 p. m.]

[MPR 120, Amdt. 22 Order 1543]

ELLIOT COAL MINING CO. ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maxi-

Producer and address	Mine names	Mine Index No.	Locality and name of preparation plant through which the coals are prepared.
Comfort Run Coal Co., Orscoke Mills, Pa.	Comfort Run No. 8..... Comfort Run No. 9.....	573 572	Commas No. 1 Preparation plant at Hevoley, Pa., on the Penn RR.

This Amendment No. 22 to Order 1543 under Maximum Price Regulation No. 120 shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9885; Filed, June 11, 1946; 11:30 a. m.]

[MPR 599, Order 22]

GENERAL MOTORS CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11a of Maximum Price Regulation No. 599, *It is ordered:*

(a) This order establishes ceiling prices for sales of automobile radios sold by the Chevrolet Motor Division of General Motors Corporation which are designed to be installed in motor cars of its manufacture.

(b) The ceiling prices for sales by the Chevrolet Motor Division of General Motors Corporation and its dealers of the radios listed below, are the prices set forth opposite each radio for sales to each class of purchaser under the terms and conditions of sale specified.

Article	Model No.	Ceiling prices for sales to—	
		Dealers	Consumers
Radio.....	935793	\$33.21	\$31.85

These ceiling prices are subject to the terms and conditions of sale including provision for transportation charges to which ceiling prices of extra or optional equipment or accessories sold by the Chevrolet Motor Division of General Motors Corporation, are subject under the provisions of Maximum Price Regulation 594 and 453 and orders thereunder. If these regulations or orders do not expressly cover a particular type of sale, these ceiling prices are subject to the seller's customary terms, discounts, allowances and other price differentials for such a sale. These ceiling prices apply only to sales of these radios on an uninstalled basis and do not include the prices of any antenna.

(c) The ceiling prices fixed by this order are exclusive of Federal excise

taxes. In addition to these ceiling prices each seller may collect the amount of the Federal excise taxes. State and local taxes may also be collected.

(d) Sellers of the radios covered by this order are not required to comply with the tagging requirements of Maximum Price Regulation No. 599, but at the time of or prior to the first invoice to a purchaser for resale of such radio the Chevrolet Motor Division of General Motors Corporation shall notify the purchaser of the ceiling prices, terms and conditions of sale established by this order.

(e) *Description.* (1) Radio, Model No. 935793 is a 6 tube, 1 band, battery power radio with a 6" x 9" electro-magnetic speaker, steel case, 9 1/2 x 9 1/2 x 7 1/2, designed for installation in automobiles manufactured by the Chevrolet Motor Division of the General Motors Corporation.

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

This order shall become effective on the 11th day of June 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9918; Filed, June 11, 1946; 4:30 p. m.]

[MPR 591, Order 590]

MILWAUKEE FILTER & SOFTENER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered.*

(a) The maximum prices for sales by any person to consumers of the following water softeners manufactured by Milwaukee Filter and Softener Company of Milwaukee, Wisconsin, and described in its nine applications dated April 4, 1946, shall be:

Model SBS-120 double unit water softener with solo valve, 20,000 grains capacity.....	\$136.75
Model SBS-120 double unit water softener with solo valve, 30,000 grains capacity.....	151.00
Model SES-140 double unit water softener with solo valve, 40,000 grains capacity.....	171.75
Model SB-120 double unit water softener with conventional valve arrangement, 20,000 grains capacity.....	100.75

Model SB-130 double unit water softener with conventional valve arrangement, 30,000 grains capacity.....	\$115.00
Model SB-140 double unit water softener with conventional valve arrangement, 40,000 grains capacity.....	132.00
Model S-120 single unit water softener with conventional valve arrangement, 20,000 grains capacity.....	79.25
Model S-130 single unit water softener with conventional valve arrangement, 30,000 grains capacity.....	91.50
Model S-140 single unit water softener with conventional valve arrangement, 40,000 grains capacity.....	114.00

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person shall be the maximum prices specified in (a) above less the following discounts:

1. On sales to a dealer, a discount of 25 percent.
2. On sales to a jobber, successive discounts of 25 and 25 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

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

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(f) Milwaukee Filter and Softener Company shall attach to each water softener covered by this order a tag containing the following:

OPA Maximum Retail Price—  
Not Installed \$.....

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

This order shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator

[F. R. Doc. 46-9892; Filed, June 11, 1946; 11:32 a. m.]

[MPR-188, Order 5032]

PARAMOUNT LEATHER GOODS  
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Paramount

Leather Goods, 779 Towne Avenue, Los Angeles 21, California.

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

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Table lamp mahogany and slunk or unborn calf base and copper shade.....	701	Each \$17.42	Each \$20.49	Each \$26.90
Table lamp mahogany and slunk or unborn calf base and parchment or rawhide shade.....	701A	18.84	22.17	39.90
Table lamp mahogany and slunk or unborn calf base and copper shade.....	703	18.80	22.12	39.80
Table lamp mahogany and slunk or unborn calf base with flower container and copper shade.....	702	18.74	22.05	39.70

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumer they are f. o. b. factory, 2 percent 10 days, net 30. The maximum price to consumers is net delivered.

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

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number, ceiling price inserted and manufacturer's or brand name inserted in the blank spaces.

OPA Retail Ceiling Price Tag  
The manufacturer's name or brand name  
Model No. ....  
OPA Retail Ceiling Price .....  
Do Not Detach

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

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

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

(f) This order shall become effective on the 12th day of June 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9889; Filed, June 11, 1946; 11:31 a. m.]

[MPR 591, Order 591]

WESTERN WATER SOFTENER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices for sales by any person to consumers of the following water softeners manufactured by Western Water Softener Company of Downey, California, and described in its application dated April 23, 1946, shall be:

Single tank water softener with conventional valve arrangement:	
Model W2—25,000 grains capacity.....	\$149.00
Model W3—37,500 grains capacity.....	186.00
Model W4—50,000 grains capacity.....	218.00
Model W6—75,000 grains capacity.....	314.00
Double tank water softener with solo valve:	
Model WSC2—25,000 grains capacity.....	210.00
Model WSC3—37,500 grains capacity.....	240.00
Model WSC4—50,000 grains capacity.....	265.00
Model WSC6—75,000 grains capacity.....	425.00

(b) The maximum net prices, f. o. b. point of shipment, for sales by any person shall be the maximum prices specified in (a) above less the following discounts:

1. On sales to a dealer, a discount of 40 percent.
2. On sales to a jobber, successive discounts of 40 and 20 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

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

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) Western Water Softener Company shall attach to each water softener covered by this order a tag containing the following:

OPA Maximum Retail Price, not installed  
\$.....

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

This order shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-9893; Filed, June 11, 1946; 11:32 a. m.]

[MPR 591, Order 592]

R C B Mfg. Co.

**AUTHORIZATION OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices for sales by any person to plumbing and heating contractors, installers and commercial and industrial users, of the following mixing valves manufactured by The R C B Manufacturing Company of Pasadena, California, and described in its two applications dated March 11, 1946, shall be:

Model MV 100—mixing valve, brass and stainless steel plated, with integral shut off valve.....	\$12.00
Models M 100, M 101, M 102—mixing valves, brass plated.....	6.00

(b) The maximum net prices f. o. b. point of shipment, for sales by any person to jobbers shall be the maximum prices determined in (a) above less successive discounts of 20% and 5%.

(c) The maximum prices established by this order are subject to such further cash discounts and transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

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

(e) Each seller covered by this order, except retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591 to date and may not be further increased pursuant to the provisions of that order as are now in effect as of the date of this order.

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

This order shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-3894; Filed, June 11, 1946; 11:32 a. m.]

[MPR 591, Order 593]

SEIDELHUBER IRON & BRONZE WORKS

**AUTHORIZATION OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices, excluding Federal excise tax, for sales by any person to consumers of the following electric water heaters manufactured by Seidelhuber Iron and Bronze Works of Seattle, Washington, and described in its application dated March 15, 1946, shall be:

Model 68SG—68 gallon electric water heater, double element, 3/16" steel tank, galvanized and insulated with fibre glass, aluminum shell.....	\$163.60
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(b) The maximum net prices, f. o. b. point of shipment, excluding Federal excise tax, for sales by any person, shall be the maximum prices specified in (a) above less the following discounts:

1. On sales to a dealer in quantities less than five water heaters, a discount of 33 1/3 percent.
2. On sales to a dealer in quantities of five or more water heaters, a discount of 40 percent.
3. On sales to a jobber, a discount of 50 percent.

(c) The maximum prices established by this order shall be subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

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

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers, except dealers, upon resale.

(f) Seidelhuber Iron and Bronze Works shall attach to each water heater covered by this order a tag containing the following:

OPA Maximum Retail Price, not installed including actual Federal excise tax paid at source \$-----

(Do Not Detach)

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

This order shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-3895; Filed, June 11, 1946; 11:33 a. m.]

[MPR 591, Order 594]

ATLANTIC BRASS WORKS, Inc.

**AUTHORIZATION OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum price for sales by any person to plumbing and heating contractors, installers and commercial and industrial users of the following swing spout sink faucet manufactured by Atlantic Brass Works, Inc. of Chicago, Illinois, and described in its application dated January 22, 1946, shall be:

9" Swing Spout Sink Faucet, concealed hose and spray, deck mounted, chrome plated.....	\$3.25
--	--------

(b) The maximum net price, f. o. b. point of shipment, for sales by any person to dealers shall be the maximum price specified in (a) above less successive discounts of 20 and 5 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942 on sales of commodities in the same general category.

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

(e) Each seller covered by this order, except a retailer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) The maximum prices approved under this order include all price increases authorized by section 2.6 of Order 48 under Maximum Price Regulation No. 591 to date and may not be further increased pursuant to the provisions of that order as are now in effect as of the date of this order.

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

This order shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-3833; Filed, June 11, 1946; 11:33 a. m.]

[REV. SO 119, Order 248]

IMPERIAL BRASS MFG. CO.

**ADJUSTMENT OF MAXIMUM PRICES**

Order No. 248 Under Revised Supplementary Order No. 119. Dockets Nos. 6123-SO 119-142 and 6123-SO 119-127. Adjustment of maximum price for sale of flush valves manufactured by the Imperial Brass Manufacturing Company of Chicago, Ill.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119, it is ordered:

(a) Maximum prices for the Imperial Brass Manufacturing Co., Chicago, Ill.

(1) The above manufacturer may determine his maximum prices for his line of flush valves by increasing by 24 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March, 1942.

(h) Resellers' maximum prices. All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) Notification of all purchasers. The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 248 under Supplementary (Revised) Order No. 119 authorizes a 24 percent increase in October 1, 1941, prices net for sales of Flash Valves manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 248.

(d) All prayers for relief not granted herein are denied.

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

This order shall become effective June 12, 1946.

Issued this 11th day of June 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-9899; Filed, June 11, 1946; 11:33 a. m.]

[MPR 188, Amdt. 1 to Order 4029]

FORREST MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In Federal Register Document 46-8048, appearing at page 5325 of the issue for Wednesday, May 15, 1946, the bracketed designation headnote should read as set forth above.

[SO 108, Special Order 16]

MEN'S AND BOYS' TAILORED CLOTHING ADJUSTMENT OF SURCHARGES FOR MANUFACTURERS

An opinion accompanying this Special Order No. 16 under section 17 of Supplementary Order 108 has been issued simultaneously herewith and filed with the Division of the Federal Register.

SECTION 1. Who is affected by this order. This order applies to all manufacturers of men's and boys' tailored clothing who made deliveries of items at any time since January 1, 1943 at selling prices established under Maximum Price Regulation 177 and who are now making deliveries of items at selling prices established under Maximum Price Regulation 607 and who have a net surcharge on June 30, 1946.

SEC. 2. Purpose of this order. This order permits manufacturers of men's and boys' tailored clothing to recalculate the amount of their net surcharges existing on June 30, 1946 in the manner set forth in section 3.

SEC. 3. How to recalculate a net surcharge. If you have a net surcharge on June 30, 1946, you may deduct from that net surcharge an amount calculated as follows:

Step 1. Find the amount of your net surcharge existing on June 30, 1946.

Step 2. For each category separately, find all units which you delivered up to the close of business on June 30, 1946 at selling prices established under MPR 607.

Step 3. For each category separately, find the total net dollar amount charged for all units found in Step 2.

Step 4. For each category separately, determine the net ceiling price under MPR 177 for each unit found in Step 2.

Step 5. For each category separately, add together all of the net ceiling prices found under Step 4.

Step 6. Find the difference in each category between the amount found in Step 3 and the amount found in Step 5.

Step 7. Add together the amounts found in Step 6 for all categories in which the amount found in Step 5 was greater than the amount found in Step 3.

Step 8. Add together the amounts found in Step 6 for all categories in which the amount found in Step 3 was greater than the amount found in Step 5.

Step 9. If the amount found in Step 8 is greater than the amount found in Step 7, find the difference between the two. This is the amount you may deduct from your net surcharge existing on June 30, 1946.

SEC. 4. Filing a report of the recalculation. If you have recalculated a net surcharge as described in section 3 above, you must file with your OPA district office, on or before July 20, 1946, two signed copies of a statement showing all the calculations found in steps 1 through 9.

This special order shall become effective June 12, 1946.

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

Issued this 12th day of June 1946.

PAUL A. PORTER, Administrator.

[F. R. Doc. 46-9968; Filed, June 12, 1946; 11:53 a. m.]

[MPR 64, Order 295]

EARLY FOUNDRY CO.

APPROVAL OF MAXIMUM PRICES Correction

In the table in paragraph (b) of Federal Register Document 46-8046, appearing on page 5325 of the issue for Wednesday, May 15, 1946, the price for "Oil tank and sump" should read: "11.50"

Regional and District Office Orders.

[Region I Supp. Order 21 Under RMPR 122]

AMBRICOAL IN BOSTON REGION

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

(a) Dealers making sales of ambricoal subject to the Region I orders under Revised Maximum Price Regulation No. 122 listed in paragraph (b) of this order, may increase the specific maximum prices therefor which are set forth in said orders by the following amounts:

Table with 2 columns: Units and Amounts. Includes rows for 'Per net ton', 'Per 1/2 ton and 1/4 ton', and 'Units smaller than 1/4 ton'.

(b) Orders affected. The provisions of paragraph (a) above shall apply to Region I orders under Revised Maximum Price Regulation No. 122, as follows:

Table with 2 columns: Order No. and Area. Lists various locations such as Lawrence, Mass., Haverhill, Mass., Lynn-Salem, Mass., Lowell, Mass., Manchester, N. H., Brockton, Mass., Taunton, Mass., Concord, N. H., Nashua, N. H., Worcester, Mass., Stoughton, Mass., Portland, Maine, Portsmouth-Kittery, N. H., Bangor, Maine, Lewiston-Auburn, Maine, Augusta, Maine, Brunswick, Maine, Rockland, Maine, Biddeford-Saco, Maine, Bath, Maine, Dover-Exeter, N. H., Providence, R. I., White River Junction, Vt., Hartford, Conn., Brattleboro-Keene, Vt., Montpelier, Vt., Norwich, Conn., Woonsocket, R. I., New Bedford, Mass., Attleboro, Mass., Fitchburg, Mass., Gardner, Mass., Fall River, Mass., Southbridge, Mass.

Subparagraphs of paragraph (o) of G-70:  
 Appendix 1..... Plymouth, N. H.  
 Appendix 2..... Greenfield, Mass.  
 Appendix 3..... Pittsfield, Mass.  
 Appendix 4..... Springfield, Mass.  
 Appendix 5..... Holyoke, Mass.  
 Appendix 8..... Amherst, Mass.  
 Appendix 9..... Metropolitan Boston.

This Supplementary Order No. 21 shall become effective as of May 6, 1946.

Issued this 14th day of May 1946.

H. RUSSELL CORT,  
*Acting Regional Administrator*

[F. R. Doc. 46-9827; Filed, June 10, 1946;  
 1:03 p. m.]

[Region I Order G-57 Under RMPR 122,  
 Revocation]

**SOLID FUELS IN NORWICH, CONN., AREA**

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended; *It is hereby ordered:* That Region I Order No. G-57 under Revised Maximum Price Regulation No. 122 (Specified Solid Fuels—Norwich, Connecticut, Area) be, and it hereby is, revoked.

This order shall become effective May 24, 1946.

Issued this 15th day of May 1946.

H. RUSSELL CORT,  
*Acting Regional Administrator.*

[F. R. Doc. 46-9826; Filed, June 10, 1946;  
 1:03 p. m.]

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

**SOLID FUELS IN BOSTON REGION**

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

(a) *What this order does.* This is a revision of Region I Order No. G-70, which established specific maximum prices for certain solid fuels when sold in specified areas in Region I. The body of the order contains the general provisions which are applicable to all solid fuels in all of the areas covered by this order. The special provisions and specific prices applicable in particular areas are set forth in appendices, separately numbered, each of which has appeared as an amendment to the original order or will appear as an amendment to this revised order.

All appendices heretofore issued under Order No. G-70 (and effective thereunder on the effective date of this revised order) shall become appendices hereof and shall retain their present numbering: *Provided, further* That the provisions,

schedules and terms contained in any such appendix, as modified or affected by any Region I supplementary order which is outstanding and applicable thereto on the effective date of this revised order, shall continue in full force and effect as so modified in such appendix under this revised order until such appendix is revised by an amendment issued to this revised order, or until the provisions of any region I supplementary order, otherwise applicable thereto, have been revoked in respect to such appendix. If any special provision in an appendix is contrary to or inconsistent with any of the general provisions, the special provision shall be controlling in the area covered by that appendix. Any solid fuel for which specific prices are not provided will continue to be priced under the provisions of Revised Maximum Price Regulation No. 122.

Nothing contained in this order shall be so construed as to permit noncompliance with any statutes of the State or States within which any area covered by this order is located, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *What this order prohibits.* Regardless of any contract or other obligation, no person shall:

(1) Sell, or in the course of trade or business, buy any solid fuel for which a specific price is established by this order at a price higher than the specific maximum price (but lower prices may be charged, paid or offered), or

(2) Obtain a higher than maximum price, directly or indirectly, by

(a) Granting less than the discounts, allowances or price differentials which are specifically required;

(b) Charging for a service unless it is expressly requested by the buyer, charging more for a service than the amount authorized by this order, or charging for any service for which a charge is not specifically authorized by this order;

(c) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States government; or

(d) Using any other device by which a higher than maximum price is obtained.

(c) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton or any sales of any quantity of bagged fuel; and *Provided further,* That the dealer need not state separately from his selling price

the amount of said tax on a sale to the United States or any agency thereof, any State government, or any political subdivision thereof.

(d) *Addition of increases in supplier's prices prohibited.* The maximum prices established by this order may not be increased by a dealer to reflect increases in purchase costs or in suppliers' maximum prices occurring after the effective date hereof, and need not be decreased to reflect decreases in such costs or maximum prices. Increases or decreases in the maximum prices established by this order to reflect such increases or decreases are within the discretion of the Regional Administrator.

(e) *Conditions upon sale of Pennsylvania Anthracites (and other solid fuels)—(1) Quality standards and applicability of prices for Pennsylvania anthracite.* All anthracite sold subject to this order shall conform to OPA quality standards, except to the extent that any anthracite which fails to conform thereto is sold pursuant to the provisions of this subparagraph.

(a) The specific maximum prices set forth in this order (or in any appendix hereto) for broken, egg, stove, chestnut, pea, buckwheat and rice sizes of Pennsylvania Anthracite may be charged only for Pennsylvania Anthracite of those sizes the ash content of which does not exceed that specified in § 1340.200 (a) (6) of Maximum Price Regulation No. 112 for the particular size.

(b) Maximum prices for Pennsylvania Anthracite received by a dealer which has been identified by his supplier prior to its resale as anthracite with an ash content in excess of OPA quality standards shall be the maximum prices established under this area order, less the following amounts:

	<i>Per net ton<sup>1</sup></i>
Broken, egg, stove and chestnut.....	\$1.00
Pea.....	.80
Buckwheat No. 1.....	.60
Rice (buckwheat No. 2).....	.50

<sup>1</sup>For sales of fractions of a net ton, the reduction shall be proportionate.

(c) Such anthracite shall be kept separate in storage and delivery from all other anthracite. Every dealer selling such anthracite must, in addition to the information required by the terms of any other invoicing requirement, place the following legend on the invoice, sales slip, or receipt:

Price reduced because of high ash content.

(2) *Higher priced anthracites.* A dealer selling anthracites under this order for which different maximum prices are established hereunder, shall segregate each such anthracite from other anthracite, except to the extent that any such anthracite is sold pursuant to the provisions of this subparagraph.

The specific dollars-and-cents prices set forth in any appendix to this Revised Order No. G-70 for any higher priced anthracite (i. e., for any anthracite other than Group I) may be charged only if the following conditions are observed:

(a) The particular coal is not mixed with any other coal, either in storage or delivery; *Provided, however,* That if a purchaser requests a delivery of a max-

ture of two or more coals, the dealer may comply with such requests if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals, and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein; *And provided further* That two or more coals may be mixed and sold at the price provided for that one which carries the lowest price, in which case the name used may be that of any coal in the mixture to which the lowest price would apply.

(b) An invoice or similar document is delivered to the purchaser which describes the coals by the names used in this order;

(c) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the higher priced coals by the names used in this order, and are complete and accurate as to any mixtures permitted by subparagraph (a) above and as to the composition thereof and name or names used therefor; and

(d) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of higher priced coals.

(3) The maximum prices set forth in any price schedule established under this order for sales of solid fuels to consumers (whether for delivered sales, yard sales, or sales f. o. b. transportation facilities, at seller's yard, or other terminal facilities) are applicable, unless otherwise specified, only to sales of solid fuels to consumers in less than railroad carlots. In connection with every sale under this order to a consumer of any solid fuel sold in not less than railroad carlots, the maximum price set forth in the applicable price schedule for the particular solid fuel shall, unless said price is specifically applicable to consumer sales in quantities of railroad carlots or greater, be reduced ten cents per net ton.

(f) *Geographical applicability.* Specific maximum prices which are established by an appendix to this order for "yard sales," sales f. o. b. transportation facilities at a dealer's yard, dock or other terminal facility, or sales at retail stores and other fixed locations shall apply to all such sales at points located in the area covered by the particular appendix, regardless of the ultimate destination of the fuel. Specific maximum prices for sales on a delivered basis shall apply to all such sales to purchasers who receive delivery within the area covered by the appendix, regardless of whether the dealer is located within that area.

(g) *Adjustable pricing.* Any person may agree to sell at whatever maximum price is in effect at the time of delivery but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

(h) *Applicability of other regulations.*

(1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122, and dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) thereof for those solid fuels for which specific maximum prices are established. However, Revised Maximum Price Regulation No. 122, as amended, shall continue to apply in all cases where specific maximum prices are not established by this or some other order, and as to all transactions prior to the date upon which specific maximum prices become effective, and all dealers shall continue to observe the requirements of § 1340.262 (a) concerning preservation of base period records.

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

(i) *Enforcement.* (1) Persons violating any provision of this order are subject to the criminal penalties, civil and enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the District Office of the Office of Price Administration having jurisdiction over the area in which the violation occurred.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale.

(2) Every dealer selling fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing:

(a) The date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged, and the terms of sale; and

(b) Separately stating any special services rendered and other charges made and the amount charged therefor.

This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement of such sales, but in the case of bagged fuel, the invoice shall be given on all sales to dealers and retail stores, and it shall show both the price per bag and the total charge.

(3) In the case of all other sales, every dealer shall comply with the invoice requirements contained in § 1340.-

263 (b) of Revised Maximum Price Regulation No. 122, as amended.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per-net-ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Definitions.* When used in this revised order, except where otherwise provided in an appendix hereto, the following terms shall have the following meanings. These definitions include only those terms which are used generally in this order and in a number of appendices. When necessary, other terms which are used in a particular appendix are specifically defined therein.

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(3) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms, "sale," "selling," "sold," "seller," "buy," "purchase," and "purchaser," shall be construed accordingly.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space, but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(7) "Unequipped dealer" means a seller who is engaged in the business of purchasing solid fuels for resale, and delivers the solid fuel resold by him to consumers from his supplier's place of business, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(8) "Anthracite" (or "Pennsylvania anthracite") means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(a) "Standard anthracite" shall mean anthracite which, prior to December 1,

1945, was priced at the mine under § 1340.200 (a) (1) of Maximum Price Regulation No. 112 (and, in the case of Area Orders, coal subject to schedules of prices headed, "Pennsylvania anthracite")

(b) Group I anthracite consists of anthracite of the following-named producers:

Glen Alden Coal Co.  
Lehigh Valley Coal Co.  
Lehigh Navigation Coal Co.  
Jeddo Highland Coal Co.  
Pennsylvania Coal Co.  
Philadelphia and Reading Coal & Iron Co.  
Susquehanna Collieries Co.  
Stevens Coal Co.  
Hudson Coal Co.

(c) Group II anthracite consists of anthracite of all other producers not within Group I.

(d) Anthracite specifically designated by name in this order, including "Premium anthracite," shall mean the following anthracites:

(i) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names, "Jeddo Coal," "Highland Coal," or "Hazle Brook Coal."

(ii) "Franklin" means that Anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name, "The Only Genuine Franklin Coal of Lykens Valley."

(iii) "Greenwood" means that Anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name, "Old Company's Lehigh-Greenwood Premium Anthracite."

(iv) "Delano" means that Anthracite produced by Delano Anthracite Collieries Company and prepared at its Delano and Park Breakers, located at Delano, Schuylkill County, Pennsylvania.

(v) "Liggetts Creek" means that Anthracite produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, which is taken from mines operated by that company in Lackawanna County, Pennsylvania. This should not be confused with William Penn Colliery Company Anthracite.

(vi) "Orange Disc" means that Anthracite produced and prepared by the Payne Coal Company, Wilkes-Barre, Luzerne County, Pennsylvania, at its Exeter Colliery, and marketed under the trade name, "Orange Disc Anthracite."

(e) "Broken," "egg," "stove," etc., sizes of Pennsylvania Anthracite refer, except in the case of deliveries in the State of Rhode Island, and except in the case of deliveries in the Commonwealth of Massachusetts, of broken, egg, stove, chestnut and pea sizes, to the sizes of such coal prepared at the mines in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

In the case of deliveries in the State of Rhode Island, said size designations refer to the legal standard sizes for

United States anthracite offered for sale in the State of Rhode Island, effective January 9, 1940, as established by the Director of Labor pursuant to Chapter 367 of the Rhode Island General Laws, 1938, as amended by Chapter 733 of the Rhode Island Public Laws of 1939.

In the case of deliveries of broken, egg, stove, chestnut, and pea sizes in the Commonwealth of Massachusetts, the reference is to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, Section 239A (Chapter 382, Acts of 1926)

(9) "New England coke" means that coke which is produced by New England Coke Company, or its affiliated producing company, at its plant in Everett, Massachusetts.

(10) "Koppers coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(11) "Providence coke" means the retort gas coke produced by the Providence Gas Company, Providence, Rhode Island.

(12) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(13) "Chain store" means a retail outlet which is a unit of four or more retail outlets under one ownership.

(14) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.

(15) "Truck" includes a wagon or other vehicle used for the transportation of solid fuels.

(16) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior as it existed under the Bituminous Coal Act of 1937, as amended, and all reference to terms defined by the Bituminous Coal Division (such as "Price Classifications") are to the definitions thereof which were in effect (or established) as of midnight August 23, 1943. All references to Producing Districts are to the geographical coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, as they were in effect (or established) as of midnight August 23, 1943.

Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.193 and 1340.200 (a) of Maximum Price Regulation No. 112 and in § 1340.208 of Maximum Price Regulation No. 120 (as well as in orders, including letter orders, issued under said regulations) together with the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, shall apply to terms used herein.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order, including any provision of any appendix to 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 in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) *Power to amend, revoke or correct.* This order, or any provision thereof, including all or any portion of any appendix hereto, may be revoked, amended or corrected at any time.

(o) *Appendices establishing specific maximum prices.*

This Revised Order No. G-70 shall become effective May 15, 1946.

Issued this 6th day of May 1946.

ELDON C. SHOUR,  
Regional Administrator.

[P. R. Doc. 46-9325; Filed, June 10, 1946; 1:02 p. m.]

[Region I Rev. Order G-70 Under EMFR 122, Amdt. 1]

#### SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (22) containing Appendix 22 (Specified solid fuels, Norwich, Connecticut) is hereby added to paragraph (a) of Region I Revised Order No. G-70 under Revised Maximum Price Regulation No. 122, to read as follows:

(c) *Appendices establishing specific maximum prices.*

#### APPENDIX 22—SPECIFIED SOLID FUELS, NORWICH, CONNECTICUT, AREA

(a) *Maximum prices established by this Appendix 22.* This Appendix 22 establishes specific maximum prices for sales of Pennsylvania anthracite, Koppers coke and ambricoal in the Norwich, Connecticut, Area by dealers, and for specified services rendered by dealers in connection with the sale and handling of said solid fuels.

Price Schedule I contains prices for sales on a delivered basis.

Price Schedule II contains prices for yard sales to consumers.

Price Schedule III contains prices for yard sales to dealers.

The Norwich, Connecticut, Area includes the following cities and towns in the State of Connecticut:

Bszrah, Colchester, Griswold, Franklin, Lebanon, Marlboro, Norwich, Preston, Salem, Sprague, and Voluntown.

(b) *Price Schedule I. Sales on a delivered basis.* (1) Price Schedule I sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis at any point in the Norwich, Connecticut, Area.

Kind and size	Net ton	½ ton	¼ ton	100 lbs.
Group I anthracite:				
Broken, egg, stove and chestnut.....	\$17.85	\$9.45	\$5.00	\$1.00
Pea.....	16.15	8.60	4.55	.95
Buckwheat.....	13.10	7.05	3.80	.75
Rice.....	12.25	6.65	3.60	.70
Yard screenings.....	4.35			
Koppers coke:				
Egg, stove and chestnut.....	16.00	8.50	4.50	.90
Ambricoal.....	16.40	8.70	4.60	.90

Provided, however, That for deliveries to consumers whose bins or storage facilities are located in Marlboro, the sum of 50 cents per ton, or 25 cents per half ton, or 15 cents per quarter ton, may be added to the foregoing prices.

(2) **Quantity discount.** The foregoing per-net-ton prices shall be reduced by 50 cents per ton on sales to consumers whose annual purchases amount to 50 tons or more. A consumer's annual purchases determine his classification whether or not he purchased all of his requirements from a single dealer.

(3) **Maximum authorized service and deposit charges.** (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Net ton	½ ton	¼ ton
For any carry or wheeling from a "direct delivery" point, exclusive of charges for carries up flights of stairs.....	\$0.50	\$0.25	\$0.15
For any carry up flights of stairs, per flight.....	.50	.25	.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be required by the dealer as a deposit on or as predetermined liquidated damages for failure to return the bags, shall be 25 cents per bag.

(c) **Price Schedule II—Yard sales to consumers.** (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Norwich, Connecticut, Area to consumers.

Kind and size	Net ton	½ ton	¼ ton	100 lbs.
Group I anthracite:				
Broken, egg, stove, and chestnut.....	\$16.85	\$8.45	\$4.20	\$0.90
Pea.....	15.15	7.60	3.80	.85
Buckwheat.....	12.10	6.05	3.00	.65
Rice.....	11.25	5.65	2.80	.60
Yard screenings.....	3.35			
Koppers coke:				
Egg, stove and chestnut.....	15.00	7.50	3.75	.80
Ambricoal.....	16.40	7.70	3.85	.80

(2) **Quantity discount.** The provisions of subparagraph (2) of paragraph (b) shall apply to the foregoing prices for yard sales to consumers.

(3) **Maximum authorized bagging and deposit charges.** (a) The maximum prices per 100 pounds are for 100 pounds

bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging quarter-ton and larger quantities, exclusive of any deposit charges on bags furnished by the dealer.

	Cents
Per net ton.....	50
Per half ton.....	25
Per quarter ton.....	15

(b) The maximum amount which may be required by the dealer as a deposit on or as predetermined liquidated damages for failure to return burlap bags furnished by the dealer, shall be 25 cents per bag.

(d) **Terms of sale—sales to consumers.** If payment is made by the buyer within 10 days after receipt of the fuel or of the invoice (or similar document required to be given therefor) whichever occurs later, the maximum prices set forth in paragraphs (b) and (c) including those prices as reduced in accordance with subparagraphs (b) (2) (c) (2) shall, except in the case of Pennsylvania Anthracite yard screenings, be reduced by \$1.00 per ton, or by 50 cents per half ton, or by 25 cents per quarter ton, which reductions are "cash discounts." No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania Anthracite yard screenings or on any sales of less than a quarter ton. If payment is not required or made at the time of delivery or of invoice or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net thirty days.

(e) **Price Schedule III, yard sales to dealers.** (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Norwich, Connecticut, Area to dealers in fuels who resell them.

Kind and Size	Net ton	½ ton	¼ ton
Group I anthracite:			
Broken, egg, stove, and chestnut.....	\$14.75	\$7.40	\$3.70
Pea.....	13.05	6.55	3.30
Buckwheat.....	10.00	5.00	2.50
Rice.....	9.15	4.60	2.30
Yard screenings.....	3.25		
Koppers coke: Egg, stove, and chestnut.....	12.90	6.45	3.25
Ambricoal.....	13.30	6.65	3.35

(2) **Terms of sale.** Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days, or net 10 days E. O. M.

(3) **Maximum authorized bagging and deposit charges.** (a) If the buyer requests such service of him, the seller may make the following charges for bagging, exclusive of any deposit charges on bags furnished by the seller.

	Cents
Per net ton.....	50
Per half ton.....	25
Per quarter ton.....	15

(b) The maximum amount which may be required by the seller as a deposit on or as predetermined liquidated damages for failure to return burlap bags furnished by the seller, shall be 25 cents per bag.

(f) **Higher priced anthracites (i. e., other than Group I Anthracite)—(1) Per-net-ton prices.** To the per-net-ton prices for Group I coals, in each of the Price Schedules set forth above, increases may be added for the coals specified below, as follows:

Size	Additional cents per ton
Group II coals:	
Broken, egg, stove, chestnut and pea.....	\$0.50
Buckwheat.....	.45
Rice.....	.30
Barley.....	.30
Jeddo Highland:	
Broken, egg, stove, chestnut, pea and buckwheat.....	.25
Rice.....	.15
Franklin Lykens:	
Broken, egg and stove.....	None
Chestnut.....	.20
Pea.....	.50
Buckwheat.....	.45
Rice.....	.20
Barley.....	.30
Greenwood: Egg, stove, nut and pea.....	.25
Delano:	
Broken, egg, stove, chestnut and pea.....	.60
Buckwheat.....	.55
Rice.....	.30
Barley.....	None
Liggetts Creek:	
Broken, egg, stove, chestnut and pea.....	.75
Buckwheat.....	.80
Rice.....	.55
Barley.....	.30
Orange Disc:	
Broken, egg, stove, chestnut and pea.....	.55
Buckwheat.....	.60
Rice.....	.55
Barley.....	.30

(2) **Fractional ton prices.** Under Price Schedule I. The half-ton price is one half of the per-net-ton price plus 50 cents. The quarter-ton price is one half of the half-ton price plus 25 cents.

Under Price Schedules II and III: The half-ton price is one half of the per-net-ton price. The quarter-ton price is one half of the half-ton price.

(3) **100-pound prices.**

For Franklin Lykens—same as Group I 100-pound price.

For Group II, Orange Disc and Delano—add 3 cents to Group I 100-pound price.

For Liggetts Creek—add 5 cents to Group I 100-pound price.

This Amendment No. 1 shall become effective May 24, 1946.

Issued this 15th day of May 1946.

H. RUSSELL CORN,  
Acting Regional Administrator

[F. R. Doc. 46-9824; Filed, June 10, 1946; 1:02 p. m.]

[Syracuse Adopting Order 9 Under Basic Order 1 Under Gen. Order 68, Amdt. 1]

BUILDING AND CONSTRUCTION MATERIALS IN SYRACUSE, N. Y., DISTRICT

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

Syracuse District Office; *It is hereby ordered.*

1. Adopting Order No. 9 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out item 11 and items 14 to 17 inclusive in Schedule A annexed to said order, and inserting in place thereof the following:

- 11. Portland cement \$0.90 (bag 94 lbs.) standard. \$3.20 (bbl.)
- 14. Fire brick—9" \$102.00 (M.) straight first quality.
- 15. Clay drain tile—3" \$0.0664 (lin. ft.)
- 16. Clay drain tile—4" \$0.0784 (lin. ft.)
- 17. Clay drain tile—6" \$0.15 (lin. ft.)

2. Adopting Order No. 9 under Basic Order No. 1 as amended under General Order 68 as amended, is further amended by inserting after the words "section 7" in said order, the letter "(a)" and adding to section 7 of said order, a subparagraph designated (b) reading as follows:

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

3. Except as hereby amended, Adopting Order No. 9 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force, and effect.

4. This amendment shall become effective immediately.

Issued this 31st day of May 1946.

GEORGE G. MOORE,  
District Director.

[F. R. Doc. 46-9905; Filed, June 11, 1946; 1:16 p. m.]

[Region II Order G-24 Under RMPR 165, Amdt. 4]

**LAUNDRY SERVICES IN NEW YORK METROPOLITAN AREA**

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region II by section 16 (a) of Revised Maximum Price Regulation No. 165, as amended, and the Emergency Price Control Act of 1942, as amended, *it is hereby ordered:*

(1) That paragraph (3) of Order No. G-24, as amended, under section 16 (a) of Revised Maximum Price Regulation No. 165, as amended, be amended by adding thereto the following named laundry and the percentage amount set opposite thereto:

St. John's Self-Service Laundry, Inc., 1642 St. John's Place, Brooklyn, 33, New York: 9%.

(2) The above mentioned applicant shall otherwise be subject in all respects

to all the provisions of said Order No. G-24, as amended, and except as therein or herein otherwise provided, shall remain in all respects subject to the provisions of Maximum Price Regulation No. 165, as amended—Services.

(3) This amendment may be revoked or amended by the Price Administrator or by the Regional Administrator of Region II through the issuance at any time hereafter of any regulation, order, amendment or supplement thereto.

(4) All of the other provisions of Order No. G-24 shall remain in full force and effect except as herein modified.

This amendment shall become effective immediately.

Issued the 31st day of May 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-9903; Filed, June 11, 1946; 1:16 p. m.]

[Region II Rev. Order G-10 Under 18 (c), Amdt. 2]

**CORDWOOD IN NEW YORK REGION**

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 § 1439.18 (c) of the General Maximum Price Regulation, Revised Order No. G-10 is amended in the following respect:

1. Paragraph (b) is amended to read as follows:

(b) The seller is permitted to add to the applicable maximum price above indicated a charge for stacking, subject to the following limitations: (1) The maximum charge which may thus be added for such stacking shall be \$2.65 per cord, \$1.35 per half cord, and 70¢ per quarter cord. (2) The additional charge made for stacking must in all cases be separately shown and separately stated on the invoice. (3) The additional charge for stacking may be made only in those cases wherein the purchaser voluntarily requests a performance of that service. It is not permissible for the seller to require, as a condition of any sales and/or delivery, that the purchaser use such seller's stacking services.

This Amendment No. 2 to Revised Order No. G-10 shall become effective May 27th, 1946.

(56 Stat. 23, 765; Pub. Law 383, 79th Cong., E.O. 9599, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued: May 24th, 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-9901; Filed, June 11, 1946; 1:16 p. m.]

[Region II Rev. Order G-53 Under RMPR 122, Amdt. 3]

**PENNSYLVANIA ANTHRACITE IN NEW YORK REGION**

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional

Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-53 is amended in the following respect:

1. Revised Appendix A is amended by adding a new item designated (8) immediately after item (6) to read as follows:

PERMITTED PER NET TON INCREASE ABOVE APPLICABLE AREA CEILING PRICE FOR ANTHRACITE, PURSUANT TO PARAGRAPH (b)

[For sales of fractions of a net ton, the increase shall be proportionate]

Kind	Broken	Egg	Stove	Nut
(5) "Hazleton Shaft"¹	\$0.25	\$0.25	\$0.25	\$0.25

Kind	Pea	Buck-wheat	Rice	Barley
(5) "Hazleton Shaft"¹	\$0.25	\$0.25	\$0.25	---

¹ This includes only anthracite produced and prepared by the Lehigh Valley Coal Co. at their Hazleton Shaft Operation for sales to destinations outside of anthracite producing region.

This Amendment No. 3 to Revised Order No. G-53 shall become effective May 22, 1946 except that for purposes of an application under paragraph (c) of Revised Order No. G-53 it shall not become effective until June-1, 1946.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 79th Cong., E.O. 9599, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued May 24, 1946.

LEO F. GENTNER,  
Regional Administrator.

[F. R. Doc. 46-9302; Filed, June 11, 1946; 1:16 p. m.]

[Newark Adopting Order 5 Under Basic Order 1 Under Gen. Order 68, Amdt. 1]

**HARD BUILDING MATERIALS IN NEWARK, N. J., DISTRICT**

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

1. Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out items 25 and 26 in Schedule A annexed to said order and inserting in place thereof the following:

25	Fire brick, 9", straight 1st Quality	\$0.69	\$0.69
	Cash	\$1.45	\$1.45
25	Fire clay—100-lb. bag	---	---

2. Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order 68 as amended, is further amended by inserting after the words "section 7" in said order, the letter "(a)" and adding to section 7 of said order, a sub-

paragraph designated (b) reading as follows:

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

3. Except as hereby amended, Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

Issued this 5th day of June 1946.

R. J. TARRANT,  
District Director.

[F. R. Doc. 46-9823; Filed, June 10, 1946; 1:02 p. m.]

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

**BUILDING MATERIALS IN TRAVIS COUNTY, TEX.**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68 and Order No. G-2, *It is hereby ordered*, That Order No. G-2 under General Order No. 68 be amended in the following respects:

1. In the price list in Appendix A the items set forth below are amended to read as follows:

Name of item	Basic unit	Maximum price f. o. b. plant, yard, siding or store, or delivered in free delivery zone
Asphalt roofing, mineral surface:		
90-lb. roll (108 sq. ft.)	Roll (108 sq. ft.)	\$3.18
99-lb. square	Square	3.18
Asphalt or tarred felt:		
15-lb. roll (432 sq. ft.)	Roll	3.01
30-lb. roll (216 sq. ft.)	do	3.01
Asphalt shingles:		
210-lb. (3 in 1) thickbutt	Square	6.69
167-lb., 2 tab. hexagon	do	5.30
Asphalt roofing, smooth surface:		
55-lb. square	do	2.52
45-lb. square	do	2.01

This order shall become effective May 31, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this 28th day of May 1946.

C. T. GIESEN,  
District Director

[F. R. Doc. 46-9820; Filed, June 10, 1946; 1:01 p. m.]

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

**BUILDING MATERIALS IN NUECES COUNTY, TEX.**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68 and Order No. G-3, *It is hereby ordered*, That Order No. G-3 under General Order No. 68 be amended in the following respects:

1. In the price list in Appendix A the items set forth below are amended to read as follows:

Name of Item and Basic Unit	Maximum price f. o. b. plant, yard, siding or store, or delivered in free delivery zone
Asphalt roofing, 90-lb., mineral surface: roll (108 sq. ft.)	\$3.18
Asphalt or tarred felt:	
15-lb. roll (432 sq. ft.)	2.96
30-lb. roll (216 sq. ft.)	2.96
Asphalt roll roofing, smooth surface:	
First grade, 45-lb. square	2.16
First grade, 55-lb. square	2.47
First grade, 65-lb. square	2.87
Asphalt shingles:	
210-lb. (3 in 1) thickbutt: square	6.69
167-lb., 2 tab hexagon: square	5.55

This order shall become effective May 27, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this 24th day of May 1946.

C. T. GIESEN,  
District Director

[F. R. Doc. 46-9819; Filed, June 10, 1946; 1:01 p. m.]

[Fort Worth Order G-7 Under Gen. Order 68]

**BUILDING MATERIALS IN WICHITA FALLS, TEX.**

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68, it is hereby ordered:

**SECTION I. What this order does.** This order establishes maximum prices for all retail sales of certain building materials specifically described in Appendix A of this order when such sales are made in the geographical area comprising the city of Wichita Falls, Texas.

**SEC. II. Definitions.** (1) The term retail sale as used in this order means any sale of the building materials covered by this order to an ultimate user or to a contractor who will resell the same on an installed basis.

(2) Free delivery zone. The term Free Delivery Zone as used in this order includes all points within a radius of 5 miles from the place from which delivery is made and all points within the corporate limits of the city of Wichita Falls, Texas.

**SEC. III. Maximum prices.** Maximum prices for commodities subject to this order are those set forth in Appendix A which is specifically made a part of this order, subject to the terms and conditions of sale and other limitations set forth therein.

**Sec. IV. The relation of this order to other regulations.** The maximum prices fixed by this order supersede any maximum prices or price determining method previously established by any other regulation or order issued by the Office of Price Administration for the commodities and sales covered by this order.

**Sec. V. Each seller making sales subject to this order shall post a copy of Appendix A of this order plainly visible to all purchasers in each of his places of business located in the area covered by this order.**

**Sec. VI. Invoices and notification.** Each seller making sales subject to this order shall, if requested by any purchaser of commodities subject hereto, make available to such purchaser for inspection a copy of this order. Each seller covered by this order is required to furnish each purchaser with an invoice at the time of sale, which must contain the following information.

1. Name and address of the purchaser.
2. A description of each commodity sold.
3. The quantity of each commodity sold.
4. The price charged for each commodity sold.
5. The type of sale, whether f. o. b. railroad car, f. o. b. seller's yard or store, delivered to job site in free delivery area, or delivered outside free delivery area.
6. If delivery is made outside the seller's free delivery zone, the amount of any delivery charges made stated separately on the invoice.
7. A statement of cash discounts allowed for prompt payment.
8. A separate statement of any amount added for the extension of credit.

Each seller is required to keep a duplicate of such invoice in his place of business, and make it available for inspection by the Office of Price Administration during regular business hours.

**SEC. VII. Addition of increase in supplier's prices prohibited.** The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the District Director.

**Sec. VIII. What this order prohibits.** Regardless of any obligation no person shall: (1) Sell, or in the course of trade or business, buy building materials at higher prices than the maximum prices set by this order; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by:

(i) Making a charge for delivery of building material items delivered within the free delivery zone hereinbefore defined:

(ii) Making a charge higher for the extension of credit than was made in March 1942 under the same or similar conditions.

(iii) Failure to give the discounts as established by your March 1942 practices.

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the building materials requested by him; or

(v) Using any other device by which a higher than maximum price is obtained directly or indirectly.

**SEC. IX. Enforcement.** (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this Order are urged to communicate with the Fort Worth District Office of the Price Administration.

**SEC. X. Building materials not covered by this order.** There are building materials sold and delivered in the area covered by this order which are not included in, and for which prices are not established in this order. The maximum prices for such building materials, when sold by any person covered by this order, shall continue to be determined under the applicable Maximum Price Regulation. Sellers who are in doubt as to the regulation applicable to such building materials should consult the Fort Worth District Office of the Office of Price Administration.

This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective June 1, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub Law 363, 78th Cong., E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at Fort Worth, Texas, this 25th day of May 1946.

E. B. HOLLOWAY,  
District Director.

Name and description of item	Sold in quantities of—	Selling unit	Maximum prices when sold at plant, yard, or store, or when delivered in city limits and a 5-mile radius of operator's plant, yard, or store, f.o.b. railroad car in case of C/Lots	Name and description of item	Sold in quantities of—	Selling unit	Maximum prices when sold at plant, yard, or store, or when delivered in city limits and a 5-mile radius of operator's plant, yard, or store, f.o.b. railroad car in case of C/Lots
Asphalt roofing, 100-lb sack or carton	100 lb. to 1900-lb.	100-lb. sack or carton	\$2.09	Metal lath:			
Brick, fire	Any	1,000 (each)	.10	2 1/2 lb. copper bearing, painted diamond mesh	LCL	1 sq. yd.	\$9.30
Cement:	Any	1,000 (per M)	75.09	2 1/2 lb. galvanized	LCL	1 sq. yd.	.32
Keene's	LCL	100-lb. bag	2.25	3 1/2 lb. copper bearing, painted diamond mesh	LCL	1 sq. yd.	.33
Masonry, Trinity mix or equal	C/L or more	Per ton	38.09	3 1/2 lb. galvanized	LCL	1 sq. yd.	.37
Portland, standard paper bags <sup>1</sup>	LCL	67-lb. bag	.70	3 1/2 lb. 3/4" copper bearing high rib, painted	LCL	1 sq. sq.	.55
Quicksset	C/L or more	268-lb. bbl	2.22	Lime:			
White	LCL	94-lb. bag	.75	Moran's hydrated, 10 lb. paper bags	LCL	60-lb. bag	.69
Clay, fire, 100-lb. bag	C/L or more	370-lb. bbl	2.65	Ohio finishing	LCL	60-lb. bag	.75
Drain tile, clay, 4"	LCL	94-lb. bag	1.05	Plaster:			
Felt:	C/L or more	370-lb. bbl	3.15	Hard wall	LCL	100 lb. bag	1.00
15-lb., asphalt or tarred	LCL	94-lb. bag	2.65	Gauging	C/L or more	Per ton	24.19
30-lb.	Any	100-lb. bag	1.45	Moulding	LCL	100 lb. bag	1.00
Hardboard, all brands:	Any	Linear ft.	.19	Roofing, asphalt:			
1/8" shorts, 4 x 2	Any	Roll (432 sq. ft.)	2.97	75-lb. mineral surface	Any	Roll (63 sq. ft.)	2.55
1/8" shorts, 4 x 3 to 4 x 4	Any	Roll (216 sq. ft.)	2.97	60-lb.	Any	Roll (63 sq. ft.)	2.03
1/8" standard lengths 4 x 6 to 4 x 12	Any	100 sq. ft.	6.59	Black smooth surface:			
1/8" tempered 4 x 6, 8, 9, 10 and 12	Any	100 sq. ft.	7.09	Lightweight, 35-lb.	Any	Roll (63 sq. ft.)	1.59
1/8" shorts, 4 x 2, 3 x 4, tempered	Any	100 sq. ft.	8.75	Mediumweight, 45-lb.	Any	Roll (63 sq. ft.)	1.64
3/16" shorts, 4 x 2, 3 x 4	Any	100 sq. ft.	9.09	Heavyweight, 65-lb.	Any	Roll (63 sq. ft.)	2.16
3/16" standard lengths, 4 x 6 to 12	Any	100 sq. ft.	10.09	Extra heavyweight, 85-lb.	Any	Roll (63 sq. ft.)	2.68
3/16" tempered, 4 x 6 to 4 x 12	Any	100 sq. ft.	12.09	Sewer pipe, vitrified clay, 4"	Any	Linear ft.	.50
3/16" tempered shorts, 4 x 2, 4 x 3, 4 x 4	Any	100 sq. ft.	11.09	Sheeting, gypsum, 1/2" plain Gyplog or equal	Any	100 sq. ft.	4.25
1/2" untempered, 4 x 12 only	Any	100 sq. ft.	15.09	Shingles, asphalt:			
1/2" tempered, 4 x 12 only	Any	100 sq. ft.	17.09	15-lb., 2 or 3 tab 11 1/2 x 27" hexagon	Any	167-lb. square	4.60
1/2" tempered, blackboard, 4 x 12 only	Any	100 sq. ft.	12.15	210-lb. to 220-lb. (3 in 1) thickbutt	Any	100-220-lb. sq.	6.20
1/2" tempered, hardboard tile, 4 x 12 and 4 x 10, 4 x 8	Any	100 sq. ft.	12.20	Siding, asbestos cement, 12" x 24" x 27" standard color	Any	100 sq. ft.	9.00
3/8" tempered, 4 x 12 only	Any	100 sq. ft.	10.09	Tile, T and G or level lap, all brands:			
Gray asbestos flexboard:				12" 16" x 32" 16" x 24", old ivory or variegated colors	Any	100 sq. ft.	6.50
3/8" x 4 x 8, plain	Any	100 sq. ft.	12.09	12" 6" x 12" 12" x 12" 16" x 16" 24" x 24", old ivory or variegated colors	Any	100 sq. ft.	7.00
3/8" x 4 x 4, scored	Any	100 sq. ft.	10.20	1/2" planking, 6" to 16" x 16", 8"	Any	100 sq. ft.	7.00
Insulation batts, thermal, paper backed:				Wallboard, fibre:			
2" thick, all brands	Any	100 sq. ft.	5.59	First quality, Atlas Beaver, Carnell, Plastogon, Square Deal or similar, 5/16"	Any	100 sq. ft.	5.00
4" full thick	Any	100 sq. ft.	7.70	Second quality, Cammarior, Bisco, Economy, or similar	Any	100 sq. ft.	4.15
Insulation, thermal, loose in paper bags	Any	40-lb. bags	1.50	3/16" 4 x 6, 7, 8, 10, and 12 Uprun (blue center) or equal	Any	100 sq. ft.	5.00
Insulation board, fiber:				1 1/2", 4 x 8, 10 & 12	Any	100 sq. ft.	5.65
3/8" standard lath and board	Any	100 sq. ft.	4.55	3/8" 4 x 8, 10 & 12	Any	100 sq. ft.	6.75
2 1/2" asphalt sheathing	Any	100 sq. ft.	7.55	Double thick, Uprun tile	Any	100 sq. ft.	7.50
Insulation board and lath, all brands:				Gypsum, 1/2"	Any	100 sq. ft.	3.30
1 1/2" board and lath, 4 x 6 to 4 x 12	Any	100 sq. ft.	8.09	Gypsum, 3/4"	Any	100 sq. ft.	3.80
1" board and lath, 4 x 6 to 4 x 12	Any	100 sq. ft.	10.09	Gypsum, 1"	Any	100 sq. ft.	4.00
Insulating lath, plaster base:				Gypsum, 1 1/2"	Any	100 sq. ft.	4.00
16 x 40 and 18 x 48, per sq. 1/2"	Any	100 sq. ft.	5.75				
16 x 40 and 18 x 48 per sq. 1"	Any	100 sq. ft.	11.09				
Gypsum lath, 3/8"	Any	100 sq. ft.	2.59				

<sup>1</sup> \$0.05 may be added to price listed above on Cement, portland, standard, when delivered in free delivery zone.

1. **Terms of sale.** Maximum prices hereinabove established are subject to the following cash discount:

(a) For sellers who were in business during March 1942, the same cash discount they had in effect during March 1942 for each quantity and type of sale made.

(b) For sellers who were not in business during March 1942, the cash discount which their most competitive seller who was in

business during March 1942 is required to make under the provisions of this Order.

2. **Additions for the extension of credit.** The following additions for the maximum prices hereinabove established may be made for the extension of credit beyond 30 days.

(a) Sellers who were in business during March 1942 are permitted to add to prices established hereinabove for the extension of credit beyond a period of 30 days, the same

additions that they had in effect during March 1942 for the same type and quantity of sale. If no extra charges were made for the extension of credit during March 1942, none may be added.

(b) Sellers who were not in business during March 1942 are permitted to make the same charge for the extension of credit which their most closely competitive seller

is permitted to make under the provisions of this Order.

3. *Free delivery zone defined.* The free delivery zone, as pertains to this Order, includes city limits and a 5-mile radius from the point from which delivery is made.

When delivery is made outside of the city limits and a 5-mile radius from the point from which delivery is made, an additional charge may be made as follows: \$25 per truck mile, one way; mileage to be calculated from the outer perimeter of the above-described zone, or \$.05 per hundredweight; whichever results in the lesser charge.

[F. R. Doc. 46-9906; Filed, June 11, 1946; 1:17 p. m.]

[San Antonio Rev. Order G-1 Under Gen. Order 68, Amdt. 1]

#### BUILDING MATERIALS IN BEXAR COUNTY, TEX.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68 and Revised Order No. G-1, *It is hereby ordered*, That Revised Order No. G-1 under General Order 68 be amended in the following respects:

1. In the price list in Appendix A the items set forth below are amended to read as follows:

##### Name of Item and Basic Unit

Name of Item and Basic Unit	Maximum price f. o. b. plant, yard, siding or store, or delivered in free delivery zone
Asphalt roofing, mineral surface, 90-lb. roll (108 sq. ft.)	\$3.02
Asphalt or tarred felt: 15-lb. roll (4 sq. yds.)	2.90
30-lb. roll (2 sq. yds.)	2.90
Asphalt shingles:	
210-lb. (3 in. 1) thickbutt; square	6.80
167-lb. 2 tab. hexagon; square	5.33
Asphalt roofing, smooth surface:	
55-lb. (1st grade) square	2.33
45-lb. (1st grade) square	1.97
65-lb. (1st grade) square	2.65

2. In the price list in Appendix A delete the item "asphalt roofing, smooth surface, 35# (1st Grade) Square 1.40.

3. In the price list in Appendix A delete the item "Asbestos cement siding, white, 18 x 24 or 27" and add the following item:

Asbestos cement siding, white, 12 x 24 or 27; square	\$9.75
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4. The second numbered paragraph following the price list in Appendix A is amended to read as follows:

2. Terms of sale for all of the commodities covered by this appendix shall be net 30 days.

5. The sixth numbered paragraph following the price list in Appendix A is amended to read as follows:

6. *Maintenance of customary discounts.* (a) All customary discounts and allowances, such as discounts for pickup by the customer must be continued as required by the applicable maximum price regulations which were controlling prior to the issuance of this order.

(b) Sellers who were not in business during March 1942, are required to adopt and maintain the customary discounts and allowances such as discounts for pickup by the customer which their most closely competitive sellers had in effect in March, 1942.

This order shall become effective May 24, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this 23d day of May 1946.

C. T. GIESEN,  
District Director

[F. R. Doc. 46-9822; Filed, June 10, 1946; 1:01 p. m.]

[San Antonio Rev. Order G-1 Under Gen. Order 68, Amdt. 2]

#### BUILDING MATERIALS IN BEXAR COUNTY, TEX.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order No. 68 and Revised Order No. G-1, *It is hereby ordered*, That Revised Order No. G-1 under General Order 68 be amended in the following respects:

1. A new paragraph is added to Appendix A to read as follows:

7. *Emergency freight.* On sales and deliveries of roofing on or before July 31, 1946, made pursuant to a AAA priority rating granted by the Civilian Production Administration, sellers may, in addition to the maximum price for roofing items listed in this Appendix A, charge and collect the exact dollars and cents amount of the additional freight cost to them per unit, which they are permitted to pay under the provisions of § 1364.63 of Revised Price Schedule 45 as amended by Amendment 9, *Provided*, the additional freight cost is stated separately on the invoice which sellers covered by this order are required to furnish their purchasers.

This order shall become effective May 29, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued at San Antonio, Texas, this 29th day of May 1946.

C. T. GIESEN,  
District Director

[F. R. Doc. 46-9821; Filed, June 10, 1946; 1:01 p. m.]

[Springfield Order G-8 Under Gen. Order 68]  
HARD BUILDING MATERIALS IN SPRINGFIELD, ILL., DISTRICT

Order No. G-8 under General Order 68. Maximum prices for retail sales of selected hard building materials in Franklin, Hamilton, Jackson, Jefferson, Perry, Saline, Wayne, White and Williamson Counties, Ill., area. File No. 6SD-GO 68-3.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68; *It is ordered*.

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A at-

tached hereto delivered to the purchaser in the Franklin, Hamilton, Jackson, Jefferson, Perry, Saline, Wayne, White, and Williamson Counties, Illinois, area. The Franklin, Hamilton, Jackson, Jefferson, Perry, Saline, Wayne, White, and Williamson Counties area for the purposes of this order consists of the area within the limits of the Counties of Franklin, Hamilton, Jackson, Jefferson, Perry, Saline, Wayne, White, and Williamson, Illinois.

SEC. 2. *Definitions*—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in the Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts, and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A attached hereto, at prices higher than the maximum prices set forth in this appendix. All prices include free delivery within the limits of the city or town where the seller maintains a place of business, except that a delivery charge of 5 cents per bag may be made on sales of plaster cement in 100 pound bags or Portland Cement Std. in 94 pound paper sacks. For other deliveries outside the free delivery zone no charge may be made for deliveries in excess of the charges now legally in effect by such seller for a similar delivery.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales to all classes of purchasers as contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner

plainly visible to all purchasers. For the convenience of the seller there are attached to this order two copies of Appendix A containing the items covered with the respective maximum prices applicable. One copy of such list may be attached and used as a poster hereinbefore required to be posted.

Sec. 6. *Sales slips and records.* Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more.)
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of those matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charges, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

Sec. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceeding and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device.

No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

This order may be modified, amended, or revoked at any time.

This order shall become effective June 5, 1946.

Issued this 29th day of May 1946.

CHAS. P. CASEY,  
District Director.

APPENDIX A—PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. *Cash discounts.* Sellers shall continue to allow all customary allowances and discounts or other price differentials as required by the regulation applicable to the commodity being sold.

2. *For all deliveries.* All prices include free delivery within the city or town where the seller maintains a place of business, except that a delivery charge of 5 cents per bag may be made on sales of plaster cement in 100-pound bags or Portland Cement Std. in 94-pound paper sacks. For deliveries outside the free delivery zone no charge may be made for delivery in excess of the charges now legally in effect by such seller for a similar delivery.

MAXIMUM PRICES TO ALL PURCHASERS

Item	Area price
Plaster cement, 100 lbs.	61.05
Plaster gauging white, 100 lbs.	2.00
Plaster gauging common, 100 lbs.	1.80
Plaster wood fiber, 10 lbs.	.20
Plaster wood fiber, 50 lbs.	.62
Plaster wood fiber, 100 lbs.	1.10
Keenes cement, 100 lbs.	2.50
Finishing lime, 50 lbs.	.75
Gypsum lath 16 x 48	27.50
Metal lath 2.5 lb. C. A. painted diamond mesh	.325
Metal lath 3.4 lb. 3/8 C. A. high rib painted	.35
Portland cement std. (paper sacks) 94#	.77
Portland cement std. (high early) 94#	.95
Masonry cement (paper sacks) per sack	.63
Mason's hydrated lime, 50 lbs.	.57
Waterproof cement (paper sacks) 94#	1.00
White cement, 94 lbs.	2.00
Shale drain tile 4" per ft.	.065
Shale drain tile 6" per ft.	.095
Vitrified clay sewer pipe No. ISS 4"	.21
Vitrified clay sewer pipe No. ISS 6"	.31
Vitrified clay sewer pipe No. ISS 10"	.63
Vitrified clay sewer pipe No. ISS 12"	.82
Flue lining 9 x 13 per ft.	.63
Flue lining 9 x 9	.45
Flue lining 13 x 13	.78
Gypsum wall board 1/2" sq. ft.	.035
Asphalt roofing 90#, mineral surface, (per roll)	2.50
Asphalt or tarred felt roofing 15#	2.50
Asphalt or tarred felt roofing 30#	2.50
Asphalt shingles 165# (hexagon)	4.00
Fibre insulation board 3/8" std. 14 sq. ft.	42.50
Fibre insulation board 1/2" std. 14 sq. ft.	50.00
Asphalt sheathing 2 1/2" 14 sq. ft.	65.00
Asbestos cement siding 12 x 24 or 27 std. colors per sq.	8.20
Asbestos cement siding 12 x 24 or 27 Glatex per sq.	9.50
Vitrified clay sewer pipe No. ISS 8"	.49

[F. R. Doc. 46-9317; Filed, June 10, 1946; 1:00 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 38]

SOLID FUELS IN NEENAH-MENASHA, WIS. AREA

(a) *Applicability.* This Appendix No. 38 applies to all delivered sales to consumers of solid fuels made by retail yards where the fuel is delivered to the purchaser within the area in the State of Wisconsin, including the cities of Neenah and Menasha, bounded on the west by Township Road BB from Township Road U to Wheeler Point Road, on the south by Wheeler Point Road from Township Road BB to Wheeler Point on Lake Winnebago, on the east by the West Bank of Lake Winnebago to Waverly Beach and then up U. S. Highway 10 to Township Road U, and on the north by Township Road U from U. S. Highway 10 to Township Road BB.

(b) *Price schedule.* (1) Immediately below and as part of this section (b) is a schedule which sets forth adjusted maximum prices before discounts for delivered sales of solid fuels of specified sizes, kinds, and quantities. All prices are stated on a net ton basis.

(i) On domestic delivered sales of less than one ton the price shall be proportional to the price per ton plus an addi-

tional charge of 50¢, but in no event shall the total price be in excess of that for a sale of one ton.

(ii) On domestic delivered sales of more than one ton for each fraction of a ton sold, the price shall be proportional to the price per ton.

PRICE SCHEDULE

	Domestic delivered, per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia)	
1. Egg size group No. 2, all double screened egg coal top size larger than 3", price classifications A and B:	
a. Screened	\$14.80
b. Shovelled or car run	14.30
2. Stove size group No. 3, all double screened stove coal top size larger than 1 1/4" but not exceeding 3" price classification A:	
a. Screened	14.30
b. Shovelled or car run	13.80
3. Nut, size group No. 4, all double screened nut coal top size larger than 3/4" but not exceeding 1 1/4" price classification A	13.80
4. Pea, size group No. 5, all double screened pea coal top size not exceeding 3/4" price classification A	12.45
5. Screenings	9.40
II. High volatile bituminous coal from district No. 6 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina)	
1. Egg:	
a. Premium Kentucky, including Millers Creek and HI Splint seams	13.15
b. Elkhorn seam	12.65
c. Splint seams	12.30
2. Stove:	
a. Premium Kentucky including Millers Creek and HI Splint seams	12.65
3. Domestic stoker: a. Premium Kentucky and Elkhorn seams	12.65
4. Screenings: a. Premium Kentucky and Elkhorn seams	12.10
III. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict deep machine mines, price group Nos. 1, 2 and 3:	
1. Egg, size group No. 5, all egg coal bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw, including 3" x 2"	10.75
IV. Pennsylvania anthracite (ash content not in excess of OPA quality standards):	
1. Egg, stove, and nut	19.75
2. Pea	18.45
V. By product coke:	
1. Milwaukee Selva and Ford	16.10
VI. Low volatile briquettes:	
1. Boks, United and Barwind	14.65
VII. Package Peabontas:	
1. Cliffs Coal Blox, manufactured by Cleveland Cliffs Iron Co.	15.85

To the above maximum prices there may be added the Federal Transportation Tax of 4¢ per ton.

(c) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for chemical or oil treatment of coal, he may add such treatment charge to the applicable maximum price established by this appendix: *Provided,*

That the treated coal is kept separate from and is not mixed with untreated coal. When a treatment charge is made pursuant to this section, the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(d) *Discounts.* The maximum prices set forth in section (b) above shall be subject to the following discounts from the net retail prices:

(i) If payment is made by the purchaser on delivery or within 10 days thereafter, \$1.00 per ton.

(ii) For coal picked up at the yard by a domestic consumer, 50¢ per ton.

(iii) For deliveries of 20 tons or more at one time to one destination in load lots, 50¢ per ton.

(iv) Maximum prices for Pennsylvania Anthracite, received by a dealer which has been identified by his supplier prior to its resale as anthracite with an ash content in excess of OPA quality standards shall be the maximum price established by this order less the following amounts:

	Per ton
Egg, stove, and nut	\$1.00
Pea	.80

(e) *Additional charges.* Immediately below and a part of this paragraph (e) is a schedule of service charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be stated separately on the dealer's invoice.

SCHEDULE OF SERVICE CHARGES (PER TON)

	Coal	Coke
Carrying from curb to bin	\$0.60	\$0.90
Carrying up or down stairs	1.20	1.75

(f) *Commercial and steam sales.* Commercial and steam sales shall continue to be priced under the provisions of Revised Maximum Price Regulation No. 122.

(g) *Notification.* Every dealer subject to this order selling Pennsylvania anthracite which has been identified by his supplier prior to its resale as anthracite with an ash content in excess of OPA quality standards must place the following legend on the invoice, sales slip, or receipt: "Price reduced because of high ash content." Such anthracite must be kept separate in storage and delivery from all other anthracite.

(h) *Definitions.* (1) "Domestic sales" means all sales other than sales made to commercial and industrial users such as hotels, industrial plants, office buildings, large department store and institutional users such as hospitals, public institutions, and public buildings.

(2) The term "delivered" means dumping or chuting the fuel from the seller's trucks directly into the buyer's bin or storage space; but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(3) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in

Revised Maximum Price Regulation No. 122 or in the Emergency Price Control Act of 1942, as amended; if not therein defined they shall be given their ordinary and popular trade meaning.

This order, designated as Appendix No. 38, as in the title above, shall be effective June 1, 1946, but it may be amended, modified, or revoked at any time.

Issued this 27th day of May 1946.

R. E. WALTERS,  
Regional Administrator

[F. R. Doc. 46-9818; Filed, June 10, 1946;  
1:00 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1905]

SUBURBAN ELECTRIC SECURITIES CO.

ORDER GRANTING APPLICATION AND IMPOSING TERMS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of June, A. D. 1946.

In the matter of Suburban Electric Securities Company, Common Stock, no par value, \$4.00 Cumulative Second Preferred Stock, no par value; File No. 1-1905.

Suburban Electric Securities Company having filed an application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 adopted thereunder, to withdraw its common and second preferred stock from listing and registration on the Boston Stock Exchange; a hearing having been held after appropriate notice, a trial examiner's report having been filed, exceptions thereto taken, and briefs filed, and the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion and pursuant to section 12 (d) of said act; *It is hereby ordered*, That said application be and hereby is granted,

*Provided, however* That withdrawal shall not become effective until 10 days after the date when the applicant shall have filed with the Commission a certificate showing:

(1) That within 30 days from the date of the issuance of this order, applicant has submitted the proposal to withdraw to the holders of record of its outstanding common stock and second preferred stock for their consent through solicitations which comply with section 14 of the act and the rules and regulations thereunder and setting forth in full Appendix I of this opinion; and

(2) That within 60 days from the date of the first mailing of such solicitations, not less than two-thirds of the holders of record of the common stock and not less than two-thirds of the holders of record of second preferred stock, and the holders of record of two-thirds of the shares of each class of such stock, have consented, either by vote (in person or by proxy) at a meeting, or in writing without a meeting, to

the withdrawal of such stock from listing and registration;

*And provided*, That in the event the said securities are withdrawn from listing and registration, prior to the purchase of any of its shares, applicant shall furnish the seller:

(1) A statement stating that the applicant is the purchaser; the price at which the last repurchase was consummated and the date and number of shares involved in that transaction; the number of common and preferred shares (enumerated separately) originally issued, still outstanding and the number held by every trustee and officer of the applicant; and

(2) A balance sheet, itemized surplus statement, and profit and loss statement of the applicant and a consolidated balance sheet, itemized surplus statement, and profit and loss statement of the applicant and its subsidiaries, conforming to generally accepted accounting principles, as of the close of a time within twelve months of the date on which they are being furnished pursuant to this order;

*And provided further*, That applicant mail to the Commission a copy of the original statements intended to be furnished to security holders pursuant to this order no later than five days in advance of the use of said statements, and, no later than five days in advance of the use thereof, a copy of all amendments thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 46-9910; Filed, June 11, 1946;  
3:02 p. m.]

[File No. 70-1271]

COLUMBIA GAS & ELECTRIC CORP. AND DAYTON POWER AND LIGHT CO.

ORDER CLOSING RECORD AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of June 1946.

Columbia Gas & Electric Corporation ("Columbia") a registered holding company and a subsidiary of The United Corporation ("United"), also a registered holding company, and Columbia's public utility subsidiary, The Dayton Power and Light Company ("Dayton"), having filed a joint application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 with respect to, among other things, the sale by Columbia of 1,530,000 shares of common stock, \$7 par value, of Dayton in accordance with the competitive bidding requirements of Rule U-50; and

The Commission having, by order dated May 23, 1946, granted the application and permitting the declaration to become effective, subject, however, to a reservation of jurisdiction over the price to be paid Columbia for the Dayton common stock and the underwriters' spread and its allocation and all legal fees and

other expenses to be paid in connection with the proposed transactions; and

Applicant and declarant having, on June 6, 1946, filed a further amendment to the application-declaration stating that Columbia had offered the common stock of Dayton for sale, pursuant to the competitive bidding requirements of Rule U-50, and had received the following bids:

	<i>Price per share to company</i>
<i>Bidder</i>	
Blyth & Co., Inc., and Mellon Securities Corp.....	\$33.639
Morgan, Stanley & Co. and W. E. Hutton & Co.....	30.6399

The amendment further stating that Columbia has accepted the bid of Blyth & Co., Inc., and Mellon Securities Corp. for the common stock of Dayton, as set out above, and that the stock will be offered for sale to the public at a price of \$35.75 per share resulting in an underwriters' spread of \$2.111 per share; and

The Commission having examined the amendment and having heard further testimony and oral argument with respect to the bids submitted and having on June 6, 1946, issued its memorandum opinion concluding that, in view of the difficult questions raised under the Public Utility Holding Company Act of 1935 and the further complications which might result if certain indicated violations of the Securities Act of 1933 were established, it would be inadvisable to enter a definitive order under the Public Utility Holding Company Act of 1935 prior to 8:00 p. m., e. d. s. t., of that date, the time of expiration of the underwriting contract; and

The Commission having this day been advised of an extension of the underwriting contract for a period of twenty-four hours until 8:00 p. m., e. d. s. t., June 7, 1946; and

The Commission having further examined the record in the proceedings under the Public Utility Holding Company Act of 1935 and now being satisfied that the applicable requirements of such Act have been met, and being further satisfied that any violations of the Securities Act of 1933 which may have occurred would not require denying the application or withholding effectiveness of the declaration filed under the Public Utility Holding Company Act of 1935;

*It is ordered*, That the record reopened by Commission's order dated June 6, 1946, be, and the same hereby is, closed except with respect to legal fees and other expenses to be paid in connection with the proposed transaction, as to which matters jurisdiction was heretofore reserved.

*It is further ordered*, That the jurisdiction heretofore reserved with respect to the price to be paid Columbia for the Dayton common stock and the underwriters' spread and its allocation be, and the same hereby is, released, and that said application and declaration, as amended, be, and hereby is, granted and permitted to become effective, respectively, subject, however, to the terms and conditions prescribed in Rule U-24.

An opinion will issue in due course.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8911; Filed, June 11, 1946; 3:02 p. m.]

[File No. 70-1239]

AMERICAN GAS AND ELECTRIC CO. AND OHIO POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of June, A. D. 1946.

American Gas and Electric Company ("American"), a registered holding company, and its subsidiary, Ohio Power Company ("Ohio Power"), having filed an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder with respect to the following transactions.

American is the owner of all the presently outstanding 4,792,952 shares of no par value common stock of Ohio Power. American proposes to purchase from Ohio Power and Ohio Power proposes to sell to American 200,000 shares of no par value common stock of Ohio Power for a cash purchase price of \$4,000,000. Ohio Power proposes to apply the proceeds from the sale of said common stock together with treasury cash to the payment of its presently outstanding bank loans in the principal amount of \$4,750,000. American, in effecting the proposed transactions, states that it intends to utilize \$3,441,266 of the proceeds from the sale of its holdings of the common stock of The Scranton Electric Company together with \$558,734.00 of its general corporate funds.

Ohio Power requests that the requirement to increase its earned surplus by \$1,000,000 per year through the year 1948 contained in the Commission's order dated March 26, 1941, be removed concurrently with the payment of said bank loans. The application states the consummation of the proposed transactions is contingent upon the approval by the Commission of the above request by Ohio Power.

The application states that the Public Utilities Commission of Ohio which has jurisdiction over the proposed issuance and sale of common stock and the use of the proceeds thereof has approved the proposed transactions.

American has requested that the Commission enter an order reciting that the proposed use by American of \$3,441,266 of the proceeds of the sale by American of the common stock of The Scranton Electric Company for the proposed purchase by American from Ohio Power of the said 200,000 shares of no par value common stock of Ohio Power for a cash purchase price of \$4,000,000 is necessary and appropriate to the integration or simplification of the Holding Company System of which American is a member and neces-

sary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the pertinent requirements of sections 371 and 1803 of the Internal Revenue Code, as amended, and contain the recitals, specifications and itemizations therein required.

Said application having been filed on May 17, 1946, and said amendments having been filed on May 22, 1946, and June 6, 1946, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 of said act and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered the hearing thereon; and

The Commission finding that the proposed transactions hereinabove mentioned satisfy the requirements of the provisions of the act and the rules thereunder, insofar as they are applicable, and that it is appropriate in the public interest and the interest of investors and consumers that said application be granted and that the effective date therein be advanced:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application be, and the same hereby is, granted.

*It is further ordered*, That, upon consummation of the proposed transactions, the dividend restriction with respect to the common stock of Ohio Power contained in the order of the Commission dated March 26, 1941 be modified to eliminate therefrom the requirement that Ohio Power increase its earned surplus by \$1,000,000 per year for the years 1946-1948, inclusive.

*It is further ordered and recited*, That the use by American of the balance of \$3,441,266 of the proceeds of the sale of the common stock of The Scranton Electric Company for the purchase of shares of the common stock of the Ohio Power Company is necessary and appropriate to the integration or simplification of the Holding Company System of which American is a member, and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-8903; Filed, June 11, 1946; 3:02 p. m.]

[File No. 70-1305]

AMERICAN GAS AND ELECTRIC 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 7th day of June, A. D. 1946.

American Gas and Electric Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, hav-

ing filed a declaration and an amendment thereto pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder regarding the following proposed transactions:

American Gas and Electric Company proposes to redeem 204,000 shares of its 4% Cumulative Preferred Stock at the redemption price of \$110 per share, plus accrued dividends to the redemption date. Such redemption prices will total \$22,440,000, exclusive of accrued dividends. The redemption provisions relating to such stock require 30 days' notice of the intention to redeem. American Gas and Electric Company, in effecting the proposed transactions, will employ a major portion of the \$25,881,266 realized from the sale of its holdings of Common Stock of The Scranton Electric Company.

American Gas and Electric Company has requested that the Commission enter an order reciting that the proposed use of \$22,400,000 of the proceeds from the sale of its holdings of Common Stock of The Scranton Electric Company to redeem 204,000 shares of its (American's) 4% Cumulative Preferred Stock at the redemption price of \$110 per share is necessary and appropriate to the integration and simplification of the holding company system of which American is a member and necessary or appropriate to effectuate the provisions of Section 11 (b) of the act, and that such order conform to the pertinent requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, and contain the recitals, specifications and itemizations therein required.

Said declaration having been filed on the 22nd day of May, 1946, and a notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the Act and the rules thereunder are satisfied and deeming it appropriate in the public interest and the interest of investors and consumers that said declaration be permitted to become effective and that the effective date thereon be advanced:

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

*It is further ordered and recited*, That the use by American of \$22,440,000 of the proceeds of the sale of the Common Stock of The Scranton Electric Company for the redemption of a part of American's publicly-held 4% Cumulative Preferred Stock is necessary and appropriate to the integration or simplification of the Holding Company System of

which American is a member, and necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 46-9908; Filed, June 11, 1946;  
3:02 p. m.]

[File Nos. 54-67 and 59-64]

PEOPLES LIGHT AND POWER CO. ET AL.

SUPPLEMENTAL ORDER REVISING PROCEDURE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 11th day of June, A. D. 1946.

In the matter of Peoples Light and Power Company and subsidiary companies, File No. 54-67; Peoples Light and Power Company, California Public Service Company, Texas Public Service Farm Company, Texas Public Service Company, West Coast Power Company, File No. 59-64.

The Commission having by order dated September 14, 1945 approved the plan of Peoples Light and Power Company ("Peoples"), filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, which plan, among other things, provided for holding a meeting of stockholders for the election of a new board of directors and outlined the procedure for the nomination and election of said directors;

The procedure outlined in the plan for the nomination and election of a new board of directors of Peoples having provided, in part, that within 20 days after the close of nominations, Peoples would fix a date for and issue a notice of meeting for election of directors;

The Commission having reserved jurisdiction to revise or to pass upon any revision of the procedure set forth in the plan for the nomination and election of a new board of directors;

Peoples having informed the Commission that nominations for directors closed on May 20, 1946, and having requested the Commission to extend the time within which the company will fix a date for and issue a notice of meeting for the election of directors, from within 20 days after the close of nominations to within 30 days after the close of nominations in order to enable Peoples to obtain certain information for inclusion in the Proxy Statement which will accompany the notice of meeting for election of directors; and

The Commission deeming it appropriate in the public interest and for the protection of investors and consumers to grant the request of Peoples:

*It is ordered*, That the procedure outlined in Peoples' plan for the nomination and election of a new board of directors be, and the same hereby is, revised to the extent that the time within which Peoples (now, by change of name, Texas Public Service Company) will fix a date for and issue a notice of meeting for the election of directors shall be ex-

tended to within 30 days after the close of nominations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 46-9929; Filed, June 12, 1946;  
10:54 a. m.]

[File No. 70-1279]

CENTRAL INDIANA GAS CO. AND CONSOLIDATED ELECTRIC AND GAS CO.

SUPPLEMENTAL ORDER GRANTING JOINT APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of June, A. D. 1946.

Consolidated Electric and Gas Company ("Consolidated") a registered holding company, and Central Indiana Gas Company ("Central Indiana"), a gas utility subsidiary company of Consolidated having filed a joint application and declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, regarding, among other things, the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$3,250,000 principal amount of first mortgage bonds, due May 1, 1971, the price to Central Indiana and the interest rate for such securities to be fixed by competitive bidding;

The Commission having by Order entered herein, under date of May 20, 1946, granted and permitted effectiveness to the application and declaration, as amended, regarding the issuance and sale

of the aforesaid bonds subject, however, among other things, to the condition that the proposed issuance and sale should not be consummated until the results of competitive bidding held pursuant to Rule U-50 have been made a matter of record in this proceeding and a further order entered by this Commission in the light of the record so completed; Central Indiana now having filed an amendment to its application and declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids, separate bids were received as follows:

Underwriter	Percent of principal amount	Coupon rate	Cost to Central Indiana
		Percent	
Kidder, Peabody & Co.....	101.03	2%	2,81733
Salomon Bros. & Hutzler.....	100.837	2%	2,82304
Halsey Stuart & Co.....	100.63	2%	2,83961
White, Weld & Co. and Shields & Co.....	100.149	2%	2,86661
The First Boston Corp.....	100.019	2%	2,87231
Central Republic Co.....	101.3999	3	2,92071

It further appearing that Central Indiana has accepted the bid of Kidder, Peabody & Co. that the bonds are to be resold to the public at 101.625% of the principal amount thereof plus accrued

interest from May 1, 1946, to the date of delivery representing a spread to the underwriters of 0.595% on said bonds;

*It is ordered,* That said joint application and declaration, as amended be and the same hereby is granted and permitted to become effective forthwith subject to the terms and conditions prescribed by Rule U-24, and that the jurisdiction heretofore reserved over the payment of all legal fees and expenses in connection with the proposed transaction, consisting of a fee of \$7,500 to Milbank, Tweed, Hope, Hadley & McCloy as counsel for Central Indiana, and a fee of \$5,000 and expenses of \$250 to Debevoise, Stevenson, Plimpton & Page, as counsel for the purchasers, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-9930; Filed, June 12, 1946;  
10:54 a. m.]

[File Nos. 54-94 and 59-59]

AMERICAN STATES UTILITIES CORP. ET AL.  
ORDER GRANTING REQUESTED FURTHER EXTENSION OF TIME TO FILE AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of June A. D. 1946.

In the matters of American States Utilities Corporation, Edison Sault Electric Company, Southern California Water Company, Applicants, File No. 54-94; American States Utilities Corporation, et al., Respondents, File No. 59-59.

American States Utilities Corporation ("American States") a registered holding company, and its subsidiaries, Edison Sault Electric Company ("Edison Sault") and Southern California Water Company ("Southern California") having filed a plan herein pursuant to Section 11 (e) of the Public Utility Holding Company Act of 1935; and

The Commission, in its findings and opinion herein dated April 11, 1946, having found that said plan, if amended in certain respects, would be necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected by said plan; and

The Commission having stated in said findings and opinion that if, within 30 days from the date thereof (or such additional time as may be applied for upon a proper showing) an amendment not inconsistent with said findings and opinion were not filed, an order would be entered disapproving said plan; and

The Commission having previously granted an extension of time to the applicants by order dated May 3, 1946, to June 10, 1946, within which to file an appropriate amendment to said plan; and

American States, Edison Sault and Southern California having filed on May 24, 1946, a motion applying for a further extension of time from June 10, 1946, to July 10, 1946, within which to file an appropriate amendment to said plan, for the reason that certain studies and in-

vestigations are necessary and appropriate at this time with respect to the possibility of selling the principal asset of American States, and that such studies and investigations will not enable the management to prepare and file an appropriate amendment prior to July 10, 1946;

The Commission having considered said application and it appearing that the requested extension of time may appropriately be granted;

*It is ordered,* That the application of American States, Edison Sault and Southern California for an extension of time to July 10, 1946, to file an appropriate amendment to their plan in accordance with the Commission's findings and opinion herein dated April 11, 1946, be, and it hereby is granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-9931; Filed, June 12, 1946;  
10:54 a. m.]

[File Nos. 54-39, 54-69, 59-65]

LACLEDE GAS LIGHT CO. ET AL.

INTERIM ORDER WITH RESPECT TO PAYMENT OF FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of June A. D. 1946.

In the matters of the Laclede Gas Light Company, Laclede Power & Light Company, Phoenix Light, Heat and Power Company, Ogden Corporation, File No. 54-39; Ogden Corporation and subsidiary companies, File No. 54-69; Ogden Corporation and subsidiary companies (Respondents), File No. 59-65.

Ogden Corporation ("Ogden"), a registered holding company, and its subsidiaries, The Laclede Gas Light Company ("Laclede Gas"), Laclede Power & Light Company ("Laclede Electric") and Phoenix Light, Heat and Power Company, having filed applications and declarations and amendments thereto under section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935, with respect to a plan providing, among other things, for the sale of the electric properties operated by Laclede Electric, the dissolution of Laclede Electric, the recapitalization of Laclede Gas, and the sale by Ogden of the new common stock of Laclede Gas received by Ogden under the provisions of the plan (File No. 54-39)

The Commission having entered orders on May 27, 1944, and December 2, 1944, approving said plan, as amended, subject to certain terms and conditions, including the condition that the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated or awarded by further order or orders of the Commission;

Laclede Gas having filed a statement requesting that the Commission enter an order approving the payment of a bill for

fees and expenses rendered by the firm of Deloitte, Plender, Griffiths & Co., in the amount of \$15,700 for professional services rendered in connection with the Plan of Reorganization;

The Commission having considered the record, and finding that the aforesaid fees and expenses are not unreasonable in amount and may appropriately be paid by Laclede Gas, without prejudice however to the ultimate allocation of the cost as among Laclede Gas, Laclede Electric and Ogden;

*It is ordered,* That jurisdiction be, and it hereby is, released as to the reasonableness of the aforesaid fees and expenses and that payment thereof by Laclede Gas be, and it hereby is, approved.

*It is further ordered,* That jurisdiction heretofore reserved by the Commission with respect to allocation of fees and expenses incurred in connection with said plan be continued with respect to the ultimate allocation of the aforesaid fees and expenses.

*It is further ordered,* That jurisdiction be, and it hereby is, reserved with respect to the amount and allocation of all other fees and expenses incurred or to be incurred in connection with said plan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-9332; Filed, June 12, 1946;  
10:54 a. m.]

[File No. 70-1275]

PHILADELPHIA ELECTRIC POWER CO. AND  
THE SUSQUEHANNA POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of June 1946.

Philadelphia Electric Power Company (PE Power), a registered holding company and a subsidiary of Philadelphia Electric Company, and PE Power's subsidiary, The Susquehanna Power Company (Susquehanna), having filed a joint application and declaration under sections 6, 7 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-50 promulgated thereunder regarding (1) the issue and sale by PE Power of \$30,000,000 principal amount of First Mortgage Bonds pursuant to the competitive bidding requirements of Rule U-50; \$12,000,000 principal amount of serial notes maturing semi-annually in equal amounts from January 1, 1947, to July 1, 1956, inclusive, bearing interest at the rate of 1.68% per annum; a maximum of 120,000 shares of common stock, having an aggregate par value of \$3,000,000 to Philadelphia Electric Company for cash at par value; and 242,000 shares of common stock, having an aggregate par value of \$6,050,000, in exchange for \$6,050,000 principal amount of 6% demand notes held by Philadelphia Electric Company (2) Susquehanna's proposal to join with PE Power in the execution of the supplemental indenture securing the new is-

sue of bonds and to guarantee the payment of the principal and interest of the bonds and serial notes to be issued by PE Power; and (3) the use of the proceeds of the issue and sale of the bonds, notes and common stock by PE Power to redeem its outstanding First Mortgage Gold Bonds, 5½% Series, due 1972, in the principal amount of \$29,731,000, at the redemption price of 105½% of the principal amount thereof plus accrued interest and to redeem its outstanding 480,000 shares of 8% Cumulative Preferred Stock, having a par value of \$25 per share, at the redemption price of \$28 per share plus accrued dividends; 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 application and declaration be, and the same hereby are, granted and permitted to become effective, respectively, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed issue and sale of the bonds shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

*It is further ordered*, That jurisdiction be, and hereby is, reserved over the payment of the financial adviser's fee and all fees and expenses of counsel in connection with the proposed transactions, including the fees and expenses of counsel for the bidders.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-9933; Filed, June 12, 1946;  
10:54 a. m.]

[File Nos. 70-1246 and 54-128]

NY PA NJ UTILITIES CO. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of June 1946.

In the matters of NY PA NJ Utilities Company, Metropolitan Edison Company, File No. 70-1246; National Power & Light Company, Pennsylvania Power & Light Company, File No. 54-128 (Supplemental Application) (Public Utility Holding Company Act of 1935)

NY PA NJ Utilities Company, a registered holding company, and Metropolitan Edison Company ("Met Ed"), a subsidiary thereof, and National Power

& Light Company, a registered holding company, and Pennsylvania Power & Light Company ("Pennsylvania"), a subsidiary thereof, having filed applications and declarations pursuant to sections 9 (a) 10 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder with respect to the acquisition by Met Ed of the outstanding capital stock and scrip of The Edison Illuminating Company of Eastern ("Edison") from Pennsylvania for a consideration of \$298,179 plus a sum equal to the net assets of Edison at the date of closing.

Said applications and declarations having been consolidated and, after appropriate notice, a hearing having been held on such consolidated matters, the Commission having considered the record in this matter, and having made and filed its findings and opinion herein;

*It is hereby ordered*, That, pursuant to the applicable provisions of said Act, said applications and declarations be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act and to the further condition that Metropolitan Edison Company, upon acquisition of the capital stock and scrip of The Edison Illuminating Company of Eastern, provide in its accounts a reserve equal to the amount of such excess of the purchase price over underlying book value as may exist at the closing date, or, in the alternative, write off such excess against its earned surplus account.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-9935; Filed, June 12, 1946;  
10:55 a. m.]

[File No. 70-1307]

CAMBRIDGE ELECTRIC LIGHT CO. AND NEW ENGLAND GAS AND ELECTRIC ASSN.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of June 1946.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association (New England) a registered holding company, and its subsidiary, Cambridge Electric Light Company (Cambridge), and

Notice is further given that any interested person may, not later than June 21, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reason 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 there-

after such application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

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

Cambridge proposes to issue its notes payable to The First National Bank of Boston in amounts not exceeding in the aggregate \$3,338,000, all of such notes to be issued and dated prior to March 31, 1948, in such denominations as Cambridge shall elect at the time of issue to mature not later than December 31, 1951, and to bear interest at a rate not exceeding 2% per annum.

Cambridge has presently outstanding indebtedness aggregating \$500,000 due The First National Bank of Boston, represented by notes maturing June 30, 1946. The new notes will be issued to retire said existing notes maturing June 30, 1946, and thereafter in such amounts as may be necessary to pay for proposed additions and betterments to the plant and property of Cambridge.

As soon as the loans made by The First National Bank of Boston shall aggregate \$1,000,000 and completed fundable additions to plant are at least \$1,000,000, Cambridge will issue and sell additional shares of its capital stock sufficient to provide \$1,000,000, which cash will be applied to the reduction of its note indebtedness. Under the terms of the loan agreement with The First National Bank of Boston, New England will at that time purchase such additional capital stock when the same has been duly authorized and issued. It is the further intention of Cambridge that the remainder of the temporary borrowings will eventually be replaced by an issue of first mortgage bonds.

The application by Cambridge is filed pursuant to section 6 (b) for exemption from the provisions of section 6 (a) of the act of the issue and sale of the notes payable in the aggregate amount of \$3,338,000. New England has joined in the filing under section 12 (f) of the act by reason of its participation in the loan agreement with The First National Bank of Boston; it agrees therein, subject to approvals required of regulatory authorities, to purchase the new additional shares of capital stock of Cambridge to be issued in the future.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-9934; Filed, June 12, 1946;  
10:54 a. m.]