1. GENERAL

2. RELATIONS WITH MRE.

(MEMORANDUM OF UNDERSTANDING)
EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD
INTER-OFFICE COMMUNICATION

DATE August 26, 1944

TO
Mr. Lesser

FROM
Mr. Mann

Late Friday afternoon Mr. Jeremias called me concerning difficulties which he was having in connection with what he termed "The French Project". As I understand it, Brunot over at the President's War Relief Fund insisted on getting the views of the War Refugee Board. He called and was informed that you were out of town. Jeremias then called Ackin who insisted on waiting for your return before giving a definite commitment. Jeremias then called me to try to push the thing through.

I told Jeremias that I was not familiar with the project but if the funds were to be used in France I thought it should be carefully studied in view of recent military developments. As I understood it the funds were going to be used in France and not from France. I told Jeremias that you would be back Tuesday and that this would be brought to your attention immediately. He asked that you get in touch with Miss LeFollette of the A.F. of L. and Brunot, after you had had an opportunity to consider the question.
EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD
INTER-OFFICE COMMUNICATION

DATE
April 25, 1944

TO  Mr. Pehle
FROM  L. S. Lesser

This memorandum will recapitulate a number of conversations that I had with Brunot, Executive Director of the President's War Relief Control Board, the latest of which occurred yesterday afternoon.

The American Federation of Labor and the Congress of Industrial Organizations, acting jointly through their combined refugee committees, contributed approximately one million dollars to the National War Fund upon the express agreement that they—the CIO and the AF of L—would be permitted to propose the purposes for which such funds would be used. Last summer the labor organizations proposed to the National War Fund that a portion of the million dollars be used for rescue and relief work in Norway and Czechoslovakia. The National War Fund advised the labor organizations that such use of the funds could not be made except with the approval of the President's War Relief Control Board. The matter was referred to the latter Board, who had engaged in some exploratory work when the War Refugee Board was created. The President's War Relief Control Board referred the matter to the War Refugee Board, stating that it would approve the project if the War Refugee Board would.

At the time the files came to us, they contained letters of approval for the project from both the Czechoslovakian and Norwegian Governments in exile. The distribution of the funds was to be handled by perfectly reputable Norwegian and Czechoslovakian labor leaders, closely affiliated and wholeheartedly supported by their respective governments. The project appeared to be highly desirable and the President's War Relief Control Board was advised in writing that the War Refugee Board approved thereof, and within a few days thereafter, appropriate Treasury licenses were issued.

The President's War Relief Control Board certified to the National War Fund that it approved the project and was willing to have the necessary funds appropriated to consummate it. At that point National War Fund officials asked Mr. Brunot whether reporting requirements had been imposed, and he referred them to the terms of the Treasury licenses. National War Fund officials then inquired whether they might see the reports as they came in, and Mr. Brunot replied that he did not think so, that they would be contained in diplomatic messages, and it was not the disposition of the Government to make such
messages generally available. After further discussion, Mr. Brunot pointed out to National War Fund officials that if the President's War Relief Control Board, the War Refugees Board, and the Treasury Department, were satisfied with the reporting requirements, there was no reason why the National War Fund should not also be satisfied. National War Fund officials replied that they were the custodians of the fund and that someday they might be called upon to render an accounting to the American people and that for that reason it was necessary that they see the reports. Mr. Brunot's response was that if it would satisfy anybody's curiosity, he would see to it that the reports were made available to them for perusal but, he emphasized, the reports could not become part of the files of the National War Fund.

National War Fund officials seemed satisfied and it appeared that the project would be going forward promptly. Recently, however, National War Fund officials asked the President's War Relief Control Board to make available to them photographic copies of the letters of approval of the Czechoslovakian and Norwegian Governments, as well as a copy of the War Refugee Board's letter of approval. They also asked Mr. Brunot to ascertain whether the War Refugee Board's approval was merely on a "staff level" or whether the project had the express approval of the three Secretaries. Mr. Brunot refused to comply with the request for photographic copies of the letters in question although he advised the officials of the National War Fund that they were free to come to Washington and see the originals. As to the latter inquiry concerning the nature of the War Refugee Board's approval, Mr. Brunot openly characterized it as impertinent, and advised National War Fund officials that it was none of their business. Mr. Brunot furthermore has declined to pass on this inquiry to the War Refugee Board formally, and has advised me that his only reason for telling me about it was to explain why the funds for this project were not yet forthcoming.
Mr. Fehle

L. C. Lessor

April 23, 1944

This memorandum will recalculate a number of conversations that I had with Brunot, Executive Director of the President's War Relief Control Board, the latest of which occurred yesterday afternoon.

The American Federation of Labor and the Congress of Industrial Organizations, acting jointly through their combined refugee committees, contributed approximately one million dollars to the National War Fund upon the express agreement that they—the CIO and the AF of L—would be permitted to propose the purposes for which such funds would be used. Last summer the labor organizations proposed to the National War Fund that a portion of the million dollars be used for rescue and relief work in Norway and Czechoslovakia. The National War Fund advised the labor organizations that such use of the funds could not be made except with the approval of the President's War Relief Control Board. The latter was referred to the latter Board, who had engaged in some exploratory work when the War Refugee Board was created. The President's War Relief Control Board referred the matter to the War Refugee Board, stating that it could approve the project if the War Refugee Board would.

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messages generally available. After further discussion, Mr. Brunot pointed out to National War Fund officials that if the President's War Relief Control Board, the War Refugees Board, and the Treasury Department, were satisfied with the reporting requirements, there was no reason why the National War Fund should not also be satisfied. National War Fund officials replied that they were the custodians of the fund and that nobody might be called upon to render an accounting to the American people and that for that reason it was necessary that they see the reports. Mr. Brunot's response was that if it would satisfy anybody's curiosity, he would see to it that the reports were made available to them for personal use, but, he emphasized, the reports could not become part of the files of the National War Fund.

National War Fund officials seemed satisfied and it appeared that the project would be going forward promptly. Recently, however, National War Fund officials asked the President's War Relief Control Board to make available to them photographic copies of the letters of approval of the Czechoslovakian and Norwegian Governments, as well as a copy of the War Refugees Board's letter of approval. They also asked Mr. Brunot to ascertain whether the War Refugee Board's approval was merely on a "staff level" or whether the project had the express approval of the three Secretaries. Mr. Brunot refused to comply with the request for photographic copies of the letters in question although he advised the officials of the National War Fund that they were free to come to Washington and see the originals. As to the latter inquiry concerning the nature of the War Refugee Board's approval, Mr. Brunot openly characterized it as "impertinent" and advised National War Fund officials that it was none of their business. Mr. Brunot furthermore has declined to place on this inquiry to the War Refugee Board formally, and has advised me that his only reason for telling me about it was to explain why the funds for this project were not yet forthcoming.
THE PRESIDENT'S WAR RELIEF CONTROL BOARD
WASHINGTON BUILDING
WASHINGTON, D.C.

April 15, 1944

Dear Mr. Pehle:

I wish to acknowledge and thank you for your letter of April 12 recommending approval of the suggested allocation of funds to Refugee Relief Trustees, Inc., to be used by the Unitarian Service Committee for the evacuation of refugees from Portugal and Spain.

We are advising the National War Fund of your concurrence.

Sincerely yours,

James Brunot
Executive Director

The Honorable

John W. Pehle, Executive Director,
War Refugee Board,
Washington, D.C.
Dear Mr. Lesser:

I have just talked with Mr. Michael Potter, of the Emergency Committee to Save the Jewish People of Europe, about the inquiry regarding solicitation of funds for the War Refugee Board which I discussed with you by telephone today.

Mr. Potter confirmed the fact that the Committee has been considering organization of a drive specifically directed and publicized as a means of securing funds "to be turned over to the War Refugee Board for the Board's use in carrying out its purposes."

Mr. Potter explained that so far as he knew the proposal had not been discussed with any representative of the War Refugee Board but that the organization certainly would expect to secure WRB approval before undertaking any such public appeal.

His specific inquiry to me was whether the President's War Relief Control Board would consider an agency making an appeal of the type described but not itself engaged in any relief activities to be within its jurisdiction. I stated that we would construe any such proposed activity. I also stated that such a drive would involve questions not heretofore considered by our Board and that we would not entertain an application for registration for that purpose unless submitted with the full approval of the War Refugee Board. I also referred to our recently amended regulation prohibiting registered agencies from combining political action or propaganda with relief appeals.

Mr. Lawrence Lesser,
War Refugee Board,
Treasury Department,
Washington, D.C.
My final understanding with Mr. Potter was that the Emergency Committee will communicate with us in due time if, after further exploration, they wish to secure authorisation for the proposed appeal.

Sincerely yours,

James Brunot
Executive Director
Dear Mr. Brunot:

This will acknowledge receipt of your letter of April 3, 1944, addressed to Mr. Lesser, in which you ask our advice as to the desirability of the approval by you of an allocation to Refugee Relief Trustees, Inc., to be used by the Unitarian Service Committee for the evacuation of refugees from Portugal and Spain.

The Board is not aware of the availability of other funds which may be used for this purpose. It is clear that the removal of these refugees is essential. Therefore, I agree with you that this is a desirable allocation.

Very truly yours,

(Signed) J.W. Fohle

J. W. Fohle,
Executive Director

Mr. James Brunot, Executive Director,
The President's War Relief Control Board,
Washington Building,
Washington 5, D. C.

AR - 4/10/44
GB T. L. - L.
April 3, 1944

Dear Mr. Lesser:

We would appreciate your advice as to the desirability of approval of the allocation of $40,000 for evacuation of refugees from Portugal and Spain as proposed by Refugee Relief Trustees, Inc. as outlined below. The budget estimate originally submitted by Refugee Relief Trustees for the first seven months of 1944 included an item of $27,600 to be used by the International Rescue and Relief Committee for evacuation of refugees. This was a reduction from the amount expended for that purpose in the previous year "Because of extremely limited possibilities of evacuation of refugees from Europe at this time". By the time the budget was considered these possibilities had improved and an additional $90,000 was requested. $40,000 of this amount was allowed with the understanding that it was to be available during March and April and that the remainder of the request was subject to reconsideration.

The Unitarian Service Committee (also financed through Refugee Relief Trustees) now reports that they have twenty-five refugees in Portugal awaiting passage to Canada with visas already in hand and that an additional twenty-five refugees from Spain will join this group as soon as transportation can be arranged. This will require $25,000. They expect another fifty to receive visas in the near future, so that the total cost will run to $50,000. This will exhaust the additional allocation and further consideration will have to be given to future needs.

The

Mr. Lawrence Lesser,
War Refugee Board,
Treasury Department,
Washington, D.C.
The principal additional project now in view is explained as follows:

"Evacuation from Portugal and Spain to Mexico is being planned for a considerable number of refugees of Spanish and non-Spanish nationality who fought in the Civil War in Spain. Presumably transit visas would have to be secured across the United States through the cooperation of the War Refugee Board and the State Department. It is believed that within the near future an additional sum upwards of $50,000 may be required."

Carrying out this second proposal will necessitate allocation to Refugee Relief Trustees of the remainder of the $90,000 requested. Do you know of other funds which might be used for that purpose? If there is no other source of money and if it seems likely that the visas can be arranged this seems to me to be a desirable allocation.

Sincerely yours,

James Brunot
Executive Director
FEB 22, 1944

Gentlemen:  

The attached letter from Mr. Vincent F. 
Jankenas, of the Lithuanian Press Club, relates 
to matters under the jurisdiction of your office 
and apparently was referred to the War Refuge 
Board in error.

Very truly yours,

(Signed) J. W. Pehle

J. W. Pehle
Acting Executive Director

President's War Relief Control Board, 
Washington Building, 
1455 19th Street, N. W., 
Washington, D. C.

Attachment.
Gentlemen:

The attached letter from Mr. Vincent F. Jankauskas, of the Lithuanian Press Club, relates to matters under the jurisdiction of your office and apparently was referred to the War Refugee Board in error.

Very truly yours,

[Signature] J. W. Pehle

J. W. Pehle
acting Executive Director

President's War Relief Control Board,
Washington Building,
1436 "C" Street, N. W.,
Washington, D. C.

Attachment.

[Date] 2-21-44
Dear Mr. Fox:

This is in response to your letter of February 9 concerning the impending meeting of your advisory committee to consider the budgets of member agencies of the National War Fund for 1944.

You are quite right in your assumption that this meeting will be of interest to the War Refugee Board, and arrangements are being made for Mr. Ward Stewart and Mr. Lawrence Lesser of this office to attend the meeting. It would be appreciated if two copies of the proposed budgets could be sent to Mr. Stewart, Room 190, Main Treasury Building, as far in advance as possible before the date of the meeting.

Yours very truly,

(Signed) J.W. Pehle

J. W. Pehle
Acting Executive Director

Mr. Homer S. Fox
Acting Executive Secretary
The President's War Relief Control Board
Washington Building
Washington 8, D. C.

WStewart: pdk 2/16/44  WJ.
CONTROL COPY

THE PRESIDENT’S WAR RELIEF CONTROL BOARD
WASHINGTON BUILDING
WASHINGTON
ZONE 5

February 9, 1944

My dear Mr. Pehle:

A part of the procedure set up last year in connection with the National War Fund is the review of budgets and programs of member agencies by this Board with the advice of an informal committee composed of representatives of various Government agencies interested in war relief matters.

The budgets of the member agencies of the National War Fund for 1944 have now been presented to the National War Fund and the Board has invited this Advisory Committee to meet with it at the offices of the Board in the Washington Building, Room 1044, on Friday, February 25, at 10:00 a.m. As a member of the budgets include projects for refugee relief the Board has thought that these would undoubtedly be of interest to your Board and has therefore directed me to invite you to be present at the meeting on February 25 or to designate someone to represent you at that meeting. It is expected that copies of the budgets will be available some days before the meeting for preliminary review by those who will attend.

Sincerely yours,

Homer S. Fox
Acting Executive Secretary

The Honorable
John W. Pehle, Acting Executive Director,
War Refugee Board,
Care of Treasury Department,
Washington, D.C.
War Prisoners Aid, Inc.,
o/o Chancellor Harry Woodburn Chase,
New York University, Wash. Square,
New York, New York.

India Famine Relief Committee, Inc.,
40 East 49th Street,
New York, New York.

Brethren Service Committee,
22 South State Street,
Elgin, Illinois.
Tabulation of contributions collected and disbursed during the period September 6, 1939 through December 31, 1943, as shown in the reports submitted by persons and organizations registered with the Board for the solicitation and collection of contributions to be used for relief in foreign countries, in conformity with the regulations issued pursuant to Section 3(1) of the Act of May 1, 1937 as made effective by the President's proclamations of September 5, 8 and 10, 1939, Section 6 of the Act of November 4, 1939 as made effective by the President's proclamation of the same date, and Executive order No. 9205 of July 25, 1942.

Note: The statistics set forth in the tabulation are incomplete as regards relief activities which a number of registered organizations carried on in respect to non-belligerent countries prior to July 28, 1942. The receipts shown for registrants who are members of the National War Fund (indicated in this tabulation by (1)) are receipts for the direct activities of those registrants and do not include sums received for transmission to participating agencies (indicated in this tabulation by (1)).

The American National Red Crosses and certain religious organizations are exempted from registration with the Board by Section 3 of Executive Order No. 9205 and the accounts of those organizations are not included in this tabulation.

The following organizations have been registered with the Board as combined fund-raising organizations and for domestic war relief activities:

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<tr>
<th>REGISTRATION NUMBER</th>
<th>NAME &amp; ADDRESS</th>
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<tr>
<td>566</td>
<td>United Jewish Appeal for Refugees, 142 Madison Avenue, New York, New York.</td>
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**Domestic**

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<tr>
<td>D-2</td>
<td>The Citizens Committee for the Army and Navy, Inc., First Region Council, 23 Commonwealth Avenue, Boston, Massachusetts.</td>
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<td>D-4</td>
<td>United Service Men's Service, Inc. (1) 39 Broadway, New York, New York.</td>
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<td>NUMBER</td>
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<tr>
<td>D-5</td>
<td>The Citizens Committee for the Army and Navy, Inc., Twelfth Region Council, 11 West Fifth Street, Los Angeles, California.</td>
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<td>D-6</td>
<td>Navy Relief Society, Inc., Navy Department, Washington, D.C.</td>
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<td>D-7</td>
<td>Army Emergency Relief, War Department, Washington, D.C.</td>
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<td>D-8</td>
<td>Masonic Service Association of the United States, 700 Tenth Street, N.W., Washington, D.C.</td>
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<tr>
<td>D-9</td>
<td>National CIO Committee for (Cooperating) American and Allied War Relief, 1029 Vermont Avenue, N.W., Washington, D.C.</td>
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<tr>
<td>D-12</td>
<td>National Board of the Young Women's Christian Associations of the United States of America (Y.W.C.A., World Emergency Fund)(F), 600 Lexington Avenue, New York, New York.</td>
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<tr>
<td>D-13</td>
<td>Bundles for America, 681 Fifth Avenue, New York, New York.</td>
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<td>D-16(T)</td>
<td>American Flying Service Foundation, 140 East 54th Street, New York, New York.</td>
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<td>D-17</td>
<td>American Social Hygiene Association, Inc. (F), 1790 Broadway, New York, New York.</td>
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/ Cooperating with the National War Fund, Inc.
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<tr>
<th>REGISTRATION NUMBER</th>
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<td>D-18</td>
<td>Navy Mothers Clubs of America, c/o Mrs. F. J. Jursita, Finance Officer, 716 East 71st Terrace, Kansas City, Missouri.</td>
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<td>D-19</td>
<td>Naval Aid Auxiliary, 5615 Sunset Boulevard, Hollywood, California.</td>
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<td>D-23</td>
<td>American War-Community Services 1, 130 East 22nd Street, Room 510, New York 10, New York.</td>
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<td>D-25(T)</td>
<td>Adopt a Credo, Teft Building, Hollywood, California.</td>
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<tr>
<td>572(C)</td>
<td>American Perchis for Prisoners of War Association, 269 Delaware Avenue, Buffalo, New York.</td>
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1/ This organization is composed of the following: Family Welfare Association of America, National Institute of Immigrant Welfare; National Organization for Public Health Nursing; National Urban League; National Board, Young Women's Christian Associations; and Child Welfare League of America.
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<tr>
<th>Temperature (°C)</th>
<th>Pressure (kPa)</th>
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**Note:** Pressure values are approximate and may vary due to environmental factors.

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**Additional Information:***

- Humidity levels remain stable at approximately 45%.
- Air quality is moderate, with occasional pollutant spikes.
- Expected temperature variations: 20°C - 30°C

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**Contact:**

- For issues or concerns, please contact the support team at support@climate.com.
- Visit our website for more information: www.climate.com
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**Note:** Data collected from the U.S. Department of Agriculture's National Climate Data Center.
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RELATIONS WITH WSB
(MEMORANDUM OF UNDERSTANDING)
Mr. John W. Pehle,
Executive Director
War Refugee Board,
Treasury Department,
Washington 25, D. C.

Mr. John W. Pehle, Executive Director
War Refugee Board,
Treasury Department,
Washington 25, D. C.
JUL 3 - 1944

Dear Mr. Davies:

There is herewith transmitted the original of a
joint Memorandum of Understanding between The President's
War Relief Control Board and the War Refugee Board. It is a
source of satisfaction to us, and I am sure to you, too, that
this memorandum need only to treat with technical matters as
the relations between the two boards have consistently been
the most cordial since the very outset.

Very truly yours,

(Signed) J. E. Pohle

J. E. Pohle
Executive Director

Mr. Joseph E. Davies, Chairman
The President's War Relief Control Board
Washington Building
Washington 2, D. C.

L. S. L
LESSERALS 7/1/44
EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD

INTER-OFFICE COMMUNICATION

TO
Mr. Lesser

FROM
J. W. Pehle

DATE June 30, 1944

Please prepare a letter from me to Mr. Davies transmitting the original of the Memorandum of Understanding. We can keep a photostat for our file.

JWP

JWF: 1hh 6/30/44
June 30, 1944

Mr. Lesser

J. W. Pehle

Please prepare a letter from me to Mr. Davies transmitting the original of the Memorandum of Understanding. We can keep a photostat for our file.

JWP
WAR DEPARTMENT  
WASHINGTON  

June 28, 1944.

Dear Mr. Pehle:

I have your letter of June 28th and return herewith the attached memorandum with the Secretary's signature.

Sincerely yours,

[Signature]

HARVEY H. BUNDY  
Special Assistant to  
the Secretary of War.

J. W. Pehle, Esq.,  
War Refugee Board,  
Executive Office of the President,  
Washington 25, D. C.
June 28, 1944

TO: Mr. Bundy
FROM: J. W. Fehle

It will be appreciated if you would ask Secretary Stimson to sign the attached Memorandum of Understanding which has already been signed by the President's War Relief Control Board and by Secretaries Hull and Morgenthau.

(Signed) J.W. Fehle

Attachment

JWFehle:1hh 6/28/44
EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD
WASHINGTON 25, D. C.

June 17, 1944.

TO:
Secretary Hull
Secretary Morgenthau
Secretary Stimson

Some time ago, the President's War Relief Control Board suggested the possibility that there might be some jurisdictional conflict between them and the War Refugee Board. The problem was purely technical and did not arise from any actual conflict between the staffs of the two Boards, for, I am happy to say, our relationships have been of the very best since the outset. The President's War Relief Control Board, however, feared that some private organizations might take the view that the Executive Order creating the War Refugee Board transferred by implication to the War Refugee Board from the President's War Relief Control Board the jurisdiction to require the registration of private organizations in the foreign relief field desiring to solicit funds publicly.

In an effort to forestall any such claim, on March 6, 1944, I wrote the following letter to the President's War Relief Control Board:

"You have advised us that certain persons have asserted that the provisions of Executive Order 9417 exempt persons and agencies concerned with refugee relief from complying with requirements made by The President's War Relief Control Board under the provisions of Executive Order 9205."
"As we understand thee, there is no overlapping between the two executive orders. However, in order to resolve any doubts in the minds of third parties, the War Refugee Board hereby delegates to the President's War Relief Control Board such authority, if any, as may have been transferred by Executive Order 9417 from the President's War Relief Control Board to the War Refugee Board.

"You are at liberty to show this letter to any person or agency in your discretion."

On several occasions, however, the President's War Relief Control Board indicated that they would prefer to have the matter covered by a joint memorandum signed by the members of both Boards. Such a memorandum is attached, already signed by the members of the President's War Relief Control Board. I recommend that it be signed by the members of the War Refugee Board.

J. W. Pehle
Executive Director
MEMORANDUM TO:

Secretary Hull
Secretary Morgenthau
Secretary Stimson

June 17, 1944

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"You are at liberty to show this letter to any person or agency in your discretion."

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(signed) J. J. Pehle
J. J. Pehle
Executive Director
June 17, 1944

To: Mr. Charles Taft

From: J. W. Pehle

If you will obtain Secretary Hull's signature on the attached and return the documents to me I will clear the matter with the Secretary of the Treasury and the Secretary of War.
June 17, 1944

TO: Mr. Charles Taft

FROM: J. W. Pehle

If you will obtain Secretary Hull's signature on the attached and return the documents to me I will clear the matter with the Secretary of the Treasury and the Secretary of War.

JWP
S - Mr. Hughes

This is an agreed matter and very desirable. It was worked out by Mr. Davies and Mr. Warren direct with Mr. Morgenthau.

I recommend the Secretary sign it, and transmit the Memorandum and Memorandum of Understanding to Mr. Fehle.

CHARLES P. TAFT

---

Copy of memo attached

DEPARTMENT OF STATE
The Legal Adviser

S Mr. Grey,

I think that it is alright for the Secretary to sign.

GSH

6/20
March 4, 1944

MEMORANDUM OF UNDERSTANDING

It is mutually understood by the War Refugee Board and the President's War Relief Control Board that:

1 - The provisions of Executive Order 9417 dated January 22, 1944, establishing the War Refugee Board, do not exempt persons or agencies concerned with refugee relief from complying with requirements made by The President's War Relief Control Board under the provisions of Executive Order 9205, dated July 25, 1942;

2 - The War Refugee Board may call upon The President's War Relief Control Board to assist in carrying out the purposes of Executive Order 9417 by securing appropriate action in the field of refugee relief by persons and agencies to the extent authorized by Executive Order 9205.

War Refugee Board:

__________________________  ____________________________
CORDELL HULL            JOSEPH E. DAVIES
Secretary of State       Chairman F.W.R.O.B.

__________________________  ____________________________
Secretary of the Treasury CHARLES P. TAFT

__________________________  ____________________________
Secretary of War          CHARLES WARREN
EXECUTIVE OFFICE OF THE PRESIDENT
WAR REFUGEE BOARD

INTER-OFFICE COMMUNICATION

DATE
June 14, 1944

TO
Mr. Lesser

FROM
J. W. Pehle

I don't know when there will be a meeting of the War Refugee Board. Accordingly, the best way to deal with Mr. Charles Warren's problem on the President's War Relief Control Board is to have the three members of the War Refugee Board approve the memorandum of understanding. If you agree, will you prepare a memorandum to be circulated to the three members of the Board asking them to sign the memorandum.

J. W. Pehle
June 14, 1944

Mr. Lesser

J. W. Pehle

I don't know when there will be a meeting of the War Refugee Board. Accordingly, the best way to deal with Mr. Charles Warren's problem on the President's War Relief Control Board is to have the three members of the War Refugee Board approve the memorandum of understanding. If you agree, will you prepare a memorandum to be circulated to the three members of the Board asking them to sign the memorandum.

J. W. Pehle

JWP:mgt 6/14/44
TO:


Secretary Morgenthal

Mr. Haxton

Mr. Paul

Mr. White

Mr. Stewart

Mr. Laxford

Mrs. Taylor

Mr. E.M. Bernstein

Files

Mr. Dubois

Mr. Friedman

V. Miss Hodel - 190

For agenda of next meeting of Board.

JW

J. W. Fehle

Office of the Executive Director
War Refugee Board
To:

Secretary Morgenthau

Mr. Gaston
Mr. Paul
Mr. White

Mr. R.H. Bernstein
Mr. Beausoleil

Mr. Friedman
Miss Hodes

See me. J.A.P.

Drs. Burt says he has no real objection. Nothing unusual. L.S.L.

J. W. Field
Office of the Executive Director
War Refugee Board
THE PRESIDENT'S WAR RELIEF CONTROL BOARD
WASHINGTON BUILDING
WASHINGTON

April 8, 1944

Joseph E. Davies
Chairman
Charles P. Taft
Frederick H. Kerpel
Melvin D. Holmestad
General Counsel
Homer S. Fox
Executive Secretary

Dear Mr. Pehle:

Confirming our conversation yesterday, I transmit herewith the memorandum which the President's War Relief Control Board would very much prefer to have authorized by the War Refugee Board.

In any event, I am anxious to have action taken at the next meeting of the War Refugee Board, since at the moment we are completely unable to act on refugee matters for the reasons indicated to you.

Thank you very much for your cooperation.

Sincerely yours,

Charles P. Taft
Acting Chairman

Enclosure:
Memorandum,

Mr. J. W. Pehle,
Acting Executive Director,
War Refugee Board,
Washington, D.C.
April 8, 1944

MEMORANDUM OF UNDERSTANDING

It is mutually understood by the War Refugee Board and The President's War Relief Control Board that:

1 - The provisions of Executive Order 9417 dated January 22, 1944, establishing the War Refugee Board, do not exempt persons or agencies concerned with refugee relief from complying with requirements made by The President's War Relief Control Board under the provisions of Executive Order 9205, dated July 25, 1942;

2 - The War Refugee Board may call upon The President's War Relief Control Board to assist in carrying out the purposes of Executive Order 9417 by securing appropriate action in the field of refugee relief by persons and agencies to the extent authorized by Executive Order 9205.

WAR REFUGEE BOARD

By

THE PRESIDENT'S WAR RELIEF CONTROL BOARD

By

Acting Chairman
April 8, 1944

MEMORANDUM OF UNDERSTANDING

It is mutually understood by the War Refugee Board and The President's War Relief Control Board that:

1 - The provisions of Executive Order 9417 dated January 22, 1944, establishing the War Refugee Board, do not exempt persons or agencies concerned with refugee relief from complying with requirements made by The President's War Relief Control Board under the provisions of Executive Order 9208, dated July 25, 1942;

2 - The War Refugee Board may call upon The President's War Relief Control Board to assist in carrying out the purposes of Executive Order 9417 by securing appropriate action in the field of refugee relief by persons and agencies to the extent authorized by Executive Order 9208.

WAR REFUGEE BOARD

By: _____________________________

THE PRESIDENT’S WAR RELIEF CONTROL BOARD

By: _____________________________

Acting Chairman
MISS HODEL:

Please keep this in mind in connection with the next meeting of the War Refugee Board.

JW Pehle
March 28, 1944

MEMORANDUM

At about 12:15 today Mr. Henchard called and said that Mr. Hull had an idea that something on the President's War Relief Control Board had been discussed at the last meeting of the War Refugee Board. Hefle told Henchard nothing had been discussed. Henchard said that Hull had suggested that it be put on the agenda for the next meeting because Mr. Taft thought there was some problem there. Hefle said he would get in touch with Taft and if there was something that should be put on the agenda he would do so.
I called Mr. Brunot of the President's Relief Control Board yesterday afternoon concerning Bonchard's call to you, Mr. Brunot told me that whether Charles Taft and Charles Harrelson of his Board felt rather strongly that we should agree to execute a joint statement with respect to the functions and powers of the two Boards in lieu of the unilateral letter which we gave them. The statement which they have in mind is the one which was presented to us some time back. Mr. Brunot stated that Messrs. Taft and Harrelson feel the way they go because of the necessity they face of going to Congress for legislation and they are of the opinion that a "clarification" by a joint statement approved by the President would make a better showing on the Hill. I told Mr. Brumot that while it might be considered that the necessity for legislation changed the situation from what it was at the time we execrised against such a statement, I did not think it made such sense for Mr. Harrin to ask Mr. Hull to take the matter up at a War Refugee Board meeting. I pointed out that neither Mr. Stimson nor Mr. Morgenthau knew any of the background of the matter and that I was doubtful that Mr. Hull did. I told him that it was my frank opinion that the proper way for them to have gone about the matter was to have consulted with the staff of the War Refugee Board who were perfectly competent to handle the situation. I pointed out that in dealing with a cabinet level Board one did not burden the Board members with administrative detail. Mr. Brunot said that he agreed with me and would so indicate to Mr. Taft.

Mr. Brunot is going to call me today and we will try to get together and discuss the matter on the merits.
MR. LESSER:

Please see me promptly.

JWPehle
March 28, 1944

MEMORANDUM

At about 12:15 today Mr. Renchard called and said that Mr. Hull had an idea that something on the President's War Relief Control Board had been discussed at the last meeting of the War Refugee Board. Penie told Renchard nothing had been discussed. Renchard said that Hull had suggested that it be put on the agenda for the next meeting because Mr. Taft thought there was some problem there. Penie said he would get in touch with Taft and if there was something that should be put on the agenda he would do so.
March 28, 1944

MEMORANDUM

At about 12:15 today Mr. Henchard called and said that Mr. Hull had an idea that something on the President's War Relief Control Board had been discussed at the last meeting of the War Refugee Board. Pehle told Henchard nothing had been discussed. Henchard said that Hull had suggested that it be put on the agenda for the next meeting because Mr. Taft thought there was some problem there. Pehle said he would get in touch with Taft and if there was something that should be put on the agenda he would do so.
Mr. Peile

March 13, 1944

L. S. Lesser

Mr. Brunot, the Executive Director of the President's War Relief Control Board, was in on Saturday to discuss financial matters. He told me that his Board and the National War Fund had declined, for the time being, to allow most of the increases in appropriations that voluntary agencies had requested. The result of this is that the National War Fund's contingency fund will contain approximately $6,000,000. This sum is subject to a number of claims, the most important one of which is for $3,000,000 which may have to be appropriated to the Greek War Relief. This sum of $3,000,000 represents the amount accrued under Greek War Relief's commitment to UNRRA for the support of Greek refugees in the Near East. This commitment was worked out at a time when there were more funds available than the relief organizations knew what to do with and the Greek government was, as it now is, in "poor straits." Mr. Brunot said that the British government had been advancing the funds necessary for the support of the refugees and that the Greek War Relief had, in effect, assumed the obligation of making funds available for the reimbursement of the British. Mr. Brunot said that the Greek War Relief had been instructed to advise UNRRA that the commitment no longer held for the future and it was hoped that some way could be worked out of eliminating Greek War Relief's $3,000,000 liability for the past. UNRRA comes into the picture since it has assumed the operation of the MERRA camps.

Mr. Brunot stated that in view of his Board's action in refusing to increase appropriations and the smallness of the National War Fund's contingency fund, it is urged that pressure be brought to bear on UNRRA and the individual United Nations to undertake the support of refugees who escape to Allied territory. He again requested our cooperation in this matter and pointed out that unless the care of refugees was recognized as a governmental responsibility, the National War Fund would be hard-pressed to supply the necessary funds and if it had to do so, it might be compelled to cut down on other activities such as relief to prisoners of war.

Mr. Brunot would also like to have from us, if he can, a general undefined estimate of how much money we think we might ask his Board and the National War Fund to appropriate out of the contingency fund for purposes sponsored by us during the next six months.

I think we ought to discuss these matters as soon as possible.
Gentlemen:

You have advised us that certain persons have asserted that
the provisions of Executive Order 9417 except persons and agencies
concerned with refugee relief from complying with requirements made
by the President's War Relief Control Board under the provisions of
Executive Order 9205.

As we understand then, there is no overlapping between the
two Executive Orders. However, in order to resolve any doubts in
the minds of third parties, the War Refuge Board hereby delegates
to the President's War Relief Control Board such authority, if any,
as may have been transferred by Executive Order 9417 from the
President's War Relief Control Board to the War Refuge Board.

You are at liberty to show this letter to any person or agency
in your discretion.

Very truly yours,

(Signed) J. W. Pehle
J. W. Pehle
Acting Executive Director

The President's War Relief Control Board
Washington Building
Washington, D.C.

[Other markings]
March 4, 1944

U.S. DEPARTMENT OF STATE

It is mutually understood by the Secretaries of State and
the President's two cabinet officers that:

In the absence of notification from the State Department, the
President will take no action with respect to its terms and
conditions; that the President, therefore, will assume
responsibility for the granting of such relief
from a military occupation as may seem to be
necessary, and

In case of any unusual delay in the delivery
of the documents, the President's
representative(s) will take appropriate steps
in the Department of State.
March 4, 1944

MEMORANDUM OF UNDERSTANDING

It is mutually understood by the War Refugee Board and the President's War Relief Control Board that:

1 - The provisions of Executive Order 9417 dated January 22, 1944, establishing the War Refugee Board, do not exempt persons or agencies concerned with refugee relief from complying with requirements made by The President's War Relief Control Board under the provisions of Executive Order 9205, dated July 25, 1942;

2 - The War Refugee Board may call upon The President's War Relief Control Board to assist in carrying out the purposes of Executive Order 9417 by securing appropriate action in the field of refugee relief by persons and agencies to the extent authorized by Executive Order 9205.

Joseph E. Davies
Chairman, P.W.R.C.B.

Charles P. Taft

Charles Warren
March 4, 1944

MEMORANDUM OF UNDERSTANDING

It is mutually understood by the War Refugee Board and
the President's War Relief Control Board that:

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not exempt persons or agencies concerned with refugee relief
from complying with requirements made by The President's
War Relief Control Board under the provisions of Executive
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2 - The War Refugee Board may call upon The President's
War Relief Control Board to assist in carrying out the
purposes of Executive Order 9417 by securing appropriate
action in the field of refugee relief by persons and
agencies to the extent authorized by Executive Order 9205.

Joseph E. Davies
Chairman, P.W.R.C.B.

Charles P. Taft
Charles Warren
Dear Mr. Brunot:

This will acknowledge receipt of your letter of February 21, 1944, and its enclosures.

In connection with the proposed budgets and the meeting to be held thereon on February 25, I want you to know that the War Refugee Board considers that it has a very real interest in the work of your Board and that of the voluntary agencies which operate under its supervision. Obviously, the objectives of the War Refugee Board coincide in many respects with the objectives of such agencies, and there will be numerous occasions when the War Refugee Board will be called upon to facilitate and expedite the carrying out of their programs. On the other hand, there may arise in the future some occasions when the War Refugee Board may find it appropriate to call upon your Board or one of the voluntary agencies to make funds available for the financing of projects for which provision has not otherwise been made.

For this reason, I want to express my appreciation for the opportunity to examine the proposed budgets, and to be represented at Friday's meeting.

Very truly yours,

[Signature]

J. W. Pehle
Acting Executive Director

Mr. James Brunot, Executive Director
The President's War Relief Control Board
Washington Building
Washington 5, D. C.
I can't find much to
think about in it, but primarily
we are supposed to familiarize
ourselves with this before the
Sunday meeting.

From: [Signature]

[Date: 2/32]
Dear Mr. Pehle:

Attached are copies of the budgets to be considered at the meeting scheduled for Friday, February 25 at 10 a.m.

The remaining budgets are expected not later than tomorrow and will be forwarded to you as soon as they are received.

Sincerely yours,

James Brunot
Executive Director

The Honorable
John W. Pehle, Acting Executive
Director, War Refugee Board,
Carest of Treasury Department,
Washington, D.C.
Dear Mr. Pehle:

I am enclosing copies of self-explanatory correspondence exchanged between me and Mr. Charles P. Taft, Acting Chairman of the President's War Relief Control Board.

Sincerely yours,

[Signature]

Enclosures:
1. From Mr. Charles P. Taft, January 26, 1944.
2. To Mr. Charles P. Taft, February 4, 1944.
3. From Mr. Charles A. Riegelman, February 2, 1944.

Mr. John W. Pehle,
Office of the Secretary,
Treasury Department,
Washington, D. C.
January 26, 1944

My dear Mr. Secretary:

The work of the War Refugee Board established by Executive Order on January 22, contemplates utilization to a greatly expanded extent of the services of American private agencies. That requires the provision of increased private funds from the people of this country, and perhaps will also stimulate the spontaneous formation of additional private agencies.

This brings the matter clearly within the responsibility of the President's War Relief Control Board, created, at your suggestion, to exercise your authority under the Neutrality Act, and to regulate appeals for foreign and domestic war relief not covered by the Neutrality Act.

We approve heartily of the objectives of the War Refugee Board. We believe that in our normal relationship to the private organizations serving refugees we can be of great service to the Board. As a result of discussions with the Army and with UNRRA as well as with FSA, we are taking steps to secure the full coordination of the programs of all American foreign relief agencies, and we have already discussed with the National War Fund, the Joint Distribution Committee, and National Refugee Service a special grouping of refugee organizations to secure proper integration of their programs in each foreign country.

We therefore offer this service to the War Refugee Board, under such policies and operating plans as it may determine. We shall be glad to secure from the private agencies whatever coordinated action those plans require, including the adjustment of their methods of financing their operations.

Sincerely yours,

Charles P. Taft
Acting Chairman
February 4, 1944

Dear Mr. Taft:

I wish to thank you for your letter of January twenty-sixth relative to the relationship between the War Refugee Board and the President's War Relief Control Board. I appreciate your bringing this matter to my attention.

I am sending a copy of your letter to Mr. John W. Peble, who has been appointed as the Acting Executive Director of the War Refugee Board, suggesting that he get in touch with you and I have no doubt that all the questions presented can be adjusted to the satisfaction of everyone concerned.

Sincerely yours,

[Signature]

Mr. Charles P. Taft,
Acting Chairman,
The President's War Relief Control Board,
Washington Building,
Washington, D.C.
EXECUTIVE ORDER

ESTABLISHING THE PRESIDENT'S WAR RELIEF CONTROL BOARD AND
DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States of America and Commander-in-Chief of the Army and Navy, because of emergencies affecting the national security and defense, and for the purpose of controlling in the public interest charities for foreign and domestic relief, rehabilitation, reconstruction, and welfare arising from war-created needs, it is hereby ordered as follows:

1. The President's Committee on War Relief Agencies, appointed by me on March 13, 1941, is hereby continued and established as the President's War Relief Control Board, hereinafter referred to as the Board. The Chairman of the Board shall be responsible to the President.

2. The Board is hereby authorized and empowered—

(a) to control, in the interest of the furtherance of the war purpose, all solicitations, sales of or offers to sell merchandise or services, collections and receipts and distribution or disposition of funds and contributions in kind for the direct or implied purpose of (1) charities for foreign and domestic relief, rehabilitation, reconstruction and welfare arising from war-created needs in the United States or in foreign countries, (2) refugee relief, (3) the relief of the civilian population of the United States affected by enemy action, or (4) the relief and welfare of the armed forces of the United States or of their dependents; Provided, that the powers herein conferred shall apply only to activities concerned directly with war relief and welfare purposes and shall not extend to local charitable activities of a normal and usual character nor in any case to inter-state activities other than those immediately affecting the war effort;

(b) (1) to provide for the registration or licensing of persons or agencies engaged in such activities and for the renewal or cancellation of such registration or licenses; (2) to regulate and coordinate the times and amounts of fund-raising appeals; (3) to define and promulgate ethical standards of solicitation and collection of funds and contributions in kind; (4) to require accounts of receipts and expenditures duly and reliably audited, and such other records and reports as the Board may deem to be in the public interest; (5) to eliminate or merge such agencies in the interests of efficiency and economy; and (6) to take such steps as may be necessary for the protection of essential local charities; and

(c) to prescribe such rules and regulations not inconsistent with law as the Board may determine to be necessary or desirable to carry out the purposes of this Order.

3. The
3. The provisions of this Order shall not apply to (a) the American National Red Cross or (b) established religious bodies which are not independent of any of the activities specified in section 2 of this Order. 

4. Under the authority given me by Section 12 of the Joint Resolution of Congress approved November 4, 1939 (34 Stat. 9, 11) and Title I of the First War Pensions Act, 1942, approved December 18, 1942 (Public Law No. 384, 77th Congress), and pursuant to the suggestion of the Secretary of State, it is ordered that the administration of any and all of the provisions of Section 3(b) of the aforesaid Joint Resolution relating to the solicitation and collection of funds and contributions for relief purposes, heretofore by me vested in the Secretary of State, be and it hereby is transferred to the aforesaid Board. All rules and regulations and forms which have been issued by the Secretary of State pursuant to the provisions of said Section 3(b) and which are in effect shall continue in effect until modified, superseded, revoked or repealed by the Board. 

5. Any and all matters within the jurisdiction of said Board which may be affected with a question relating to the foreign policy of the Government of the United States in connection with the administration of the powers vested in the Board by this Order shall be determined only after conference with the Secretary of State, to the end that any action with respect to such matters shall be consistent with the foreign policy of the United States. 

6. For the purpose of economy in administration, the Board is authorized to utilize the services of available and appropriate personnel of the Department of State and other Government departments and agencies and such other services, equipment, and facilities as may be made available by these departments and agencies. 

7. For the purpose of effectively carrying out the provisions of this Order, the Board may require that all war relief and welfare policies, plans, programs, procedures and methods of voluntary agencies be coordinated and integrated with those of the several Federal departments, establishments and agencies and the American Red Cross; and all these organizations shall furnish from time to time such information as the Board may consider necessary for such purposes. 

8. The Board shall from time to time submit to the President such reports and recommendations regarding war charities, relief and welfare in foreign countries and in the United States and the relationship of public and private organizations, resources and programs in these and related fields, as the public interest may require. 

9. The members of the Board shall serve as such without compensation, but shall be entitled to necessary transportation, subsistence, and other expenses incident to the performance of their duties. 

10. This Order shall remain in force during the continuance of the present war and for six months after the termination thereof, unless revoked by Presidential order. 

FRANKLIN D. ROOSEVELT 

THE WHITE HOUSE, 

July 25, 1942.
Chapter V—The President's War Relief Control Board

Part 501—Solicitation and Collection of Funds and Contributions for War Relief and Welfare

Pursuant to the provisions of Executive Order No. 9205 of July 25, 1942, the following regulations are hereby prescribed by the President's War Relief Control Board:

Authority: §§ 501.1 to 501.11, inclusive, issued under E. O. 9205; 7 F.R. 5803.

501.1 Effective date. These regulations shall become effective on and after the sixtieth day following the date of approval, and shall supersede, as of their effective date, regulations promulgated by the Secretary of State under the authority of sections 8 and 13 of the Neutrality Act of 1939 relating to the solicitation and collection of contributions for relief.

501.2 Definition of person. The term "person" as used herein and in Executive Order No. 9205 includes an agency, partnership, company, association, organization or corporation, as well as a natural person.

501.3 Registration. Any person, other than those exempted by Executive Order No. 9205 or by these regulations and other than those organized locally for purely local purposes, whether in the United States, its territories, insular possessions, the Canal Zone, and the District of Columbia, who is engaged in or desires to engage in any of the war relief or welfare activities as defined in Section 2 (a) of Executive Order No. 9205 shall make application to the War Relief Control Board upon the form provided therefor for registration with the Board.

Valid registrations with the Secretary of State under regulations issued by him remain valid under these regulations until revoked or cancelled by the Board. Similarly, persons who are in possession of a valid notice of recognition by the President's Committee on War Relief Agencies and who have been submitting periodic reports of their activities to the Committee shall be deemed to have complied with the registration requirements of these regulations.

501.4 Application for registration.

(a) No application for registration will be accepted until satisfactory evidence is presented to the Board that—

(1) the project is not against the public interest and there is need for the particular relief or welfare carried out or proposed;
(2) the applicant has organized an active and responsible governing body which will serve without compensation and which will exercise a satisfactory administrative control; and the funds collected will be handled by a competent and trustworthy treasurer;
(3) the purpose to be served is not inadequately fulfilled or cannot be adequately fulfilled by existing programs or organizations;
(4) there is no avoidable conflict of national appeals for public support with the recognized campaigns of the American Red Cross; the United Service Organizations; and the Community Chests and other essential local charities;
(5) limitations upon transportation and communication facilities, economic or military controls, or other restrictions are not such as to make it impracticable to effect the proposed relief efficiently and economically; and
(6) the estimated costs properly chargeable to overhead are not unreasonable.

(b) No
(b) No application for registration will be accepted if the means proposed to be used to solicit or collect contributions include—

(1) the employment of solicitors on commission or any other commission method of raising money;
(2) the use of the "remit or return" method of raising money by the sale of merchandise or tickets;
(3) the giving of entertainments for money-raising purposes if the estimated cost of such entertainments in relation to the gross proceeds is unreasonable; or
(4) any other wasteful or unethical methods.

501.5 Relations with Government agencies. All necessary clearances with other government agencies as to the acceptability of proposed relief or welfare projects will be undertaken by the Board and should not be undertaken by applicants for registration.

501.6 Registration of affiliates. Organization or associations having chapters or affiliates shall list them in the application for registration. The parent body shall immediately apply to the Board for an amendment to its notice of acceptance of registration in respect to any additional chapters or affiliates which it proposes to establish.

501.7 Registration restrictions.

(a) No person, subject to the registration requirements in section 1.3 herein, shall solicit or collect contributions, or make sales of or offer to sell merchandise or services for the direct or implied purposes of war relief and welfare as defined in section 2(a) of Executive Order No. 9205 without the authority of a notice of acceptance of registration from the Board which is in full force and effect.

(b) Any registration may be revoked if the registrant under the same used in its application for registration engages in activities other than those authorized in the notice of acceptance of registration.

(c) A registrant may act as an agent for the transmission of funds received by another registrant, but reports to the Board by each registrant shall show details of all such transactions.

501.8 Reports.

(a) All registrants shall submit to the Board not later than the fifteenth day of each month following the receipt of notice of acceptance of registration sworn statements, on forms provided therefore, setting forth fully the information called for therein, including separate reports for each benefit. Accounts audited by a certified public accountant shall be submitted to the Board semiannually. The information periodically submitted as required herein shall be supplemented by such further information as the Board may deem necessary.

(b) Any changes in the facts set forth in the registrant's application for registration, such as change of address, of officers, or of method of operation shall be reported promptly to the Board and properly sworn to.

501.9 Maintenance and inspection of records. All persons registered with the Board must maintain for the inspection or that of its duly authorized agent, complete records of all transactions in which the registrant, including chapters and affiliates, engages.
421.10 Revocation of registration. Any registration may be revoked upon failure on the part of the registrant to maintain compliance with the provisions or purpose of the law, the Executive Order, or the regulations of the Board.

421.11 Reading of regulations. No registration will be accepted until the Board has been informed in writing by a responsible officer of the applicant for registration that he has read these regulations.

JOSEPH P. DAVIES

APPROVED:

CHAIRMAN

CHARLES P. TAFT

F. P. KUPPEL

July 30, 1942.
EXECUTIVE ORDER 595

Establishing the President’s War Relief Control Board and Declaring Its Functions and Duties

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States of America and Commander-in-Chief of the Army and Navy, because of the dangers of war and the need for national security and defense, and for the purpose of controlling the public interest charities for foreign and domestic relief, rehabilitation, reconstruction, and welfare arising from war-created needs, it is hereby declared as follows:

1. The President’s Committee on War Relief Agencies, appointed by me on March 3, 1941, is hereby continued and established as the President’s War Relief Control Board, hereinafter referred to as the Board. The Chairman of the Board shall be responsible to the President.

2. The Board is hereby authorized and empowered:

(a) to control, in the interest of the furtherance of the war purpose, all solicitations, sales of or offers to sell merchan, and services, collections and receipts and distribution or disposition of funds and contributions in kind for the direct or implied purpose of (1) charities for foreign and domestic relief, rehabilitation, reconstruction, and welfare arising from war-created needs in the United States or in foreign countries; (2) refusal to provide relief to private citizens or the population of the United States affected by enemy action; and (4) relief and welfare of the armed forces of the United States or of their dependents; Provided, that the powers herein conferred shall apply only to activities undertaken directly with war relief and welfare funds and shall not extend to quasi-charitable activities of a normal and usual character not in any case intrastate activities other than those immediately affecting the war effort;

(b) to require as a condition to the registration of any organization or any of its activities and for the renewal or cancellation of such registration or license, (1) the providing of information to the Board; (2) to regulate and coordinate the times and amounts of fund-raising appeals; (3) to define and proclaim ethical standards of solici-

tation and collection of funds and contributions in kind; (4) to require accounts of receipts and expenditures, duly and reliably audited, and such other records and reports as the Board may deem to be in the public interest; (5) to eliminate or merge agencies in the interests of efficiency and economy; and (6) to take such steps as may be necessary for the protection of essential local charities; and

(c) to prescribe such rules and regulations as may be necessary for the protection of essential charities and such other regulations as the Board may deem necessary to carry out the purposes of this Order.

3. The provisions of section 2 of this Order shall not apply to (a) the American National Red Cross or (b) established religious bodies which are not independently exercising any of the activities specified in section 2 of this Order.

4. Under the authority given me by Section 15 of the Joint Resolution of Congress approved November 4, 1929 (42 Stat. 3, 111) and Title 1 of the First War Powers Act, 1941, approved December 18, 1941 (Public Law No. 884, 76th Congress), and pursuant to the suspension of the Secretary of State, it is ordered that the administration of any and all of the provisions of section 2 of the said Joint Resolution relating to the solicitation and collection of funds and contributions for relief purposes, hereafter be vested in the Secretary of State, to be and it hereby is transferred to the Board. All rules and regulations and forms which have been issued by the Secretary of State pursuant to the provisions of said section 2 and which are in effect shall continue in effect until modified, superseded, revoked or repealed by the Board.

5. Any and all matters within the jurisdiction of and Board which may be affected by a question relating to the foreign policy of the Government of the United States in connection with the administration of the powers vested in the Board by this Order shall be determined only after conferences with the Secretary of State, to the end that any action with respect to such matters shall be consistent with the foreign policy of the United States.

6. For the purpose of economy in administration, the Board is authorized to consolidate the services of available and appropriate personnel of the Department of the Army, Navy, and Air Force.
Published daily, except Sundays, Mondays, and days following legal holidays by the
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For the purpose of effectively carrying out the provisions of this Order, the Board may require that all war relief and welfare policies, plans, programs, procedures and methods of voluntary agencies be coordinated and integrated with those of the several Federal departments, establishments and agencies and the American Red Cross; and all these organizations shall furnish from time to time such information as the Board may require necessary for such purposes.

8. The Board shall from time to time submit to the President such reports and recommendations regarding war charters, relief and welfare in foreign countries and in the United States and the relationship of public and private organizations, resources and programs in these related fields, as the public interest may require.

9. The members of the Board shall serve as such without compensation, but shall be entitled to necessary transportation, subsistence, and other expenses incident to the performance of their duties.

10. This Order shall remain in force during the continuance of the present war and for six months after the termination thereof, unless revoked by Presidential order.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

July 25, 1942.

Regulations

TITLE IV—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

Sugar Beets

$ 802.10 Determination of normal yield of commercially recoverable sugar for sugar beets for the 1942 and subsequent sugar beet programs. The provisions of the "Determination of Normal Yields of Commercially Recoverable Sugar Beets," as amended, are applicable to the 1942 and subsequent sugar beet programs, except that for the 1942 program the year "1941" and the years "1942-44, inclusive," wherever they appear in such determination, shall be changed to "1940" and "1941-44, inclusive," respectively, and a corresponding change shall be made for each subsequent program. (50 Stat. 1171; 7 U.S.C. 1160 ed. 1133)

Done at Washington, D. C., this 27th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

PAUL H. APPLEY

Under Secretary of Agriculture.

(2 U.S.C. 46-7450; filed, July 25, 1942; 11:34 a. m.)
Omit
pp. 5805-5849
FEDERAL REGISTER, Wednesday, July 29, 1942

TITLE 14—ARMY: WAR DEPARTMENT
Chapter 1—Aid of Civil Authorities and Public Relations
PART 72—REGULATING TECHNICAL INFORMATION
RELEASE OF INFORMATION REGARDING CONTRACTS AND SITES LOCATIONS
Section 87.25 (a) (1), (ii), (iv), (g) and (ii) and (d) is hereby amended to read as follows:

§ 87.25 Information on War Department contracts and site locations. The following instructions will apply to the publication of information concerning site locations of war industries and military installation contracts and the matters relating to production.
(a) Construction. (1) Engineering.
(1) The War Department announced today its intention to construct a manufacturing plant in Lawrence County, Indiana.
(4) * * * * *
(4) The War Department announced today the award of a contract to Jones and Company, Richmond, Virginia, for the construction of a cantonment in Logan County, Kankakee. The award was made by the Louisville District Office of the Corps of Engineers.

§ 87.26 The War Department announced today the award of a contract to the Smith Corporation, St. Louis, Missouri, for the construction of a manufacturing plant in Lawrence County, Indiana. The award was made by the St. Louis District Office of the Corps of Engineers.

§ 87.27 When the Chief of Engineers deems it in the public interest to announce the award of a construction contract which does not require the approval of the Under Secretary of War, he may make such announcement. Each announcement will be substantially in the form prescribed for announcements in subparagraph 4. It is permissible to announce the approximate amount of a contract award in the following manner: $5,000 to $9,999: $500 to $4,999: $50 to $999: $50 to $499: $50 to $99. The amount of the contract will be submitted to and approved by the Under Secretary of War.

§ 87.28 Technical cafeteria service. "Technical cafeteria service" will include the supervision and operation of the service club cafeteria and soda fountain service, including the purchase and procurement of supplies, the preparation and inspection of food, the employment, supervision, and discharge of kitchen and cafeteria personnel, the arrangement of the dining room, and the collection and accounting for funds from the operation of said cafeteria and soda fountain.

§ 87.29 Technical library service. "Technical library service" will include the selection, classification, cataloging, charging out, and repair of library books and reading material.

§ 87.32 Recreational facilities. (a) Post commander. Service club facilities will be under the control of the post commander, who may prescribe such rules not in conflict with Army Regulations as are necessary to insure the efficient operation of these activities and all installations herein, and for the protection of the property thereof.
(b) Use of military personnel. Military personnel will be employed in connection with the operation of the service club facilities only in an emergency and with the approval of the post commander. (Part 2)
In the service club either by purchase and hire, by the Army exchange, or by a concessionaire. The operation of a cafeteria by the Army exchange service or a concessionaire is not looked upon with favor, and will not be initiated without the written approval of the Chief of the Administrative Services, Services of Supply. Where authority is granted for a cafeteria to be operated by the Army exchange, the cafeteria business will be under the direct management of the exchange, and the authority is granted for the cafeteria to be operated by a concessionaire, the services of the host will be provided or authorized, and any cafeteria hostess on duty at such a cafeteria will be reported to the War Department for assignment or dislocation.

(b) Unless operated by a concessionaire, other than the Army exchange, the cafeteria will be under the immediate direction of a cafeteria hostess who will be responsible for its efficiency, personnel, equipment, supplies, and collections, and who will account directly therefor, and will deposit all collections therefrom with the custodian of the post service club fund.

(c) Schedule of charges for meals and soda fountain service, and hours of operation will be determined and published by the post commander.

(d) Under the provisions of AR 38–2990, service club facilities are authorized to establish a cash in a chargeable basis, at least stores, except on educational articles.

(e) The cafeteria will be operated on a cash basis. The cafeteria can be extended to anyone. Exchange coupons will be accepted from enlisted men in lieu of cash. (Par. 10)

§ 5.7 Library service. The service club personnel will be in charge of the library and the library and its technical activities. (Par. 10)

§ 5.8 Guest house service and operation. (a) The guest house is designed to furnish overnight transient accommodations for immediate families, relatives, and friends of enlisted men. Priority to such accommodations will be allowed to the above categories of personnel visiting the post, the personnel of the post, and station.

(b) Except in emergencies determined to exist by the post commander relative to the first priority shown, no guest may remain at the guest house for more than three consecutive nights.

(c) The guest house will be under the direction of the director of the service club who will be responsible for its efficiency, personnel, equipment, supplies, and collections. A hostess or other civilian employee will normally be on duty at the guest house during such hours as are prescribed by the post commander.

(d) A charge of not less than 50 cents and not more than 75 cents per night will be made for the use of the bed in the guest house.

(e) A regular, either permanent or temporary, serving, will be maintained in the guest house, and all persons arriving themselves of the privilege of the guest house as transient visitors will be required to present a letter, give their name and address, and state their relationship to the person visited. (Par. 10)

PERSONNEL

§ 5.9 Corps area librarians. When the War Department directs, the commanding general of the corps area will select a civilian assistant who will be known as corps area librarian for the purpose of supervising library personnel and the technical operation of libraries within the corps area. (Par. 10)

§ 5.10 Service club personnel. (a) Service clubs will be operated by the following personnel:

(1) Type SC–J. One director of service club, one recreational and social hostess, one cafeteria hostess, and a librarian.

(2) Type SC–K. One director of service club capable of handling recreation, one cafeteria hostess, and a librarian.

(3) Type OH–1 service club. Two recreational and social hostesses.

(4) Other type service clubs. Such personal assistance will be assigned to such service club by the War Department.

(b) Personnel assigned to or on duty at a service club facility will cooperate in the performance of all duties necessary to operate efficiently all service club facilities and activities. (Par. 10)

§ 5.11 Selection and confirmation. (a) Hostesses and librarians will be selected by the corps area commander, who may delegate such authority to the post commander, initially for a 4-month period which will be in the nature of a trial period, the extension of which will depend upon the proficiency of the employees. Upon such selection, the corps area commander will immediately forward application with all attached paper and pertinent data obtained through interview or otherwise which were considered in the selection; the report of physical examination; statement of type of quarters to be assigned and the report through the corps area provost marshal, of investigation as to loyalty, integrity, and discretion to the War Department, accompanied by the required personal forms. Confirmation of such appointment will be made by the Secretary of War.

(b) No corps area librarian will enter upon the 4-month period until the appointment has been approved by the Secretary of War. All hostesses and camp librarians may enter upon the 4-month period contemporaneously with the corps area commander, or by the corps area commander to the War Department of the application and papers described in paragraph (a) of this section.

(c) At a time not more than 30 days nor less than 15 days prior to the termination of such 4-month period, the corps area commander will forward to the War Department a recommendation as to whether or not such employee has rendered satisfactory service and should be continued on duty as a hostess or librarian.

(d) During the first month of such 4-month period each hostess and librarian, except corps area librarian, will pursue such course of instruction and training within the corps area as will be prescribed by the commanding general, and upon satisfactory completion thereof will be assigned to duty at a service club or library for the remainder of such 4-month period.

(e) Relatives, blood, marital, or by adoption, of military personnel, both commissioned and enlisted, will not be assigned to duty at posts, camps, or stations where such military personnel are stationed.

(f) Prior to selecting a hostess or librarian, the commanding general making the selection will cause an investigation to be made as to the loyalty, integrity, and discretion of such hostess or librarian, and a physical examination to be conducted by an officer of the Medical Department or the Public Health Service to insure fitness for such appointment. (Par. 10)

§ 5.12 Qualifications. (a) Corps area librarian. (1) United States Citizenship.

(2) Graduation from a college or university of recognized standing and from an accredited library school.

(3) Five years' professional experience, including 1 year thereof in an administrative capacity.

(4) Professional knowledge of reference and bibliographical sources and professional ability in library science and organization.

(b) Hostess. (1) Minimum. Must have reached 20th birthday.

(2) Maximum. Must not have passed 40th birthday.

(c) Sex. Male or female.

(2) Camp librarian. (1) United States citizenship.

(2) Graduation from a college or university of recognized standing, and from an accredited library school.

(3) One year's experience, other than clerical, in library work.

(4) Capacity for development in professional work in library science and organization.

(5) A good knowledge of a wide range of literature, and the ability to fit book to reader is desired, but not required as a minimum requirement.

(d) Age at selection. (1) Minimum. Must have reached 22nd birthday.

(2) Maximum. Must not have reached 42nd birthday.

(2) Sex. Female.

(2) Director of service club. (1) United States citizenship.

(2) Graduation from a college or a university of recognized standing.

(3) At least 5 years' experience in an executive or managerial capacity.

(4) Experience in business, business administration, business administration, and social welfare work will be considered an asset but are not required as a minimum requirement.

(5) Age at selection. (1) Minimum. Must have reached 30th birthday.

(2) Maximum. Must not have passed 40th birthday.

(2) Sex. Female.

(2) Recreational and social hostesses. (1) United States citizenship.
(2) Graduation from a college or university of recognized standing.
(3) At least 3 years' experience in planning and directing social and recreational activities in or with educational, or similar organizations.
(4) Preference should be given to those with training or experience either as an undergraduate or in a recognized graduate school.
(5) Skill in handling group and mass recreational activities.
(6) Experience in business administration and in a wide variety of recreational activities is desirable but not required as a minimum requirement.
(7) Age: Minimum, 25 years. Maximum, Must have reached 35th birthday.
(8) Maximum, Must not have passed 40th birthday.
(9) Sex: Female.
(10) Cafeteria hostess. (1) United States citizenship.
(11) Graduation for a recognized college of home economics or from a recognized college with further home economics training.
(12) Three years' experience in the management and operation of a cafeteria, or analogous work in an institution, camp, or hostel.
(13) Professional background of general information and specific knowledge and ability in the food field.
(14) Age at selection. (1) Minimum, Must have reached 25th birthday.
(2) Maximum, Must not have passed 40th birthday.
(15) Sex: Female.
(16) Cafeteria hostess. (1) United States citizenship.
(17) No quarters or accommodations will be available for dependents of hostesses or librarians. (Par. 20)
(18) JOB. J. A. Dugan,
Major General,
The Adjutant General.
[Par. 20]

PART 61—ENLISTED RESERVE CORPS
SUBMISSION OF ENLISTMENTS AND REENLISTMENTS IN THE ENLISTED RESERVE CORPS WITH CERTAIN EXCEPTIONS

412.1 Enlistments. Enlistments and reenlistments in the Enlisted Reserve Corps are suspended with the following exceptions:

1. (1) Students in institutions maintaining residential Army ROTC basic courses who desire to enter the Naval Reserve may be enlisted in the Army Enlisted Reserve Corps for the sole purpose of receiving them for enlistment in the Naval Reserve upon completion of their basic course training.
(2) Enlistments for the previous calendar year will be from freshmen and sophomore classes and for subsequent calendar years will be from freshman classes only.
(3) Students who are enlisted under the above provisions will, upon their request, be discharged from the Army Enlisted Reserve Corps for enlistment in the Naval Reserve upon completion of their ROTC basic training or upon separation from the institution prior to completion of such training. (39 Stat. 150)
(4) In the case of students who have enlisted in the Navy or Marine Corps Reserve and who enter colleges or universities having compulsory military education, the Navy will discharge such students. These students will be enlisted in the Army Enlisted Reserve Corps and upon completing the sophomore year, or having left school prior to that time, such individuals will, at their request, be discharged from the Army Enlisted Reserve Corps and again enlisted in the Naval Reserve. (30 Stat. 109; 41 Stat. 760; 44 Stat. 705; 10 U.S.C. 421, 425-437) (Leete's A.G.O., June 1, 1946, As 243 Enlisted Reserve Corps 4-20-46 E.H. and letter A.O.O., July 2, 1942, AG 242.1 B.R.C. 32-34-40 E.H. 307-P57-188)
(JOB) J. A. Dugan,
Major General,
The Adjutant General.

PART 62—CONSUMER CREDIT
CERTAIN EXCEPTIONS
On July 30, 1942, the Board of Governors of the Federal Reserve System amended Part 232 in the following respects to become effective immediately:
1. Section 232.8 is amended by striking out paragraph (d) and substituting the following in lieu thereof:

$232.8 Exceptions.
(1) Disaster credits. Any extension of credit (a) made by the Disaster Loan Corporation, or (b) to finance the repair or replacement of real or personal property damaged or lost as a result of a flood or other similar disaster which the Federal Reserve Bank of the district in which the disaster occurs finds has created an emergency affecting a substantial number of the inhabitants of the stricken area.
2. Section 232.8 is amended by adding the following new paragraph at the end thereof:

(c) Fuel conservation credits. Any extension of credit to finance (1) the conversion of heating equipment to the use of any other fuel, (2) the installation of space-heating, blanketed, or forced-air systems, or installing board, within existing structures, (3) the installation of smoke doors, storm windows, or weather stripping, or (4) the purchase of materials for any of the above purposes.

[Sec. 8, 40 Stat. 415, as amended by 35 Stat. 179; 36 Stat. 301, Pub. Law 354, Title I, 15 U.S.C. 80 (a) and 80p, and 81, 884, 9, 404 (404)]

TITLES 16—CIVIL AVIATION
Chapter I—Civil Aeronautics Board
[Amendment 50-01, Civil Air Regulations]
PART 26—FLIGHT CERTIFICATES
CERTIFICATES OF MILITARY AND COAST GUARD

At a session of the Civil Aeronautics Board held at its offices at 801 7th Street, Washington, D. C., on the 44th day of July 1942.
Adopting pursuant to sections 250 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:
Effective July 24, 1942.
232 of the Civil Air Regulations is amended as follows:

By adding a new § 250.176 to read as follows:

§ 250.176 Military competency. An applicant who has successfully completed a glider pilot course, satisfactory to the Administrator, conducted under the supervision of the Army, Navy, Marine Corps or Coast Guard, upon presentation of satisfactory evidence of completion of

1. (T.F. 304.4)
such course within 60 days from the date thereof, will be deemed to have met the requirements of 20,179, 20,178, and 20,177.

For the Civil Aeronautics Board.

[Signature]

Secretary.

P. R. Doc. 49-2956. Filed, July 28, 1942; 11:58 a.m.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 132—REGULATIONS OF THE GOVERNOR

REGULATIONS RELATING TO SECURITIES

July 3, 1942.

These regulations are issued under the authority vested in the Governor of Hawaii pursuant to Executive Order No. 8398, as amended; section 5 (b) of the Trading with the enemy Act, as amended by Title III of the First War Powers Act, 1941; General Orders No. 123, Office of the Military Governor, 3 July 1942; and pursuant to all other authority vested in the undersigned Governor of Hawaii:

§ 132.2 Regulation of July 3, 1942 relating to securities—(a) Perforation of securities. (1) On or before August 1, 1942, all securities within the Territory of Hawaii shall be perforated with the official symbol "H" by a domestic bank in such territory, or by such other person as may be designated. Every person shall act in good faith on all securities within his possession or custody in the Territory of Hawaii on August 1, 1942, and at all times thereafter, have been duly perforated with the official symbol "H". Machines for perforating securities with the official symbol "H" will be furnished to each domestic bank.

(2) All securities hereafter brought into the Territory of Hawaii shall be immediately delivered to a domestic bank, or to such other person as may be designated, for perforation with the official symbol "H".

(b) No security which has been perforated with the official symbol "H" may be reoffered, resold, or otherwise physically taken from the Territory of Hawaii in Form TPFR-2, issued pursuant to Executive Order No. 8398, as amended, has been previously affixed to such security. Application for the attachment of Form TPFR-2 may be filed with the Office of the Governor of Hawaii on Form TPFR-2H by the person having custody or possession of the security. Such application shall set forth a complete description of the security and the circumstances surrounding its expiration or abandonment from the Territory of Hawaii.

(c) Custody of securities. (1) Subject to the provisions of subparagraph (2) of this paragraph, all securities within the Territory of Hawaii whether held in safe deposit boxes or otherwise, except securities issued by private corporations organized under the laws of and having their principal place of business in the Territory of Hawaii, are hereby required to be placed, on or before August 1, 1942, in a securities custody account with a domestic bank in the territory, and after August 1, 1942, no person other than a domestic bank shall have physical possession or custody of any security within the territory.

(2) Any domestic bank receiving or holding securities pursuant to subparagraph (1) of this paragraph, shall hold such securities for the account, or pursuant to the instructions, of the depositor. Securities held in any custody account with a domestic bank pursuant to these regulations may be freely purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, and may be freely transferred from one securities custody account to another in the same or different domestic banks: Provided, however, that such security shall remain in a securities custody account with a domestic bank in Hawaii: and provided further, that no person other than a domestic bank shall receive or obtain physical possession or custody of any such security, as the result of any such transaction.

(3) In lieu of deposit in or transfer to a securities custody account with a domestic bank, securities may be deposited with the Treasurer of the Territory of Hawaii, or with such other person as may be designated. Subject to such conditions as may be specified, such securities shall be held for the account or pursuant to the instructions of the depositor.

(d) Unless otherwise incorporated by special license, each domestic bank in the Territory of Hawaii, the Treasurer of the Territory of Hawaii, and such other persons as may be specified, shall file a report in triplicate on Form TPFR-H600 with the Office of the Governor of Hawaii with respect to all securities held pursuant to these regulations at the close of business on August 1, 1942. Such report shall be filed as soon as practicable and in no event later than August 15, 1942. Unless otherwise exempted by special license, weekly supplemental reports on Form TPFR-H601 shall be filed in triplicate with the Office of the Governor of Hawaii with respect to changes in such security holdings after August 1, 1942.

(e) All securities subject to the provisions of this paragraph which are hereafter brought into the Territory of Hawaii shall be immediately delivered to a domestic bank, the Treasurer of the Territory of Hawaii, or such other person as may be designated, for deposit in a securities custody account.

(f) Destruction of securities and reissuance in the continental United States. (1) Any person holding securities in a securities custody account with a domestic bank pursuant to paragraph (b) of this section, except securities issued by the Territory of Hawaii or by any security thereof, may instruct such bank to cause the cancellation or destruction of such securities and the subsequent issue of substitutes in the continental United States, subject to the following terms and conditions:

(1) Securities which are the direct obligation of the United States, obligations guaranteed by the United States, and those for which the United States Treasury Department acts as transfer agent may be delivered by any domestic bank to the Special Treasury Credit Committee in Hawaii for immediate cancellation or destruction and subsequent issue of substitutes in the continental United States. Such destruction and issue of substitutes shall be subject to all the provisions and conditions set forth in the Procedure for Immediate Cancellation and Destruction of Currency and Securities in Hawaii approved by the Acting Secretary of the Treasury on March 5, 1942.

(2) Any other securities may be delivered by any domestic bank to the Special Treasury Credit Committee in Hawaii for destruction and issue of substitutes. The delivery of any security to the Committee shall constitute and file with the Committee a report in triplicate on Form TPFR-H600. The fact of destruction will be certified upon such report and the Committee will thereafter retain one copy for its purposes, forward one copy to the issuer of each security so destroyed and, by separate mailing, will forward two copies of said report to the United States Treasury Department, Washington, D.C., or to such other persons as may be designated. Two copies of said report will be issued to banks submitting the security for destruction. The issue of substitutes is not guaranteed, and is subject to such conditions as may be imposed by the issuer thereof. The United States Government will, however, endeavor to facilitate the issue of substitutes.

(g) General provisions. (1) Any person holding securities on July 18, 1942, having on such date the actual possession value or, in the absence thereof, an estimated value of less than $100, may continue to hold such security subject to the provisions of paragraphs (a) and (b) of this section: Provided, however, that if the provisions of this subparagraph may not be purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, until the provisions of paragraphs (a) and (b) have been fully complied with.

(2) All securities held for its own account and in its own vaults, by a domestic bank, the Treasurer of the Territory of Hawaii or any other person designated pursuant to paragraph (f) of this section, shall be deemed to be held in a securities custody account, provided that such holding is otherwise consistent with the provisions of these regulations.

(2) Except to the filing of appropriate reports and the destruction of securities, and to the issuance of substitutes in accordance with the terms and conditions of these regulations, or is otherwise necessary or desirable. Application for any such license may be filed with the Office of the Governor of Hawaii on Form TPFR-2H, and the general procedure to Special Treasury Credit Committee in Hawaii for the destruction and issue of substitutes.

State, subject to the following terms and conditions:

(1) Securities which are the direct obligation of the United States, obligations guaranteed by the United States, and those for which the United States Treasury Department acts as transfer agent may be delivered by any domestic bank to the Special Treasury Credit Committee in Hawaii for immediate cancellation or destruction and subsequent issue of substitutes in the continental United States. Such destruction and issue of substitutes shall be subject to all the provisions and conditions set forth in the Procedure for Immediate Cancellation and Destruction of Currency and Securities in Hawaii approved by the Acting Secretary of the Treasury on March 5, 1942.

(2) Any other securities may be delivered by any domestic bank to the Special Treasury Credit Committee in Hawaii for destruction and issue of substitutes. The delivery of any security to the Committee shall constitute and file with the Committee a report in triplicate on Form TPFR-H600. The fact of destruction will be certified upon such report and the Committee will thereafter retain one copy for its purposes, forward one copy to the issuer of each security so destroyed and, by separate mailing, will forward two copies of said report to the United States Treasury Department, Washington, D.C., or to such other persons as may be designated. Two copies of said report will be issued to banks submitting the security for destruction. The issue of substitutes is not guaranteed, and is subject to such conditions as may be imposed by the issuer thereof. The United States Government will, however, endeavor to facilitate the issue of substitutes.

(3) General provisions. (1) Any person holding securities on July 18, 1942, having on such date the actual possession value or, in the absence thereof, an estimated value of less than $100, may continue to hold such security subject to the provisions of paragraphs (a) and (b) of this section: Provided, however, that if the provisions of this subparagraph may not be purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, until the provisions of paragraphs (a) and (b) have been fully complied with.

(2) All securities held for its own account and in its own vaults, by a domestic bank, the Treasurer of the Territory of Hawaii or any other person designated pursuant to paragraph (f) of this section, shall be deemed to be held in a securities custody account, provided that such holding is otherwise consistent with the provisions of these regulations.

(3) Except to the filing of appropriate reports and the destruction of securities, and to the issuance of substitutes in accordance with the terms and conditions of these regulations, or is otherwise necessary or desirable. Application for any such license may be filed with the Office of the Governor of Hawaii on Form TPFR-2H, and the general procedure to Special Treasury Credit Committee in Hawaii for the destruction and issue of substitutes.

(4) General provisions. (1) Any person holding securities on July 18, 1942, having on such date the actual possession value or, in the absence thereof, an estimated value of less than $100, may continue to hold such security subject to the provisions of paragraphs (a) and (b) of this section: Provided, however, that if the provisions of this subparagraph may not be purchased, sold, traded, pledged, hypothecated, or otherwise dealt in, until the provisions of paragraphs (a) and (b) have been fully complied with.

(2) All securities held for its own account and in its own vaults, by a domestic bank, the Treasurer of the Territory of Hawaii or any other person designated pursuant to paragraph (f) of this section, shall be deemed to be held in a securities custody account, provided that such holding is otherwise consistent with the provisions of these regulations.

(3) Except to the filing of appropriate reports and the destruction of securities, and to the issuance of substitutes in accordance with the terms and conditions of these regulations, or is otherwise necessary or desirable. Application for any such license may be filed with the Office of the Governor of Hawaii on Form TPFR-2H, and the general procedure to Special Treasury Credit Committee in Hawaii for the destruction and issue of substitutes.
8239. As amended. Unless the contrary is expressly provided, no license shall be deemed to authorize any transaction prohibited by any law, proclamation, order, or regulation other than those regulations. The decision with respect to the granting, denial, or other disposition of any application for a license shall be final.

(ii)ulings, instructions, interpretations, or licenses may, from time to time, be made or issued to carry out the purposes of these regulations and reports required in addition to those specifically called for herein with respect to any property or transactions affected hereby.

(iii) These regulations shall not be deemed to authorize any transaction prohibited by or pursuant to Executive Order No. 9066, as amended, except to the extent such transactions as are necessary incidental to the performance of acts specifically required by these regulations.

(iv) As used in these regulations:

(1) The term "domestic bank" means any bank or firm within the Territory of Hawaii of any bank or trust company incorporated and doing business under the laws of the Territory of Hawaii ceasing to the operation of banks or trust companies. Any person may be authorized to be treated as a "domestic bank" for the purpose of this definition for that purpose of any license, ruling or instruction issued hereunder.

(2) The term "press" means any branch or office within the limits of the State of Hawaii of any bank or trust company incorporated and doing business under the laws of the State of Hawaii ceasing to the operation of banks or trust companies. Any person may be authorized to be treated as a "press" for the purpose of this definition for that purpose of any license, ruling or instruction issued hereunder.

(3) The term "personal" means an individual, partnership, association, corporation, or other organization.

(4) These regulations and each ruling, instruction, or forms issued hereunder may be amended, modified, or revoked at any time.

(e) Penalties. Attention is directed to the penalties prescribed in General Orders No. 123 and those contained in section 3 (d) of the Trading with the Enemy Act, as amended.

[End]

[Signature]

Chairman, Acting Governor of Hawaii.

Title 32—National Defense

Chapter VI—Selective Service System

[No. 98]

Application for Issuance of Discharge Registration Certificate

Order Prescribing Form

By virtue of the Selective Service and Training Act of 1940 (44 Stat. 686) and the authority vested in me by the rules and regulations promulgated by the Director hereunder and more particularly the provisions of § 605.11 of theSelective Service Regulations, I hereby prescribe the following changes in DSS forms:


Lawrence D. Heffley, Director.

July 10, 1942.

[End]

[End]

[End]

[End]

[End]
rated or not, the United States, the District of Columbia, any state or territory of the United States, and any political, corporate, administrative or other division or agency thereof, to the extent enjoyed in one or more of the following services, within, in or from the United States, its territories or possessions:

(i) Wire communication.

(ii) Radio communication.

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

(3) "Maintenance" means the upkeep of an operator's property and equipment in sound working condition; and this without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance accounts.

(4) "Repair" means the restoration, with or without increasing existing facilities, of an operator's property and equipment which has been rendered unsuit- able or unfit for service by wear and tear, damage, destruction of parts, or similar cause; and this without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair.

(5) "Operating supplies" means any material which is essential to and con- stituted in the operation of any of the services specified in (a) (1) above but does not include any material which is physically associated in whole or in part in the property or equipment of the service(s) specified.

(6) Material for maintenance, repair or operating supplies for the purpose of this order shall not include material used for:

(a) The improvement of an operator's property or equipment through the re- placement of material which is still usable in the existing property or equip- ment with material of a better kind, quality or design.

(b) Additions or expansions of the operator's existing property or equip- ment.

(c) Assignment of preference rating. Subject to the terms of this order, Preference Rating A-3, except as provided in subparagraph (d), is hereby assigned:

(i) To deliveries, by an operator, of material required by him for operating supplies or for the maintenance or repair of his property and equipment.

(ii) Preference Rating A-1-1 is hereby assigned to all items required by an operator under the provisions of subparagraph (1) above, containing copper or copper alloy.

(iii) Application and extension of rating. The rating assigned by paragraph (b) of this order shall be applied and ex- tended in accordance with §§1001.423, 424, 425 and 426 of the Regulations Numbers 1 and 3, as amended from time to time.

(iv) Restrictions on deliveries, inventory and use.

(a) On and after September 1, 1942, as provided in paragraph (d) (3) below, no operator, who has been assigned hereby, shall at any time, accept deliveries of material (whether or not rated pursuant to this order) to be used for maintenance, repair, operating supplies or for other purposes:

(1) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working mini- mum. Such practical working minimum shall in no event exceed 27 1/2% of the dollar value of material used for all pur- poses during the calendar year 1940.

(2) Where the receipts thereof shall increase the dollar value of operator's inventory of material to an amount in excess of requirements which in no event shall exceed 27 1/2% of the dollar value of material used for all purposes during the calendar year 1940.

(3) Except as provided in paragraph (d) (3) below, no operator who has applied the rating assigned hereby shall, during any calendar quarterly period, use material for maintenance, repair, and operating supplies, the aggregate dollar value of which shall exceed 116% of the aggregate dollar value of such material used during the corresponding quarter of 1940, or at the operator's option 27 1/2% of the aggregate dollar value of such material used during the calendar year 1940.

(4) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942, did not exceed $10,000 shall be excepted from the provisions of subparagraph (1) above.

(b) From time to time, the Director General for Operations may determine that certain operators are, or may be, in whole or in part from the restrictions contained in subparagraphs (1) and (2) above.

(c) Violation. Any operator or other person who applies the preference rating assigned hereby or who otherwise violates the provisions of this paragraph, shall be subject to the penalties prescribed in sections 502 and 503 of the Act.

PART 1003—COMMUNICATIONS

OPERATING CONSTRUCTION

(Preference Rating Order P-128, as Amended, July 30, 1942.)

Section 1003.3 Preference Rating Or- ders 1 to 9 is hereby amended to read as follows:

§ 1003.3 Preference Rating Order P-128—Definitions. For the pur- pose of this order:

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

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

(3) "Operating construction" means:

(i) The use of materials for normal construction, occasioned by the connection, disconnection, changes, in or relocation of subscribers' apparatus or other equipment, necessary in order to provide service, in one single case, however, shall the cost of material for such operating construction exceed fifty dollars ($50.00).

(ii) The relocation or installation of central office equipment as a part of the common switching and/or trunking facilities to meet traffic requirements and provide the necessary channels through which the existing traffic load may be increased and connections established to enable full use to be made of the existing line terminals but not including the addition of line terminals;

(iii) Rearrangement or changes in existing line plant in order to obtain a more effective or fuller use of such plant:

Provided, however, that no line capacity shall be added thereto; and

(iv) Short cable extensions of line plant from a given point which do not involve the use of more than 100 pounds of copper and which are used for more effective use existing exchange connections not otherwise adequate.

(4) "Assignment of preference rating. Subject to the terms of this order, Preference Rating A-3, except as provided in subparagraph (d), is hereby assigned:

(i) To deliveries, by an operator, of material required by him for operating construction;

(ii) Preference Rating A-1-1 is hereby assigned to all items required by an Operator under the provisions of subparagraph (1) above, containing copper or copper alloy.

(iii) Application and extension of rating. The rating assigned by paragraph (b) of this order shall be applied and ex- tended in accordance with §§1001.423, 424, 425 and 426 of the Regulations Numbers 1 and 3, as amended from time to time.

(iv) Restrictions on deliveries, inventory and use. Of the operator's property or equipment through the re-placement of material which is still usable in the existing property or equip-ment with material of a better kind, quality or design.

(F. R. Doc. 42-1920—Final, July 30, 1942; 11:10 a. m.)
(g) Effective date. This order shall take effect on the date of issuance and shall continue in effect until September 30, 1942, unless sooner revoked by the Director General for Operations (P.D. Rev. 1, as amended. 6 F.R. 6800; W.P. Rev. Reg. 1, 7 F.R. 651; E.O. 9024, 7 F.R. 260; E.O. 9209, 7 F.R. 9212; E.O. 9629, 7 F.R. 2716; sec. 2 (a), Pub. Law 671, 78th Cong., as amended by Pub. Laws 49 and 97, 79th Cong.)

Issued this 28th day of July, 1942.

Amary Houman,
Director General for Operations.

(P. R. Doc. 42-7175; Filed, July 27, 1942; 11:17 a.m.)

Chapter XI—Office of Price Administration

PART 1350—COUPON

(Amendments 2 to Revised Price Schedule 18)

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

In § 1390.80 a new paragraph (b) is added, paragraph (a) is amended and the heading to paragraph (c) is amended to read as set forth below:

§ 1390.80 Appendix A: Maximum

(b) Maximum base price for copper except casting copper. The maximum base price for copper delivered in cast-off lots at Connecticut Valley points shall be 12 cents per pound. The maximum base price for electrolytic, hot, and cold refined copper in the shape of wire bars or ingot bars made to meet either the American Society of Testing Materials Standard specification B-27 for electrolytic or B-37 for hot copper.

(c) Maximum prices on sales or delivery of copper in less than cast-off lots by other than refiners or producers.


PART 1388—DEFENSE RENTAL AREAS

(Amendment 2, Maximum Rent Regulations, 79th Cong., 66th Stat. 191)

HOUSING ACCOMMODATIONS OTHER THAN MIDDLE AND ECONOMY ACCOMMODATIONS IN HAMPTON ROADS DEFENSE RENTAL AREA.

The title, preamble and paragraph (a) of § 1388.019 and the first sentence of § 1388.019 of Maximum Rent Regulation No. 19 are hereby amended to read as follows:

Maximum Rent Regulation No. 19 for Housing Accommodations Other Than Hotels and Rooming Houses in the Hampton Roads Defense-Rental Area.

In the judgment of the Administrator, rents for housing accommodations within the Hampton Roads Defense-Rental Area, as designated in the Declaration and Rent Declaration, made by the Administrator on March 2, 1942, as amended (Pub. Law 671, 78th Cong.), are hereby amended to read as follows:

Maximum Rent Regulation No. 19 for Housing Accommodations Other Than Hotels and Rooming Houses in the Hampton Roads Defense-Rental Area.

In the judgment of the Administrator, rents for housing accommodations within the Hampton Roads Defense-Rental Area, as designated in the Declaration and Rent Declaration, made by the Administrator on May 23, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Declaration and Rent Declaration. The Administrator has uncanvassed and given due consideration to the rents prevailing for housing accommodations within the Hampton Roads Defense-Rental Area on or about April 1, 1941, but is not in judgment that the rents prevailing at that time had not resulted in increased rents for such housing accommodations consistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deems to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 19 for housing accommodations within the Hampton Roads Defense-Rental Area, as designated in the Declaration and Rent Declaration, will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 19 is hereby issued.

§ 1388.91 Scope of regulation.

(a) This Maximum Rent Regulation No. 19 applies to all housing accommodations within the Hampton Roads Defense-Rental Area as designated in the Declaration and Rent Declaration (§ 1388.901 to 1388.909, inclusive) issued by the Administrator on March 2, 1942, as amended on April 28, 1942, consisting of the Independent Cities of Hampton, Newport News, Portsmouth, Southampton, South Norfolk, and Suffolk, the Counties of Elizabeth City, Langley, Portsmouth, and Princess Anne, and the County of Warwick the Magisterial District of Newpport in the State of Virginia except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation No. 19 shall apply only to that portion of

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

the Hampton Roads Defense-Rental Area consisting of the Independent Cities of Hampton, Newport News, Portsmouth, Norfolk, and South Norfolk, the County of Elizabeth City in its entirety, the County of Newport News the Magisterial District of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Prince George, and the Magisterial Districts of Portsmouth, in the State of Virginia, and that for the remaining portion of the Hampton Roads Defense-Rental Area the words "June 1, 1932" in this Maximum Rent Regulation No. 19 shall mean "August 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 19 shall mean "September 1, 1942."

**§ 1388.917 Registration.** On or before July 15, 1942 or, as to housing accommodations within that part of the Defense-Rental Area other than the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk, the County of Elizabeth City in its entirety, in the County of Newport News the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Prince George, and the Magisterial Districts of Portsmouth, in the State of Virginia, on or before December 15, 1942, or within 30 days after the property is first rented, whichever date is the later, every landlord, owner, lessee, or person who is the agent of any landlord or owner, of any housing accommodation held for rent, shall, in triplicate, in a written statement on the form provided for the same, as a registration statement.

**§ 1388.924 Effective dates of amendments.**

(b) Amendment No. 2 (§ 1388.912 and 1388.917) to Maximum Rent Regulation No. 19 shall become effective August 1, 1942.

(Log. 1941, 7th Cong.)

Issued this 27th day of July 1942.

Lew Henderson, Administrator.

[Page: 614]

PART 1388—DEFENSE-RENTAL AREAS

[Amendments 2, Maximum Rent Regulation No. 22A]

**HOUSING AND HOUSING OFFICES.**

The Administrator is hereby authorized and directed to make such additions and subtractions to paragraphs (a) and (b) of § 1388.151 of this Maximum Rent Regulation No. 22A as are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.151 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration, are hereby amended by the Administrator on March 2, 1949, as amended on April 2, 1943, and May 22, 1943 and on April 2, 1942, have been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designations and Rent Declarations.

The Administrator has ascertained and given consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area or on about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and boarding houses in each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

**§ 1388.151 Scope of regulation.**

(a) This Maximum Rent Regulation No. 22A applies in the State of Virginia to all rooms in hotels and boarding houses in each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area") designated as in the Designations and Rent Declaration (§ 1388.149 of this Maximum Rent Regulation No. 22A, as amended by the Administrator on March 2, 1942, and as amended on April 2, 1943), and on April 3, 1942, except as provided in paragraphs (b) of this section:

(1) The Hampton Roads Defense-Rental Area, consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and Suffolk, the County of Elizabeth City, Nansemond, Norfolk, and Princess Anne, and in the County of Warwick the Magisterial Districts of Newport in the State of Virginia: Provided, however, That with respect to that portion of the Hampton Roads Defense-Rental Area consisting of the Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk, the County of Elizabeth City in its entirety, in the County of Newport News the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch, in the County of Prince George, and the Magisterial Districts of Portsmouth, in the State of Virginia, and that for the remaining portion of the Hampton Roads Defense-Rental Area the words "June 1, 1932" in this Maximum Rent Regulation No. 19 shall mean "August 1, 1942," and the words "July 1, 1942" in this Maximum Rent Regulation No. 19 shall mean "September 1, 1942."

(b) Amendment No. 2 (§ 1388.151 (a)) to Maximum Rent Regulation No. 22A shall become effective August 1, 1942.

(Pub. Log. 421, 7th Cong.)

Issued this 27th day of July 1942.

Lew Henderson, Administrator.

[Page: 614]
FEDERAL REGISTER, Wednesday, July 29, 1942

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1, Maximum Rent Regulation 28]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraphs (1) and (8) of paragraph (a) of § 1388.181 of Maximum Rent Regulation No. 28 are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.1801 of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration Issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that, by April 1, 1942, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore anticipated and given due consideration to the rents prevailing for housing accommodations within the said Defense-Rental Areas on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the rents set in said Designation and Rent Declaration by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 28 is hereby issued.

§ 1388.1801 Scope of regulation. (a) This Maximum Rent Regulation applies to all housing accommodations other than hotels and rooming houses within each of the Defense-Rental Areas set out in § 1388.1801 of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration Issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, except as provided in paragraph (b) of this section.

§ 1388.1814 Effective date of amendments. (a) Amendment No. 1 § 1388.1801 of this Maximum Rent Regulation No. 28 shall become effective August 1, 1942.

Issued this 27th day of July, 1942.

LEON HARRISON,
Administrator.

[FR Doc. 42-7215 Filed July 27, 1942; 1:00 p.m.]

PART 1388—DEFENSE-RENTAL AREAS

[Amendment 1, Maximum Rent Regulation 28A]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraphs (1) and (8) of paragraph (a) of § 1388.2001 of Maximum Rent Regulation No. 32A are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.2001 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, as amended on May 22, 1942, and on May 30, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator, that by April 1, 1942, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas on or about March 1, 1942. The Administrator has therefore anticipated and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

Issued this 27th day of July, 1942.

LEON HARRISON,
Administrator.

[FR Doc. 42-7215 Filed July 27, 1942, 1:00 p.m.]
the San Francisco Bay Defense-Rental Area and other Defense-Rental Areas and a portion of a Defense-Rental Area set out in Maximum Rent Regulations Nos. 29 and 32A (1338.1301 to 1338.1304) and 1338.2001 to 1338.2014, included were not reduced and stabilized by State or local legislation, or otherwise, in accordance with the recommendations set forth in the Designation and Rent Declaration (§ 1338.1201 to 1338.1203), included issued by the Administrator on April 28, 1942, within sixty days after the issuance of the said Designation and Rent Declaration. Accordingly, the Administrator issued Maximum Rent Regulations Nos. 29 and 32A for housing accommodations within each such Defense-Rental Area and the said portion of a Defense-Rental Area, effective July 1, 1942. Since the issuance of these Maximum Rent Regulations, the Administrator has found, and it is his judgment that on April 1, 1941, defensive activities already had resulted in increased rents for housing accommodations within that portion of the San Francisco Bay Defense-Rental Area consisting of the three Counties of Contra Costa, Napa, and Solano, inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Administrator has therefore asserted and given due consideration to the rents prevailing for housing accommodations within the said three Counties above January 1, 1941: and it is his judgment that for such accommodations within the said three Counties inconsistent with the purposes of the Act above January 1, 1941. The Administrator is accordingly making an amendment to the said Designation and Rent Declaration issued on April 28, 1942, to strike out the said three Counties from the San Francisco Bay Defense-Rental Area and to designate the said three Counties as the Vallecito Defense-Rental Area. The Administrator is issuing this Maximum Rent Regulation for housing accommodations within the said San Francisco Bay Defense-Rental Area in the place of the Maximum Rent Regulations effective for such housing accommodations since July 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined to be of general applicability in respect of such housing accommodations, including increases or decreases in the rent charged and other terms.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the said Vallecito Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

Authority: $1338.5001 to 1338.5004, enacted and issued under Pub. Law No. 77, 78th Cong.

§ 1338.5001 Scope of regulation. (a) This Maximum Rent Regulation No. 39 applies to all housing accommodations within the Vallecito Defense-Rental Area, as designated in the Designation and Rent Declaration (§ 1338.1201 to 1338.1203), included issued by the Administrator on April 28, 1942, as amended (consisting of the Counties of Contra Costa, Napa, and Solano, in the State of California, except as provided in paragraph (b) of this section).

(b) This Maximum Rent Regulation does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of this Regulation: Provided, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or rental agreement shall remain in force pursuant to the terms thereof, except for any as these provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rent due or paid for use or occupancy thereunder or after the effective date of this Maximum Rent Regulation No. 39 of any housing accommodations, within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation, and no person shall demand, solicit, accept, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1338.5002 Minimum rents. The maximum rents provided by this Maximum Rent Regulation No. 39 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within thirty days after such effective date, file a petition pursuant to § 1338.5005 for approval of the decreased services. In all other cases, excepted between in § 1338.5005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1338.5004 Maximum rents. Maximum rents current and until changed by the Administrator as provided in § 1338.5005 shall be:

(a) For housing accommodations not rented on January 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations on that date.

(b) For housing accommodations not rented on January 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on January 1, 1941, but rented after that time, the last rent for such accommodations after January 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1338.5005 (e).

(d) For (1) newly constructed housing accommodations without priority rating first rented after January 1, 1941 and before the effective date of this Maximum Rent Regulation No. 39, or (2) housing accommodations changed between those dates so as to result in an increase in the number of dwelling units in such housing accommodations, the maximum accommodations changed because of these dates from unimproved to fully furnished, or from fully furnished to unimproved, or (3) housing accommodations substantially changed between those dates for a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: Provided, Reinstatement: That, where such first rent was fixed by a lease which was in force at the time of the major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1338.5005 (e).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, the maximum accommodations not rented at any time between November 1, 1940 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to
FEDERAL REGISTER, Wednesday, July 29, 1942

renting and in time to allow 15 days for action thereto, file a petition requesting approval of the reduced services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permanent or a decree has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(6) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

1. The maximum rent for housing accommodations under the paragraph (d), (e), or (f) of § 1388.5054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or

2. There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

3. There has been a substantial decrease in the services, furniture, furnishings, or equipment provided with the housing accommodations since the date of order determining its maximum rent.

(7) The rent on the date determining the maximum rent was substantially higher at another time of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may, if he deems it advisable, provide for different maximum rents for different periods of the calendar year.

4. If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he may enter the order on the basis of the rent which he finds was generally prevailing in the

1. The maximum rent for housing accommodations under the paragraph (d), (e), or (f) of § 1388.5054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or

2. There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

3. There has been a substantial decrease in the services, furniture, furnishings, or equipment provided with the housing accommodations since the date of order determining its maximum rent.

4. There has been a substantial decrease in the services, furniture, furnishings, or equipment provided with the housing accommodations since the date of order determining its maximum rent.

5. The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of the lease or agreement.

6. The rent on the date determining the maximum rent was substantially higher at another time of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may, if he deems it advisable, provide for different maximum rents for different periods of the calendar year.

7. If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he may enter the order on the basis of the rent which he finds was generally prevailing in the...
Defense Rental Area for Comparable Housing accommodations on January 1, 1961.

(e) Where, at the expiration or other
termination of an underlying lease or
other rental agreement, housing accom-
modations or a predecessor part thereof
are occupied by one or more subtenants
or other persons occupying under a
rental agreement with the tenant, the
landlord may rent the entire premises
for use by similar occupancy for a term
not in excess of the aggregate maximum
rents of the separate dwelling units, or
may rent if separate dwelling units for
rents not in excess of the maximum
rents applicable to such units.

Where housing accommodations or a predecessor part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may petition the Administrator for leave to exercise rights he would have acquired under this Maximum Rent Regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regu-
lation. He may require that the sale be
made on such terms as he deems neces-
sary to prevent such circumvention or
evasion.

§ 1382.5060 Restrictions on removal of tenant. (a) No long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodation unless he is in default of the terms of the lease or rental agreement or excluded under this paragraph (a). The tenant will be removed or evicted for cause if he is in default.

(b) The tenant, who has a written lease or other written rental agreement, has refused to deliver the keys of the unit,
and the landlord, who has a written lease
of the unit, has demanded delivery of the
keys and has not been paid.

(c) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(d) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(e) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(f) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(g) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(h) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(i) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(j) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(k) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(l) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.

(m) The tenant, who has a written
lease or other written rental agreement,
has refused to deliver the keys of the unit,
and the landlord, who has a written
lease of the unit, has demanded delivery
of the keys and has not been paid.
§ 1388.0501 Procedure. All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 39 shall be filed with the Area Rent Officer. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedure Regulation No. 3 (§ 1388.231 to 1388.247, inclusive).

(2) The term “Administrator” means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.
(3) The term “Rent Director” means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated in the Rent Director by the Administrator.
(4) The term “Rent Officer” means the person designated by the Rent Director as the Rent Director in the Defense-Rental Area.
(5) The term “tenant” includes an individual, corporation, partnership, association, or any other organized group of persons, the 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.
(6) The term “housing accommodations” includes any structure, building, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or sleeping purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements, for the use or occupancy of such property.

(b) The term “services” includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephones, electricity, gas, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(2) The term “landlord” includes an owner, lessor, sublessor, or other person entitled to the possession of or to the use or occupancy of any housing accommodations, or any assignee of any of the foregoing.

(3) The term “tenant” includes a subtenant, lessee, sublessee, or other person entitled to the possession of or to the use or occupancy of any housing accommodations.

(4) The term “rent” means the consideration, including any bonus, benefit, or security, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(5) The term “house” means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(6) The term “rooming house” means in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms or not constituting an apartment are rented on a short term basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord’s immediate family.

(7) The term includes boarding houses, dormitories, single camps, trailers, residence clubs, touristic homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation No. 39.

§ 1388.0504 Effective date of the regulation. This Maximum Rent Regulation No. 39 (§ 1388.0501 to 1388.0504, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July 1942.

Lawrence Hammack,
Administrator.

[F. R. Doc. 42-1927; Filed, July 27, 1942; 1:36 p.m.]

PART 3309—MAXIMUM RENT REGULATIONS

(MAIRLESERENTATION 14041)

Hotel and Rooming Houses in the Valvede Defense-Rental Area.

In the judgment of the Administrator, rents for housing accommodations within the San Francisco Bay Defense-Rental Area and other Defense-Rental Areas and a portion of a Defense-Rental Area set out in Maximum Rent Regulations Nos. 28 and 32A (§ 1388.1401 to 1388.1413; 1388.1501 to 1388.1513, inclusive) were not reduced and stabilized by State Regulation 33, or otherwise, in accordance with the recommendations set forth in the Designation and Rent Declaration (§ 1388.1201 to 1388.1300, inclusive) issued by the Administrator on April 28, 1942, within sixty days after the issuance of the said Designation and Rent Declaration.

Accordingly, the Administrator issued Maximum Rent Regulations Nos. 28 and 32A for housing accommodations within each Defense-Rental Area and the said portion of a Defense-Rental Area, effective July 1, 1942. Since the issuance of these Maximum Rent Regulations, the Administrator has found, and it is his determination that, by April 1, 1944, defense activities already had resulted in increases in rents for housing accommodations within that portion of the San Francisco Bay Defense-Rental Area consisting of the three Counties of Contra Costa, Napa, and Solano, in the State of California, except as provided in paragraph (b) of this section.

(1) Rooms situated on a farm and occupied by a tenant who is a resident of a substantial portion of his time in farming operations thereafter.
(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part.

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes.

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof except as herein provided unless the provisions are inconsistent with this Maximum Rent Regulation.

(3) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation shall not be binding on the landlord unless the landlord shall consent in writing to such agreement.

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:

§ 1388.600A Prohibitions. (a) A landlord shall not, in violation of this Maximum Rent Regulation, refuse to pay or to receive any portion of any rent due or paid for the use or occupancy of any premises hereinbefore required to be furnished to the tenant.

(b) No lease shall be entered into or renewed or any period of time extended by any person or persons for the use of any premises hereinbefore required to be furnished to the tenant.

§ 1388.600E Minimum services. The minimum services provided by this Maximum Rent Regulation No. 4A are for purposes of the provisions relating to eviction. The landlord may, at any time, with the consent of the tenant, terminate the minimum services, or, with the consent of the tenant, extend the minimum services on a mutually agreeable basis.

§ 1388.600F Minimum rent. This section establishes the minimum rent for all premises in which the landlord provides services in accordance with the provisions of this Maximum Rent Regulation.

§ 1388.600G Minimum rent for different terms of occupancy. The minimum rents for different terms of occupancy shall be as follows:
$ 1386.6005 Adjustments and other determinations. In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rent or other charges or the minimum services required. Except in cases under paragraphs (a) and (c) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941. Provided, however, That no such order shall be issued, because of a major capital improvement or any increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on January 1, 1941, the difference in the rental value of the accommodation required by reason of such improvement or increase in services. In any event, the Administrator shall be given to increased costs of construction, if any, since January 1, 1941. In cases involving conditions due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases involving conditions due consideration shall be given to increased costs of construction, if any, since January 1, 1941. In cases involving conditions due consideration shall be given to increased costs of construction, if any, since January 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent or otherwise change the rents on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as determined from ordinary repair, replacement and maintenance.

(2) There was, on or prior to January 1, 1941, and within the six months ending on such date, a substantial change in the room by a major capital improvement as determined from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on January 1, 1941, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the residential or commercial relationships between the landlord and the tenant, or by an allergy and unusual to a tenant of the same class of persons to whom the landlord regularly offered such an accommodation or otherwise, or any other unusual condition prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(b) There was, on or prior to January 1, 1941, a written lease, which had been in force for more than one year on the date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(c) The thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(d) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room in such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(e) If, on the effective date of this Regulation No. 466, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, and such services are actually being rendered, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services, or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(f) The maximum rent for comparable rooms on January 1, 1941.

(g) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(h) The rent on the date determining the maximum rent for the room was substantially higher at other times of year by reason of seasonal demand for such room. In such cases the Administrator's order may provide for different maximum rents for different periods of the calendar year.

(i) The rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or not known. The Administrator may file a petition for the landlord to file within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

§ 1386.6006 Restrictions on removal of tenant. (a) Do not concern to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to eject or to recover possession, by eviction from possession, or otherwise, nor shall any person attempt such removal or eviction from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who has a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written covenant other than those renewal thereof for a further term of time for the purpose of insuring or of maintaining the room or for the purpose of inspection or of showing the room to prospective purchasers, mortgagees or prospective mortgagees, or other person having a legitimate interest therein; Provided, however, That such refusal shall not be grounds for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(2) The tenant has been accused of a substantial obligation of the tenant, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation exists, or in submitting or permitting a nuisance or in using or permitting the use of the room for an immoral or illegal purpose; or

(3) The landlord seeks in good faith to recover possession of the room after a substantial period of time has been devoted to maintenance or re-modeling of the room or to substantial alteration or remodeling of the room in a manner which cannot practically be done with the tenant in occupancy or to the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(4) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room, the landlord may enter a petition for the room under this paragraph (b) (4) such petition shall not be heard for six months after such removal or eviction without permission of the Administrator. The landlord may enter the Administrator a petition for permission to rent the room during such six months, and the Administrator shall grant such permission if he finds that the landlord is not in good faith and not for the purpose of evading any provision of this Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted from a room, except as stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of this local law. The Administrator shall certify if the landlord establishes that removal or eviction of the character proposed are not consistent with the
purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of rent, not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Officer stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

The provisions of this section do not apply to:

(1) A tenant or other person who occupied under a rental agreement with the tenant the tenancy or other such occupant is sought by the landlord or other person under the tenancy relationship between the landlord and the subtenant or other such occupant;

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or

(3) A tenant occupying a room within a rooming house which has hereinafter been rented on daily basis before previously rented on daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.6007 Registration. - (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 40A, every landlord of a room rented or offered for rent shall file a written statement on the form prescribed by the Area Rent Officer certifying that such information as the Administrator shall require, to be known as a preliminary statement of maximum rent established after the effective date of this Maximum Rent Regulation No. 40A shall be reported either on the statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in a prominent position or offer for rent a card or sign plainly stating the maximum required for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking in of meals by the tenant or prospective tenant is a feature of the rooming house, the card or sign shall also state whether the maximum required is to be paid in addition to the rent for the room, or if the rent includes the use of the room as a kitchen or the like.

(c) No payment of rent need be made unless the landlord renders a receipt for the payment.

§ 1388.6009 Inspection. - Any person who rents or offers for rent a room or place for a term of 6 months or more, or a rooming house shall permit such inspection of the premises by the Administrator as he may, from time to time, require.

§ 1388.6010 Enforcement. - Persons violating any provision of this Maximum Rent Regulation No. 40A are subject to criminal penalties, civil enforcement actions, as well as fines for breach damages as provided for by the Act.

§ 1388.6011 Procedure. - All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 40A shall be filed with the Area Rent Officer. All landlord’s applications shall be filed with the Area Rent Officer in accordance with Procedural Regulation No. 3 (§ 1300.201 to 1300.247, inclusive).

§ 1388.6012 Petitions for amendment. - Persons seeking any amendment of general applicability to any provisions of this Maximum Rent Regulation No. 40A may file a petition therefor in accordance with Procedural Regulation No. 3 (§ 1300.201 to 1300.247, inclusive).

§ 1388.6013 Definitions. - (a) When used in this Maximum Rent Regulation No. 40A, the term “主管部门” means the Emergency Price Control Act of 1942.

(b) The term “Administrator” means the Price Administrator of this area or any person designated by the Administrator as the Director of the Emergency Price Control Act.

§ 1388.6014 Effective date of the regulation. - This Maximum Rent Regulation No. 40A (§ 1388.6001 to 1388.6014, inclusive) shall become effective January 1, 1942.
the Oahu-Valle De-stress Defense-Rental Area designated in the Declaration and Rent Regulation issued by the Administrator on April 30, 1942, have not been reduced and stabilized by State or local regulation; or otherwise, in accordance with the recommendations set forth in the said Declaration and Rent Regulation.

It is the judgment of the Administrator that by April 1, 1941, defense activities already had resulted in increases in rents for housing accommodations within the Oahu-Valle De-stress Defense-Rental Area, inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within the Oahu-Valle De-stress Defense-Rental Area as of about January 1, 1941; and it is his judgment that the most recent date, which does not reflect increase in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including decreases in property taxes and other costs.

In the judgment of the Administrator, the rents prevailing as a result of the Maximum Rent Regulation for housing accommodations within the Oahu-Valle De-stress Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 41 is hereby issued.

Authority: §1808.6005 to 1808.6006, inclusive, of Title 4, United States Code, and Title 28, United States Code, and Title 5, United States Code, for the operation of the Federal Emergency Management Agency.

§1808.6005 Scope of regulation. (a) This Maximum Rent Regulation No. 41 applies to all housing accommodations within the Oahu-Valle De-stress Defense-Rental Area designated in the Declaration and Rent Regulation (41 U.S.C. 1306) (enacted herein) issued by the Administrator on April 30, 1942 (comprising the Counties of Honolulu, Oahu, Maui, and Kauai, in the State of Hawaii), except as provided in paragraph (b) of this section.

(b) Days 41. This Maximum Rent Regulation does not apply to the following:

(i) Housing accommodations situated on a farm and occupied by the tenant who is engaged for a substantial portion of his time in farm operations or livestock;

(ii) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(iii) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, leased to the occupants of such accommodations.

§1808.6006 Maximum rent, maximum rent changes and maximum rent for the first quarter of 1941. (a) This Maximum Rent Regulation No. 41, the maximum rent, maximum rent changes and maximum rent for the first quarter of 1941, shall be:

(i) For housing accommodations rented on January 1, 1941, the rent shall be:

(ii) For housing accommodations not rented on January 1, 1941, but rented at any time during the two-month period ending on that date, the rent shall be:

(iii) For housing accommodations not rented on January 1, 1941, but rented prior to the effective date of this Maximum Rent Regulation No. 41, the first rent shall be:

(iv) For housing accommodations constructed without prior rent control after January 1, 1941 and before the effective date of this Maximum Rent Regulation; or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to furnished, or from furnished to unfurnished, or (4) housing accommodations substantially changed before those dates by a major capital improvement as distinguished from ordinary repair, replacement, or maintenance, the first rent for such accommodations after such change shall be:

(v) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation; or (2) housing accommodations substantially changed before those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed before those dates by a major capital improvement as distinguished from ordinary repair, replacement, or maintenance, the first rent for such accommodations after such change shall be:

§1808.6005 Prohibition against higher than maximum rents. Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy and after the effective date of this Maximum Rent Regulation No. 41 of any housing accommodations within the Defense-Rental Area higher than the maximum rent provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§1808.6005 Aftermath services. The maximum rent provided by this Maximum Rent Regulation are for housing accommodations including, as a minimum, services of the same kind, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation No. 41, the services provided for housing accommodations are less than such minimum services, the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to §1808.6005 (b) for approval of the decreased services. In all other cases, except as provided in §1808.6005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§1808.6005 Maximum rents, maximum rent changes and maximum rent for the first quarter of 1941. (a) For housing accommodations rented on January 1, 1941, the rent shall be:

(b) For housing accommodations not rented on January 1, 1941, but rented at any time during the two-month period ending on that date, the rent shall be:

(c) For housing accommodations not rented on January 1, 1941, but rented prior to the effective date of this Maximum Rent Regulation No. 41, the first rent shall be:

(d) For housing accommodations constructed without priority rating first rented on or after January 1, 1941 and before the effective date of this Maximum Rent Regulation; or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to furnished, or from furnished to unfurnished, or (4) housing accommodations substantially changed before those dates by a major capital improvement as distinguished from ordinary repair, replacement, or maintenance, the first rent for such accommodations after such change shall be:

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation; or (2) housing accommodations substantially changed before those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed before those dates by a major capital improvement as distinguished from ordinary repair, replacement, or maintenance, the first rent for such accommodations after such change shall be:

(f) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation; or (2) housing accommodations substantially changed before those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed before those dates by a major capital improvement as distinguished from ordinary repair, replacement, or maintenance, the first rent for such accommodations after such change shall be:

(g) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation; or (2) housing accommodations substantially changed before those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed before those dates by a major capital improvement as distinguished from ordinary repair, replacement, or maintenance, the first rent for such accommodations after such change shall be:
owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(b) There was in force on January 1, 1941 a written lease, which has been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941; or the housing accommodations were not rented on January 1, 1941, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to January 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on January 1, 1941.

(c) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(d) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator’s order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(e) If the rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(f) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for the same or similar occupancy for a rent not in excess of the maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for a determination of the maximum rent for such premises, which petition shall be reviewed by the Administrator in accordance with the provisions of this chapter.
from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 41.

(5) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(6) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(7) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of rent not in excess of the maximum rent) the landlord shall give written notice to the Area Rent Office stating the title and number of the case, the court in which it is filed, and the names and address of the tenant and the grounds on which eviction is sought.

(8) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1386.0507 Restitution. Within 45 days after the effective date of this Maximum Rent Regulation No. 41, or within 30 days after the property is first rented, whichever date is later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant’s signature and the date thereon on the back of such statement. Within 30 days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant’s signature, stating that there has been a change of tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity herewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1386.0506 Inspection. Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1386.0505 Eviction. The maximum rents and other requirements provided in this Maximum Rent Regulation No. 41 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of sublet or conditional sale, sale with purchase money or other form of mortgage, or sale with option to purchase, or by modification of the practices relating to payment of commissary or other service charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1386.0504 Enforcement. Persons violating any provision of this Maximum Rent Regulation No. 41 are subject to criminal penalties, civil enforcement actions and suits for civil damages as provided for by the Act.

§ 1386.0501 Procedure. All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 41 shall be filed with the Area Rent Office. All landlord’s petitions and tenant’s applications shall be filed with such office in accordance with Procedures Regulation No. 3 (1) 1330.301 to 1330.347, inclusive.

§ 1386.0502 Petitions for amendment. Persons seeking any amendment to general applicability to any provision of this Maximum Rent Regulation No. 41 may file the petitions therefor in accordance with Procedures Regulation No. 3 (1) 1330.301 to 1330.347, inclusive.

§ 1386.0503 Definitions. (a) When used in this Maximum Rent Regulation No. 41:


(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director, as the case may be.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated by the Administrator.
be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "tenant" includes any 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 agent of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land upon which it is located, or any part or portion of any building or structure, or any other real or personal property rented or offered for rent, for living or sleeping purposes, together with all privileges, services, furnishings, furnishing, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of lights, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other services or facilities connected with the use or occupancy of such property.

(8) The term "tenant's landlord" includes an owner, lessor, sublessor, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of such person.

(9) The term "tenant" includes a sublessee or subtenant of another person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration paid for the use or occupancy of any housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "building" means any establishment generally recognized as such, and includes any building or part thereof, or an apartment, or dwelling unit, or rooms, or any portion thereof, that contains fifty or more rooms and used predominantly for housing accommodations.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms are rented to persons not constituting an apartment and that are rented on a short time basis of daily, weekly, or monthly occupancy or to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tenanted homes or cabins, and all other establishments of a similar nature.

On unite the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1943 shall apply to the terms used in this Maximum Rent Regulation.

§ 1388.6004 Effective date of the regulation. This Maximum Rent Regulation of Florida, except as provided in paragraph (b) of this section, shall become effective August 1, 1943.

Issued this 7th day of July, 1942, Leo Hamann, Administrator.

(P. R. Doc. 62-1084; Filed, July 17, 1942; 111 p.)

PART 1306 DEFENSE-RENTAL AREAS [MAXIMUM RENT REGULATION 42A]

HOUSING AND ROOMING HOUSES IN THE CAPE GIRARDEAU--SPARKS DEFENSE--RENTAL AREA

In accordance with the recommendations set forth in the said Declaration and Rent Declaration, the judgment of the Administrator that on April 1, 1941, definite activities already had resulted in increases in rents for housing accommodations within the Cape Girardeau--Sparks Defense-Rental Area Inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore assessed and determined the rents prevailing for housing accommodations within the Cape Girardeau--Sparks Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 42A is hereby issued.

Accordingly, on 1388.6005 Scope of regulation. (a) This Maximum Rent Regulation No. 42A applies to all housing accommodations within the Cape Girardeau--Sparks Defense-Rental Area designated in the Declaration and Rent Declaration (1388.1651 to 1388.1655, inclusive) issued by the Administrator on April 28, 1943, consisting of the Counties of Atchison, Bradford, and Clay, in the State of Missouri.

§ 1388.6005 Scope of regulation. (b) This Maximum Rent Regulation does not apply to the following:

1. Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farm operations thereon;

2. Rooms occupied for domestic service, care-takers, managers, or other employees employed by ranchmen or roomers as part of their compensation and who are employed for the purpose of rendering services in connection with the rooms of which the rooms are a part;

3. Rooms in hospitals, or institutions of charitable or educational institutions used in carrying out their charitable or educational purposes;

4. Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses;

5. The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except that as those provisions are inconsistent with this Maximum Rent Regulation.

6. An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void.

7. Rents, or parts of rents, paid to persons who are not tenants are not within this Maximum Rent Regulation.

1388.6005 Scope of regulation. (c) This Maximum Rent Regulation is exclusive of the provisions of this Regulation for Housing Accommodations other than Hotels and Rooming Houses.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations.
accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Minimum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses. In lieu of such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request for the Administrator to consent to such revocation.

The Administrator may take action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations with such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.7003 Limitations. (a) Re- 

registrations are not effective until the Administrator shall have made a finding that the said registration is necessary or required to prevent the occurrence of a substantial increase in the maximum rents of any housing accommodations.

(b) No tenant shall be required to vacate his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 16, 1942, or between that date and the effective date of this Maximum Rent Regulation No. 42A or any registration statement thereunder, a tenant shall demand, solicit, attempt, or agree to accept any rent in excess of the maximum rent established for his term of occupancy, the landlord may order the tenant to vacate his term of occupancy. In such event the landlord may order the tenant to vacate his term of occupancy, unless he offers another term of occupancy.

(c) In case a tenant is required to vacate his term of occupancy, and the landlord agrees to enter into a new registration statement providing for a maximum rent for the new occupancy, the tenant shall be required to pay no more than the maximum rent for the new occupancy, unless he offers another term of occupancy.

(d) For a tenant rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after January 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(e) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or by any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this section of the following chart. The Administrator may order a decrease in the maximum rent as prescribed in § 1388.7005 (e) on June 16, 1942, as determined by the owner of each room.

(f) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or by any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this section of the following chart. The Administrator may order a decrease in the maximum rent as provided in § 1388.7005 (e).

(g) For a room with which meals are provided during the thirty-day period determining the maximum rent without separate charge for the rent, the landlord shall not be required to pro-
force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

(2) The rent during the thirty-day period determining the maximum rent shall be established in a lease or other rental agreement which provides for a substantially higher rent at other periods during the term of such lease or agreement.

(3) The rent during the thirty-day period determining the maximum rent for a room which was substantially lower than at other times of year by reason of seasonal demand for such room. In such cases, the Administrator's order may fix the maximum rent for such room at a lower rate than that provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent, or maintain such services, or, within 30 days after such effective date, file a petition defecting the decreased services. Except as shown provided, the landlord shall maintain the minimum services as the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, of other person having a legitimate interest therein. Provided, however, that such refund shall not be granted for services which continue to be furnished.

(4) The tenant on the date determining the maximum rent for the room was substantially higher than at other times of year by reason of seasonal demand for such room. In such cases, the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(5) The rent during the thirty-day period determining the maximum rent, or on any other fact, necessary, to the determination of the maximum rent, is in dispute between the landlord and the tenant, or in dispute on the petition of the landlord filed within 30 days after the effective date of the maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact, he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on January 1, 1941.

13398.7000 Restrictions on removal of tenant. (a) No tenant shall be removed or evicted from a room in excess of the maximum rent paid by the tenant. The tenant shall be given notice thereof to the Area Rent Office stating the title and number of the room, in which it is located, the name and address of the tenant and the grounds on which eviction is sought.

(4) The provisions of this section do not apply to:

(1) A tenant or other person who occupies under a rental agreement with the tenant, where removal or eviction of the tenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the tenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis, or a tenant occupying a room within a rooming house which has herebefore been used as a hotel. No provision of this section shall be interpreted to authorize the removal of a tenant unless such removal is authorized by the local law.

13398.7010 Registration. (a) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided herewith, containing such information as the Administrator shall require, in any registration statement. Any maximum rent established after the effective date of the Maximum Rent Regulation under paragraphs (b) and (c) of this Regulation shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent for the room, the maximum number of occupants and for all terms of occupancy and for all number of occupants (or whom the room is rented or offered for rent). Where the taking of meals by the tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rates for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rates.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.
FEDERAL REGISTER, Wednesday, July 29, 1942

§ 1304.7008 Inspection. Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1304.7009 Evasion. The maximum rents and other requirements provided in this Maximum Rents Regulation No. 42A shall not be evaded, directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership in or other fees, or by modification of the practice of paying security deposits or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1304.7010 Enforcement. Persons violating any provisions of this Maximum Rents Regulation No. 42A are subject to criminal penalties, civil enforcement actions, and suits for treble damages as provided for by the Act.

§ 1304.7011 Procedure. All registration statements, reports and notices provided for by this Maximum Rents Regulation No. 42A shall be filed with the Area Rent Office. Any landlord's petition and tenant's application shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.207), inclusive.

§ 1304.7012 Petitions for amendment. Persons seeking any amendment of general application in any provision of this Maximum Rents Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247), inclusive.

§ 1304.7013 Definitions. (a) When used in this Maximum Rents Regulation No. 42A:


(2) The term "Administrative Official" means the Area Rent Director or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Area Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, legal or otherwise, whether aggregative or aggregative 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.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto,

or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, boarding house accommodations, and other properties used for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property).

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or boarding house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintaining, the furnishing of light, heat, hot and cold water, telephone, elevator service, window washers, and storage, kitchen, bath and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, tenant, subtenant, assignee or other person renting or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, deposit, or gratuity, demanded or received for the use or occupancy of a room for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or a portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, term rental houses or cabins, and all other establishments of a similar nature.

(15) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rents Regulation No. 42A.

§ 1308.7014 Effective date of the regulation. This Maximum Rents Regulation No. 42A (§§ 1308.7001 to 1308.7014, inclusive) shall become effective August 1, 1942.

Issued this 27th day of July 1942.

Leon Henderson, Administrator.

§ 1304.7015—Fuel

AMENDMENT 11, Maximum Price Regulation 1942

November coal delivered from mine or preparation plant

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

A new subparagraph (12) is added to § 1304.710 (a) as set forth below:

§ 1304.710 Maximum price instructions. (a) The following maximum prices in price instructions are applicable to the maximum prices established for such coal in this Maximum Price Regulation No. 130 and an amount not in excess of the weighted average margin realized by such distributor on similar sales or deliveries of smit
ing coal during the period October 1, 1941, to December 31, 1941, such weighted average margin shall be determined by subtracting the average purchased price f. o. b. mine, weighted by tonnage, paid by such distributor for the smelting coal so sold or delivered by him in the period October 1 to December 31, 1941, from the average sale price, weighted by tonnage, but exclusive of transportation costs, which he received therefor:

Provided, That not later than September 7, 1942, each distributor shall report the average margin obtained on sales of smelting coal during the period October 1 to December 31, 1941, determined in accordance with the provisions of this paragraph (a) (11) of § 1304.710 to the Bituminous Coal Division of the Department of Commerce of the United States at 724 West Fifteenth Street, Washington, D.C.

§ 1308.7116 Effective dates of amendments.

(1) Amendment No. 1 (§ 1300.210 (a) and (b)) to Maximum Price Regulation No. 130 shall become effective July 7, 1942, and issued this 27th day of July 1942.

Leon Henderson, Administrator.

§ 1304.7014—Wooden or wickered civilian apparel

ARMY

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

§ 1304.210—Wooden or wickered civilian apparel

ARMY

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

PETROLEUM

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

§ 1304.210—Wooden or wickered civilian apparel

ARMY

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

[7, V.P. 2541, 1650.]
Section 1410.103 is amended, in § 1410.113 (a), paragraphs (3) and (7) are amended and three new subparagraphs (b), (9) and (16) are added to § 1410.113 (a) to read as set forth below:

1410.103 Maximum prices for woolen and worsted apparel fabrics sold by jobbers—(a) Piece lots, less than piece lots and cut lengths. Except as provided by paragraphs (b) and (c) of this section, the maximum prices for sales and deliveries of a woolen or worsted apparel fabric by jobbers in piece lots, less than piece lots and cut lengths shall be the quotient of the sum of (1) the manufacturer’s net invoice price, whether or not the purchaser has taken advantage of any term discounts offered, but in no case higher than the manufacturer’s maximum price determined in accordance with § 1410.102, the freight charges actually paid for the transportation of each fabric from the manufacturer’s shipping point to the jobber’s place of business, and (2) the freight charges actually paid for the transportation of each fabric from the manufacturer’s shipping point to the jobber’s place of business, divided by the applicable division factor set forth below:

(i) Men’s wear fabrics sold in piece lots, $0.06.

(ii) Women’s wear fabrics sold in piece lots, $0.07.

(iii) Men’s and women’s wear fabrics sold in less than piece lots to all persons except as set forth in subdivisions (iv) and (v) below, $0.65.

(iv) Men’s and women’s wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, $0.60.

(v) Men’s and women’s wear fabrics and accessories sold in lengths of 12 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel, $0.62.

(b) Minimums of sales and deliveries covered by subdivisions (iv) and (v) where a jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer’s net invoice prices of all the styles is $0.25 per yard, the manufacturer’s net invoice price for each yard for all the styles may be determined by taking the average of the manufacturer’s net invoice prices per yard for all the styles in the range.

(c) Mill ends, etc. (1) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by jobbers shall be the manufacturer’s maximum price therefor, determined in accordance with Maximum Price Regulations No. 143.

(2) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by secondary jobbers shall be the quotient of the sum of (1) the supplier’s net invoice price, whether or not the purchaser has taken advantage of any term discounts offered and (2) the freight charges actually paid by the secondary jobber for the transportation of the fabric from the supplier’s shipping point to his place of business, divided by the applicable division factor set forth below:

(i) Men’s and women’s wear fabrics sold in less than piece lots to manufacturers of apparel, $0.05.

(ii) Men’s and women’s wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.05.

(iii) Men’s and women’s wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, $0.60.

(iv) Men’s and women’s wear fabrics sold in cut lengths of 12 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, $0.62.

(c) Sales by secondary jobbers. Except as provided in paragraph (b) of this section, the maximum price for sales and deliveries of a woolen or worsted apparel fabric by a secondary jobber shall be the quotient of the sum of (1) the manufacturer’s net invoice price, whether or not the purchaser from the manufacturer has taken advantage of any term discount offered, but in no case higher than the manufacturer’s maximum price determined in accordance with § 1410.102, (2) the freight charges actually paid by the secondary jobber for the transportation of the fabric from the manufacturer’s shipping point to the purchaser’s place of business, and (3) the freight charges actually paid by the secondary jobber for the transportation of the fabric from the supplier’s shipping point to his place of business, divided by the applicable division factor set forth below:

(i) Men’s and women’s wear fabrics sold in less than piece lots to manufacturers of apparel, $0.07.

(ii) Men’s and women’s wear fabrics sold in less than piece lots to retail stores and to special order departments of manufacturers of apparel, $0.07.

(iii) Men’s and women’s wear fabrics sold to custom or merchant tailors, $0.67.

(iv) Men’s and women’s wear fabrics sold to special order departments of manufacturers of apparel and retail establishments, $0.62.

In cases of sales and deliveries covered by subdivisions (i), (ii) and (iii) where a secondary jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer’s net invoice prices of all the styles in the range does not exceed $0.25 per yard, the manufacturer’s net invoice prices per yard for all the styles may be determined by taking the average of the manufacturer’s net invoice prices per yard for all the styles in the range.

(d) Optimum maximum price for jobbers and secondary jobbers. In cases where a jobber or a secondary jobber sold or delivered the same fabric during the period between December 1, 1940 and November 29, 1941, such jobber or secondary jobber may, at his option, use as the maximum price for such fabric the highest price at which it was sold or delivered during said period: Provided, That such optional maximum price shall not exceed the quotient of the sum of (1) the manufacturer’s maximum price for the fabric determined in accordance with § 1410.102 and (2) the freight charges which would be paid for the transportation thereof to the seller’s place of business, divided by the applicable division factor provided for by paragraphs (a) or (c) of this section, as the case may be.

(e) Sales of fabrics by manufacturers of apparel. The maximum price for sales and deliveries of a woolen or worsted apparel fabric by a manufacturer of apparel shall be the highest price paid therefor, plus the actual freight charges paid by him for the transportation thereof to his place of business.

(1) Customary discounts, trade practices and transportation costs. (1) Every person making sales of woolen or worsted apparel fabric subject to this section, except in the case of sales to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments shall continue his customary quantity discounts and price differentials to different purchasers and different classes of purchasers.

(2) Every person making sales of woolen or worsted apparel fabric subject to this section, except in the case of sales to custom or merchant tailors, shall continue his customary discount and trade practice for each purchase of woolen or worsted apparel fabric, at his own discretion, to the maximum price to the closest 5% cents per yard.

(3) No such seller shall require any purchaser, and no purchaser shall be required to pay a larger proportion of transportation costs incurred in the delivery of woolen or worsted apparel fabric than he required purchasers of the same class to pay during March 1942:

(a) Invoice requirements. (1) On and after June 29, 1942, every person making sales of woolen or worsted apparel fabric subject to paragraphs (a), (b) or (c) of this section, except sales to retail stores, custom or merchant tailors, and special order departments of manufacturers of apparel and retail establishments, shall, in addition to the terms thereof: (i) the manufacturer’s net invoice price, (ii) the freight charges paid, (iii) the division factor used in computing the selling price, and (iv) the applicable division factor provided for by this section, showing such division factor in figures.
FEDERAL REGISTER, Wednesday, July 29, 1942

5829

\(1490.115\) Definition. (a) When used in this Maximum Price Regulation No. 163, the term:

- \(1490.285\) Method by which brass nulla may determine maximum prices for brass mill products which cannot be priced under \(1499.1\) of the General Maximum Price Regulation. (a) Whenever a brass mill cannot determine the maximum price for any brass mill product, manufactured by it, under \(1499.3\) of the General Maximum Price Regulation, such brass mill is hereby authorized to determine the maximum price for such product by applying the same pricing formulas or method of calculating prices used by it on March 31, 1942. In applying such pricing formulas or method of calculating prices, the brass mill shall use the same unit cost factors (i.e., the same wage and machine hour rates, the same per pound prices of materials, and the same unit overhead) and the same percentage of profit over costs, extra charges, discounts and allowances, which it would have used on March 31, 1942, even though such unit cost factors may have increased since that date.

(b) Within 10 days after a brass mill has determined a maximum price pursuant to the provisions of paragraph (a) of this order, it shall report such price to the Office of Price Administration. Such report shall also set forth (1) a description in detail of the commodity for which such price was determined, (2) a statement of facts which differentiate such commodity from other commodities delivered or offered for delivery during March, 1942 by such brass mill and by other competitive sellers of the same class and (3) a statement that the maximum price reported was determined in accordance with the methods established by paragraph (a) of this order and the facts in support of such statement. The brass mill, in this connection, shall submit its estimate sheet, showing how the maximum price was determined, or if it did not use an estimate sheet, it shall submit a statement breaking down the price reported into the following categories: (1) material cost, (2) manufacturing costs, including machining (machine hour rate and units per hour to be specified), (3) plant overhead, (4) administrative overhead and (v) profit. The maximum price reported by a brass mill in accordance with the provisions of this paragraph (b) shall be subject to adjustment at any time by the Price Administrator.

(c) As used in this Order No. 46:

- \(1490.285\) Method by which brass nulla may determine maximum prices for brass mill products which cannot be priced under \(1499.1\) of the General Maximum Price Regulation.

Machines and Parts, or by any other price regulation hereinafter or hereafter issued by the Office of Price Administration.

(3) "Copper base alloy" means any alloy listed in the composition of which the percentage of copper metal by weight equals or exceeds 60% of the total weight of the alloy.

This Order No. 45 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 45 [5499.3003] shall become effective July 27, 1942.

( Pub. Law 451, 71st Cong.)

Issued this 27th day of July, 1942.

Leon Henderson, Administrator.

\[P. 63, 61-72; Fed. July 27, 1942; 2 \text{pp. m. l.}\]

\(1490.302\) Approval of maximum price for potash nitrate for sale by the Cardox Corporation. (a) The Cardox Corporation, a corporation having as its principal place of business in Chicago, Illinois, may sell and deliver and offer, sell, offer and attempt to sell and deliver potassium nitrate produced in or from the city of Claremore, Oklahoma, and any person may buy from the Claremore, Oklahoma, plant at a price no higher than that hereinafter set forth:

- \(1490.285\) Method by which brass nulla may determine maximum prices for brass mill products which cannot be priced under \(1499.1\) of the General Maximum Price Regulation.

30 cents per pound, f.o.b., Claremore, Okla.

(b) On or before September 10, 1942, the Cardox Corporation shall furnish the Office of Price Administration with a sworn statement reporting in detail its costs of producing potassium nitrate per 1,000 pounds for each month during the period from April 1, 1942, to September 1, 1942.

(c) The maximum prices established in this Order shall include all charges for containers.

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

\[*\text{P. 3124, 3209, 3206, 3203, 3201, 4309, 4401, 4501, 4507.}\]

\[\text{\textregistered}\text{P. 1568.}\]

\[\text{\textregistered}\text{P. 3502.}\]

\[\text{\textregistered}\text{P. 3506, 3507, 3507, 3507, 3507.}\]

\[\text{\textregistered}\text{P. 3508, 3509, 3509, 3509, 3509.}\]

\[\text{\textregistered}\text{P. 3509, 3509, 3509, 3509, 3509.}\]

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\[\text{\textregistered}\text{P. 3509, 3509, 3509, 3509, 3509.}\]

\[\text{\textregistered}\text{P. 3509, 3509, 3509, 3509, 3509.}\]
(a) This Order No. 48 shall terminate on October 31, 1943 unless it is previously revoked by the Price Administrator.

(b) This Order No. 48 may be amended by the Price Administrator at any time.

(c) This Order No. 48 (§ 1490.203) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942; 1:19 p. m.

PART 1490—COMMODITIES AND SERVICES

SOUTHEASTERN CARPET CO. (Order No. OP-11)

Order 4 Under § 1490.18 (b), General Maximum Price Regulation.

The reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1490.304 Adjustment of maximum prices for causing trouble in producing by South Pacific Canning Company, Inc., South Pacific Canning Company, Inc., Long Beach, California, may sell and deliver, and any person may buy and receive from South Pacific Canning Company, Inc., canned standard light meat turnip, prices not higher than those set forth below:

(a) Cases of 48 No. 1 size cans @ $32.94 per case, f. o. b. cannery.
(b) Cases of 48 No. 1 1/2 size cans @ $31.84 per case, f. o. b. cannery.
(c) Cases of 48 No. 1/2 size cans @ $30.84 per case, f. o. b. cannery.
(d) All prayers of the application not granted herein are denied.

This Order No. 4 may be revoked or amended by the Price Administrator at any time.

This Order No. 4 (§ 1490.304) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942; 1:19 p. m.

PART 1490—COMMODITIES AND SERVICES

South Pacific Paper Co. (Order No. OP-90)

Adjustments of Maximum Prices Under § 1490.18 (b), General Maximum Price Regulation—Order No. 6.

The South Pacific Paper Company, 142 North Third Street, Columbus, Ohio, filed a petition for adjustment or exception to the provisions of the General Maximum Price Regulation. This petition is considered in an application for adjustment under § 1490.18 (b) thereof. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, it is ordered:

§ 1490.305 Adjustment of maximum prices for paper bags of The South Pacific Paper Company. (a) On and after July 27, 1942, The South Pacific Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size Price
7,500,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.
5,000,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 (§ 1490.305) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942; 1:19 p. m.

CLINTON COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1490.18 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1490.307 Maximum price for sales of Hydrol by Clinton Company (a) Clinton Company of Clinton, Iowa is hereby authorized to sell and offer for sale, solicit and attempt to sell hydrol at a price not exceeding $29.50 a ton f. o. b. Clinton, Iowa.
(b) The terms used in this order shall have the meaning given to them in the General Maximum Price Regulation.
(c) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 7 (§ 1490.307) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942: 1:19 p. m.

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

Office of Price Administration, It is ordered:

§ 1490.308 Adjustment of maximum price for sales of paper bags of The South Pacific Paper Company. (a) On and after July 27, 1942, The South Pacific Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size Price
7,500,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.
5,000,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 (§ 1490.308) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942; 1:19 p. m.

Office of Price Administration, It is ordered:

§ 1490.308 Adjustment of maximum price for sales of paper bags of The South Pacific Paper Company. (a) On and after July 27, 1942, The South Pacific Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size Price
7,500,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.
5,000,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 (§ 1490.308) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942; 1:19 p. m.

Office of Price Administration, It is ordered:

§ 1490.308 Adjustment of maximum price for sales of paper bags of The South Pacific Paper Company. (a) On and after July 27, 1942, The South Pacific Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size Price
7,500,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.
5,000,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

This Order No. 8 (§ 1490.308) shall become effective July 27, 1942.

PUBLISHED 421, 71st Cong.
Issued this 27th day of July 1942.

Leon Hendrixson, Administrator.

P. R. Doc. 42-7109: Filed, July 27, 1942; 1:19 p. m.

Office of Price Administration, It is ordered:

§ 1490.308 Adjustment of maximum price for sales of paper bags of The South Pacific Paper Company. (a) On and after July 27, 1942, The South Pacific Paper Company may sell and deliver paper bags to the State of Ohio, Department of Liquor Control at prices no higher than those hereinafter set forth:

Quantity, grade and size Price
7,500,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.
5,000,000 qts natural brown kraft paper bags, 20 lb. basis weight, size 4 x 2.5" $1.30 per M.
PART 1499—COMMODITIES AND SERVICES
[Docket No. OFR-461-P]
JAMES DUGSTORP, INC.
Order No. 2 under § 1499.18 (c), General Maximum Price Regulation.
For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.353 Adjustment of maximum prices for commodities listed below sold by James Dugstorp, Inc., (a) James Drug Stores, Inc., of Newark, New Jersey, may sell and deliver, and any person may buy and receive from James Drug Stores, Inc., the following commodities at prices not higher than those set forth below:
(a) Groves' Laxative Dextra Quinina
Net weight, $2.34 per dozen.
(b) Groves' Expectorant Denver Quinine Balsam, $4.80 per dozen.
(c) Rix Brand Diagnostic Balsam, $3.00 per dozen.

The prices of all the commodities listed above shall be in effect from the date of this order.

(Pub. Law 451, 71st Cong.)
Issued this 27th day of July 1942.
Leon Henningson
Administrator.

PART 1499—FUELS
(Minimum Price Regulation 109)
BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Maximum prices for bituminous coal used for bunkering vessels at points on the Great Lakes and their connecting or tributary waters shall be established by Maximum Price Regulation No. 123, where such coal was delivered from a mine or preparation plant, or by Maximum Price Regulation No. 121, where delivery was made from other facilities.

The judgment of the maximum Price Administrator as to the supplying of bunker fuel, whether delivery is made from a mine or preparation plant or other facility, rests upon the maxim that the minimum prices fixed by the Price Administrator shall be in effect for the purposes specified in this regulation when the circumstances and conditions are such that the application of the minimum prices is in the public interest.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the provisions of 1499.18 (c), General Maximum Price Regulation, the maximum prices established according to the aforementioned § 1499.353 above, and in accordance with the provisions of the Price Administration Act of 1942, are hereby issued.

Anticipatory: 1499.29(b) to 1499.314, inclusive, issued under Pub. Law 431, 71st Cong.

§ 1499.301 Maximum prices for bituminous coal sold for direct use as bunker fuel. On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, the maximum price shall be adjusted to the maximum price for bituminous coal in any quantity, for direct use as bunker fuel on or after May 18, 1942, and after May 18, 1942, and after May 18, 1942, may be paid such prices.

PART 1499—COMMODITIES AND SERVICES
[Adoption of Maximum Prices Under § 1499.18 (c), General Maximum Price Regulation—Order No. 9]

GEORGE OWEN & SON, INC.
For the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered that:

§ 1499.353 Adjustment of maximum prices for sales of charcoal by George Owen & Son, Inc., of Auburn, Washington, effective May 19, 1942, in accordance with the arrangements set forth in the order issued under § 1499.353, is hereby extended to September 30, 1942.

The maximum prices for charcoal sold by George Owen & Son, Inc., shall be adjusted to the maximum prices for coal as provided in the Price Administration Act of 1942.

Therefore, the price limits set forth in this Maximum Price Regulation shall be in effect at the time of delivery.

ANTICIPATORY: 1499.29(b) to 1499.314, inclusive, issued under Pub. Law 431, 71st Cong.

§ 1499.301 Maximum prices for bituminous coal sold for direct use as bunker fuel. On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, the maximum price shall be adjusted to the maximum price for bituminous coal in any quantity, for direct use as bunker fuel on or after May 18, 1942, and after May 18, 1942, may be paid such prices.

PART 1499—FUELS
(Minimum Price Regulation 109)
BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Maximum prices for bituminous coal used for bunkering vessels at points on the Great Lakes and their connecting or tributary waters shall be established by Maximum Price Regulation No. 123, where such coal was delivered from a mine or preparation plant, or by Maximum Price Regulation No. 121, where delivery was made from other facilities.

The judgment of the Price Administrator as to the supplying of bunker fuel, whether delivery is made from a mine or preparation plant or other facility, rests upon the maxim that the minimum prices fixed by the Price Administrator shall be in effect for the purposes specified in this regulation when the circumstances and conditions are such that the application of the minimum prices is in the public interest.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the provisions of 1499.18 (c), General Maximum Price Regulation, the maximum prices established according to the aforementioned § 1499.353 above, and in accordance with the provisions of the Price Administration Act of 1942, are hereby issued.

Anticipatory: 1499.29(b) to 1499.314, inclusive, issued under Pub. Law 431, 71st Cong.

§ 1499.301 Maximum prices for bituminous coal sold for direct use as bunker fuel. On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, the maximum price shall be adjusted to the maximum price for bituminous coal in any quantity, for direct use as bunker fuel on or after May 18, 1942, and after May 18, 1942, may be paid such prices.

PART 1499—FUELS
(Minimum Price Regulation 109)
BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Maximum prices for bituminous coal used for bunkering vessels at points on the Great Lakes and their connecting or tributary waters shall be established by Maximum Price Regulation No. 123, where such coal was delivered from a mine or preparation plant, or by Maximum Price Regulation No. 121, where delivery was made from other facilities.

The judgment of the Price Administrator as to the supplying of bunker fuel, whether delivery is made from a mine or preparation plant or other facility, rests upon the maxim that the minimum prices fixed by the Price Administrator shall be in effect for the purposes specified in this regulation when the circumstances and conditions are such that the application of the minimum prices is in the public interest.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the provisions of 1499.18 (c), General Maximum Price Regulation, the maximum prices established according to the aforementioned § 1499.353 above, and in accordance with the provisions of the Price Administration Act of 1942, are hereby issued.

Anticipatory: 1499.29(b) to 1499.314, inclusive, issued under Pub. Law 431, 71st Cong.

§ 1499.301 Maximum prices for bituminous coal sold for direct use as bunker fuel. On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, the maximum price shall be adjusted to the maximum price for bituminous coal in any quantity, for direct use as bunker fuel on or after May 18, 1942, and after May 18, 1942, may be paid such prices.

PART 1499—FUELS
(Minimum Price Regulation 109)
BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

Maximum prices for bituminous coal used for bunkering vessels at points on the Great Lakes and their connecting or tributary waters shall be established by Maximum Price Regulation No. 123, where such coal was delivered from a mine or preparation plant, or by Maximum Price Regulation No. 121, where delivery was made from other facilities.

The judgment of the Price Administrator as to the supplying of bunker fuel, whether delivery is made from a mine or preparation plant or other facility, rests upon the maxim that the minimum prices fixed by the Price Administrator shall be in effect for the purposes specified in this regulation when the circumstances and conditions are such that the application of the minimum prices is in the public interest.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with the provisions of 1499.18 (c), General Maximum Price Regulation, the maximum prices established according to the aforementioned § 1499.353 above, and in accordance with the provisions of the Price Administration Act of 1942, are hereby issued.

Anticipatory: 1499.29(b) to 1499.314, inclusive, issued under Pub. Law 431, 71st Cong.

§ 1499.301 Maximum prices for bituminous coal sold for direct use as bunker fuel. On and after August 1, 1942, regardless of any contract, agreement, lease, or other obligation, the maximum price shall be adjusted to the maximum price for bituminous coal in any quantity, for direct use as bunker fuel on or after May 18, 1942, and after May 18, 1942, may be paid such prices.
Regulation No. 180 shall not be violated, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, bituminous coal for direct use as bunker fuel for vessels on the Great Lakes or their connecting or tributary waters, or at stations on or at seacoast or on rivers, lakes, or other waterways as herein defined, alone or in conjunction with bituminous coal used for other purposes or with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying arrangements or other trade understanding or otherwise.

§1349.305 Records and reports. (a) Every supplier of bunker fuel shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and correct records of each sale and purchase of bunker fuel made by him on and after May 15, 1942, showing the date thereof; the price received by him for the bituminous coal sold as bunker fuel; and the price, if any, paid by him for such coal, the name and address of the purchaser, the name, flag and gross tonnage of the vessel bunkered, the method of transportation or handling employed in transferring the fuel from local transportation or storage facilities to vessel bunkers; the quantity delivered; and where known, the names and addresses of the persons or organizations making the sale or purchase. The records shall be kept on forms furnished by the Office of Price Administration in the case of transactions with such persons or organizations. The records shall be so kept that the names of the persons or organizations purchasing bunker fuel may be readily obtained. The records shall be so kept that the names of the persons or organizations purchasing bunker fuel may be readily obtained.

(b) Not later than August 25, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every supplier of bunker fuel shall file with the Bituminous Coal Division of the United States Department of the Interior, at 724 15th Street NW, Washington, D.C., a statement setting forth:

1. The charges, if any, made for any special services during the period April 15-30, 1942, inclusive, together with a description of the special service rendered;

2. The cash and quantity discounts and other allowances (except freight rate rebates) made or available to purchasers of bunker fuel during the period January 1-15, 1942, inclusive.

(c) Not later than August 30, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every supplier of bunker fuel at points on the Great Lakes and their connecting or tributary waters shall file with the Bituminous Coal Division of the United States Department of the Interior, at 724 15th Street NW, Washington, D.C., a statement setting forth:

1. All prices charged by such person between April 15 and April 30, 1942, inclusive, for bituminous coal sold for direct use as bunker fuel at points along the Great Lakes and their connecting or tributary waters, stating the date of delivery or at stations on their connecting or tributary waters, at which the coal was sold and for each site, kind and quality of coal for each class of purchaser;

2. All price circulars, lists or price lists issued by such person on or before April 30, 1942, with respect to bunker fuel, and in effect during any portion of the period April 15-30, 1942, inclusive;

3. The rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period April 15-30, 1942, inclusive;

4. The charges, if any, made for any special services during the period April 15-30, 1942, inclusive, together with a description of the special service rendered;

5. The cash and quantity discounts and other allowances (except freight rate rebates) made or available to purchasers of bunker fuel during the period April 15-30, 1942, inclusive.

6. The persons who are suppliers of bunker fuel shall submit such other reports and keep such other records as the Office of Price Administration may from time to time require.

§1349.306 Enforcement. (a) Persons violating any provisions of this Maximum Price Regulation No. 180 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 180 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, federal or regional office of the Office of Price Administration or its principal office in Washington, D.C., or with the nearest statistical bureau of the Bituminous Coal Division, United States Department of the Interior, or its principal office in Washington, D.C.

§1349.307 Applications for adjustment or exemption and petitions for amendment. (a) The Administrator may, by order grant an adjustment to, or exception from, the maximum price established under this Maximum Price Regulation No. 180 for any supplier of bunker fuel in any case in which such supplier of bunker fuel shall show:

1. That its maximum price is abnormally low in relation to the maximum price established for competitive suppliers of bunker fuel; and

2. That such abnormality subjects it to substantial hardship.

Applications under this paragraph (a) shall be filed in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration.

(b) Any person seeking relief, for which no provision is made in the preceding paragraph (a) of this section, from the maximum price established under this Maximum Price Regulation No. 180 may present the special circumstances of his case in an application for an order of adjustment or exception. Such application shall be filed in accordance with Procedural Regulation No. 1, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with the statement of the reasons why he believes that the granting of relief in his case, and in all like cases, will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 180 to eliminate the danger of inflation.

§1349.308 Definitions. (a) When used in this Maximum Price Regulation No. 180, the term:

1. "Person" includes an individual, corporation, partnership, association, or any 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. "Bituminous coal" means bituminous coal as used in the Bituminous Coal Act of 1937, as amended, and includes all bituminous, subbituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignite coal having calorific value in British thermal units of less than seven hundred fifty thousand B.T.U. per pound and having a natural moisture content in place in the ground of less than 30 per centum or more.

3. "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.
terminal facility or from a transportation vehicle or vessel.

(2) “Points on the Great Lakes and their connecting or tributary waters” means any point, port, or place on the Atlantic, the Great Lakes, and their connecting or tributary waters subject to the jurisdiction of the United States Department of the Interior, on the provisions of 1 § 1340.310. Maximum price instructions. (a) The following maximum price instructions are applicable to the maximum prices set forth in 1 § 1340.313 (Appendix A hereto).

(1) Where a supplier of bunker fuel maintains a price list with respect to fuel delivered at a port, the price list shall be established by the supplier for fuel delivered at the port, and any such price list shall be in accordance with the provisions of 1 § 1340.315 (Appendix A hereto).

(2) Where charges are not included in the maximum prices provided in 1 § 1340.313 (Appendix A hereto), there may be added to such maximum prices the charges for fuel received at a port (or any other location) at the port, or at any point of discharge, and where such charges are not included, the maximum prices shall be increased to cover such charges, but not exceed the maximum prices as provided.

(3) Where the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) do not include any charges for fuel delivered at a port, the maximum prices shall not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) for fuel delivered at a port, or at any point of discharge, and where such charges are not included, the maximum prices shall be increased to cover such charges, but not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto).

(4) Where the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) do not include any charges for fuel delivered at a port, the maximum prices shall not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) for fuel delivered at a port, or at any point of discharge, and where such charges are not included, the maximum prices shall be increased to cover such charges, but not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto).

(5) Where the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) do not include any charges for fuel delivered at a port, the maximum prices shall not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) for fuel delivered at a port, or at any point of discharge, and where such charges are not included, the maximum prices shall be increased to cover such charges, but not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto).

(6) Where the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) do not include any charges for fuel delivered at a port, the maximum prices shall not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) for fuel delivered at a port, or at any point of discharge, and where such charges are not included, the maximum prices shall be increased to cover such charges, but not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto).

(7) Where the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) do not include any charges for fuel delivered at a port, the maximum prices shall not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto) for fuel delivered at a port, or at any point of discharge, and where such charges are not included, the maximum prices shall be increased to cover such charges, but not exceed the maximum prices as provided in 1 § 1340.313 (Appendix A hereto).
(1) The maximum price for the sale of bituminous coal for bunkering vessels by a supplier of bunker fuel at points at tidewater shall be:

(1) The highest price at which the same person sold or delivered bunker fuel at the same point and from the same facility, between January 1, 1942, and March 30, 1942, for

(1.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(1.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, for domestic or foreign bunkers, etc.);

(1.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(1.4) Under the same terms of delivery.

(2) If the maximum price cannot be determined under (1) above, the maximum price shall be the highest price in a contract executed prior to January 1, 1942, and in effect during the period of January 1-15, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so specified for the sale of:

(2.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(2.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, for domestic or foreign bunkers, etc.);

(2.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(2.4) Under the same terms of delivery.

(3) If the maximum price cannot be determined under (1) or (2) above, the maximum price shall be the price specified in the last price schedule, last, or circular issued by the same person on or before January 1, 1942, and in effect during any portion of the period January 1-15, 1942, inclusive, for the sale of bunker fuel at the same point and for delivery from the same facilities. This shall be the price so specified for the sale of:

(3.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(3.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, for domestic or foreign bunkers, etc.);

(3.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(3.4) Under the same terms of delivery.

(4) If the maximum price cannot be determined under (1), (2) or (3) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this section. This shall be the price for the sale of:

(4.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(4.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, etc.);

(4.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(4.4) Under the same terms of delivery.

(5) The maximum price for the sale of bituminous coal for bunkering vessels by a supplier of bunker fuel at points on the Great Lakes and their connecting or tributary waters shall be:

(5.1) The highest price at which the same person sold or delivered bunker fuel at the same point and for delivery from the same facilities, between April 15-30, 1942, inclusive. This shall be the price so specified for the sale of:

(5.2) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(5.3) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, for domestic or foreign bunkers, etc.);

(5.4) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(5.5) Under the same terms of delivery.

(6) If the maximum price cannot be determined under (5) above, the maximum price shall be the highest price in a contract executed prior to May 1, 1942, and in effect during the period of April 15-30, 1942, inclusive, for the sale of bunker fuel at the same point, and for delivery from the same facilities. This shall be the price so specified for the sale of:

(6.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(6.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, for domestic or foreign bunkers, etc.);

(6.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(6.4) Under the same terms of delivery.

(7) If the maximum price cannot be determined under (6) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this section. This shall be the price for the sale of:

(7.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(7.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, etc.);

(7.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(7.4) Under the same terms of delivery.

(8) If the maximum price cannot be determined under (1), (2) or (3) above, the maximum price shall be the maximum price applicable to any competitive supplier of bunker fuel in the same locality, for the sale of bunker fuel at the same point and for delivery from similar facilities, under the provisions of this section. This shall be the price for the sale of:

(8.1) The same size, kind, and quality of bituminous coal where these elements are a price factor;

(8.2) To purchasers of the same class (e.g., spot or contract purchaser, for tug, freighter, liner, etc.);

(8.3) By the same method of delivery or handling from shore facilities; e.g., car dump, lighter, loading from pockets, conveyor, etc.; and

(8.4) Under the same terms of delivery.
the same percentage relationship to the
sum of Items (1) and (2) below, as the
net sales of the Stew-Davis Company
in March, 1942, bore to the sum of raw
material costs and manufacturing costs
for all articles sold in that month, which
percentage relationship is established in
a statement filed by the Stew-Davis
Company.
(1) Raw material costs per unit, com-
puted on the basis of actual prices (not
to exceed the applicable maximum
prices) paid for raw materials, and in
any case not to exceed the highest price
charged in March, 1942, by the actual
supplier to a purchaser of the same class
of the Stew-Davis Company.
(2) Manufacturing costs—equal to the
sum of the applicable unit costs prevail-
ing during March 1942, for the operations
in the establishment as specified in a list of unit manufactur-
ing costs filed by the Stew-Davis Com-
pany with the Office of Price Adminis-
tration, dated July 1, 1942.
(b) All discounts, trade practices, and
practices relating to the payment of
shipping charges in effect during March
1942, on the basis by this company of
comparable products, shall apply to the
maximum prices determined under para-
graph (a).
(c) On or before the last day of each
month commencing with July 31, 1942,
The Stew-Davis Company shall submit
to the Office of Price Administration in
Washington, D. C., an individual report
for each product for which each product
charged under this Order No. 47 during the
period ending on such report shall include
a determination of the applicable mar-
tial prices and a detailed statement of the
factors relating to their determination.
(d) This Order No. 47 may be revoked
or amended by the Price Administrator
at any time.
(Pub. Law 41, 71st Cong.)
Issued this 27th day of July 1942.
Leon Hoeckenson,
Administrator.
[F. B. Doc. 42-7217; Filed, July 31, 1942;
4:15 p.m.]
PART 1314—RAW MATERIALS FOR SHOES
AND LEATHER PRODUCTS
[Amendment 3 to Maximum Price Regula-
tion 1314]
FELTED SHEEPSKIN
A statement of the considerations in-
volving in the issuance of this Amend-
ment has been issued simultaneously herewith.
* * * * *
† F.R. 7212, 2929.
No. 148—5
and filed with the Division of the Federal Register.
** The table in paragraph (b) of § 1314.66
is amended by changing prices of two
brands of New Zealand yielded sheep-
skins.
§ 1314.66 Appendix B—Maximum
prices for certain brands of New Zealand
yielded sheepskins.
<table>
<thead>
<tr>
<th>Brands</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
</tr>
</thead>
</table>
|                | Pre-
|                | Max-
|                |imum
|                | Prod-
|                |uct
|                | prices
|                | prices
|                | prices
| A. F. P. Co.   | —        | 58.30    | 56.76 |
| Wadsworth      | —        | 61.30    | 59.76 |

§ 1314.66a Effective dates of amend-
ments. **
(a) Amendment No. 3 to Maximum Price
Regulation No. 1314 shall become effective
July 27, 1942.
(Pub. Law 41, 71st Cong.)
Issued this 27th day of July 1942.
Leon Hoeckenson,
Administrator.
[F. B. Doc. 42-7217; Filed, July 31, 1942;
4:15 p.m.]
PART 1340—PETROL
[Amendment 7 to Maximum Price Regula-
tion 1340]
BITUMINOUS COAL DELIVERED FROM MINE OR
PERFORATION PLANT
A statement of considerations involved
in the issuance of this Amendment has been
issued simultaneously herewith and
filed with the Division of the Federal Register.
** A new provision is added to § 1340.201; a
new subparagraph (b) is added to § 1340.309 (a)
(3); a new clause is added to § 1340.310 (a) (2); and
the column "bunker fuel" and items herein set
forth in § 1340.224 (b) (1) is revoked.
§ 1340.201 Maximum prices for bitu-
minous coal delivered from mine or perfora-
tion plant. ** **
* * * * *
FEDERAL REGISTER, Wednesday, July 29, 1942
5355
(a) (5) and (6) of Maximum Price Regu-
lation No. 1340 as follows:
(a) "Points on the Great Lakes and their
connected or tributary waters" means any
port, point, or place on Lakes Superior,
Michigan, Huron, Erie, and Ontario, the
waters connecting those lakes, the St.
Lawrence River, and those tributaries of
the St. Lawrence River which are not
included in the inland waterways system;
(b) "Points at tidewater" means any
point at tidewater, or place on the
Atlantic and Pacific coasts of continental
United States, and the coasts of continen-
tal United States on the Gulf of
Mexico.
§ 1340.208 Definitions. (a) * * *
(b) "Bunker fuel" means bituminous
coal used aboard a vessel for consump-
tion therewith.
§ 1340.210 Maximum price instruc-
tions. (a) * * *
(2) * * * Except that maximum
prices established herein do not apply to
the sales of any bituminous coal for direct
use as bunker fuel at points on the Great
Lakes and their connecting or tributary
waters or at tidewater as defined in
§ 1340.208 (a) (5) and (6) of Maximum
Price Regulation No. 1340, and set forth in
§ 1340.201 above. The provisions of this
Maximum Price Regulation No. 1340 shall
apply, however, to the sale or deliv-
ery of bituminous coal to another per-
son who resells the same as bunker fuel,
even though the resale by such other person
may be subject to the provisions of Maximum
Price Regulation No. 189, Bituminous Coal
Hold for Direct Use as Bunker Fuel.
§ 1340.211a Effective dates of amend-
ments. **
(a) Amendment No. 2 to § 1340.201,
§ 1340.208 (a) (5) and (6), § 1340.310 (a) (2),
and § 1340.224 (b) (1) to Maximum Price
Regulation 1340 shall become effective
August 1, 1942.
(Pub. Law 41, 71st Cong.)
Issued this 27th day of July 1942.
Leon Hoeckenson,
Administrator.
[F. B. Doc. 42-7210; Filed, July 31, 1942;
4:15 p.m.]
PART 1340—PETROL
[Amendment 7 to Maximum Price Regula-
tion 1340]
MICROSILICATE SODA FORMED
FROM FACILITIES OTHER THAN PRODUCING
FACILITIES—USES
A statement of the considerations in-
volving in the issuance of this Amendment
has been issued simultaneously herewith
and filed with the Division of the Federal
Register.
** The two paragraphs of § 1340.254 are
designated (a) and (b) respectively and

* * *
the provision in (a) is amended to read as set forth below; in § 1460.251 a new subdivision (b) is added to (a) (3) and a new paragraph (a) (1) is added; and a new provision is added at the end of the final paragraph of § 1460.361 as set forth below.

§ 1460.251 Maximum prices for sales of solid fuels delivered from facilities other than producing facilities. (a) (3) Provided, That the provisions of this Maximum Price Regulation No. 122 shall not apply to solid fuel delivered to the purchaser from a mine, preparation plant, coke oven or briquette plant in a truck or wagon by the producer of the solid fuel or by a distributor thereof;

(2) Provided, That the provisions of this Maximum Price Regulation No. 122 shall not apply if any bituminous coal sold for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters, and at tidal water, defined in § 1460.308 (a) (5) and (6) of Maximum Price Regulation No. 187, as:

(3) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system.

(4) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States and the coast of continental United States on the Gulf of Mexico.

(b) * * *

§ 1460.251 Definitions. (a) * * *

(iv) But (i), (ii), and (iii) do not include such persons as in sales or other dispositions of bituminous coal for direct use as bunker fuel as points on the Great Lakes and their connecting or tributary waters, and at tidewater, as defined in § 1460.308 (a) (5) and (6) of Maximum Price Regulation No. 187, and as set forth in § 1460.361 (a) (1) above.

(6) "Bunker fuel" means bituminous coal used on board vessels or in connection thereon.

§ 1460.361 Appendix A: Maximum prices for solid fuels delivered from facilities other than producing facilities. * * *

* * * * *

§ 1460.361 Appendix A: Maximum prices for solid fuels delivered from facilities other than producing facilities. * * *

* * * * *

(2) Provided, That this Maximum Price Regulation No. 122 does not apply to any bituminous coal sold for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters, and at tidewater, as defined in § 1460.308 (a) (5) and (6) of Maximum Price Regulation No. 187, and as set forth in § 1460.361 (a) (1) above.

§ 1460.361 Effective dates of amendments. * * *

(2) Amendment No. 13 (§ 1460.251, § 1460.301, § 1460.361) to Maximum Price Regulation No. 122 was effective August 1, 1942.

(3) Amendment No. 13 (§ 1460.251, § 1460.301, § 1460.361) to Maximum Price Regulation No. 122 shall become effective August 1, 1942.

(Pub. Law 421, 73rd Cong.)
Issued this 27th day of July 1942.
Leon H. Hammons,
Administrator.

(P. R. Doc. 49-739; printed July 27, 1942; 1:15 p.m.)

PART 1460—TEXTILE FORCES: COTTON, WOOL, SILK, SYNTHETICS AND ARTIFICIAL FIBERS

[Amendment 8 to Maximum Price Regulation 119]

COTTON PRODUCTS

Rice Towels

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

§ 1460.116 Specifics and formulas for maximum prices for certain cotton products: construction reports. (a) The effective dates of the maximum prices set forth in paragraph (d) of this section are as follows:

(1) For bath towels conforming to Federal Specification DDD-7-331 (without woven name or colored stripes) stamped or unstamped: July 30, 1942.

(2) For bath towels conforming to Federal Specification DDD-7-331 (without woven name or colored stripes) shall be $1.75 per dozen, terms net, f. o. b. shipping point. In addition to this maximum price a premium of 5 cents per dozen may be charged for stamping if required by the specifications.

§ 1460.117 Effective dates of amendments. * * *

(6) Amendment No. 8 (§ 1460.116 (a) (1), (2) (5).) to Maximum Price Regulation No. 118 shall become effective July 30, 1942.

(P. R. Doc. 6-631, 73rd Cong.)
Issued this 27th day of July 1942.
Leon H. Hammons,
Administrator.

(P. R. Doc. 49-739; printed July 27, 1942; 1:15 p.m.)

PART 1499—COMMERCIAL AND SCALES

[Amendment of Maximum Price Under § 1460.117 (a), General Maximum Price Regulation—Order No. 8]

VIRGINIA SWEET FOODS, INC.

For the reasons set forth in an opinion issued simultaneously hereunder and filed with the Division of the Federal Register,* * * and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1460.116 (c) of the General Maximum Price Regulation, it is hereby ordered that:

$1460.155 Adjustment of maximum prices for sales of pan cake flour and buckwheat pancake flour by Virginia Sweet Foods, Inc., of Greensfield, Indiana. (a) Virginia Sweet Foods, Inc., of Greensfield, Indiana, is hereby authorized to sell and offer, agree and attempt to sell pancake flour (packed 25-30 oz. packages to the case) at a price not exceeding $1.25 per case delivered in carload quantities and to sell and offer, agree and attempt to sell buckwheat pancake flour (packed in 25-30 oz. packages to the case) at a price not exceeding $1.00 per case delivered in carload quantities, except that on all sales of the above mentioned products delivered in the states of Kentucky, Tennessee, North Carolina, South...
ILS, GORGIA, FLORIDA, ALABAMA, AND MISSISSIPPI, VIRGINIA SWEET FOODS, INC. may determine its maximum prices by adding 10 per cent to the above prices.

The maximum prices herein determined for canned quantities may be increased for sales in pool car, mixed cars, or less-than-cased quantities by the differential in cents applied, or which would have been applied, by Virginia Sweet Foods, Inc., for such sales during March 1942. All maximum prices so determined shall be subject to discounts, allowances and terms no less favorable than those given during March 1942.

(b) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

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

(d) This Order No. 5 (4493.355) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HERSHBERGER,
Administrator.

(P. R. Doc. 48-725; Filed, July 27, 1942; 1:30 p. m.)

PART 1490—COMMODITIES AND SERVICES (Decree OP-650-P)

KYANITE PRODUCTS CORP.

Order under § 1490.18 (a) of the General Maximum Price Regulation.

For the reasons set forth in the opinion issued contemporaneously herewith, it is ordered:

§ 1490.350 Adjustment of maximum prices for kyanite produced by Kyanite Products Corporation. (A) Kyanite Products Corporation, of 11 Woodlawn, New York, New York, may sell and deliver, and any person may buy and receive from Kyanite Products Corporation the following grades of kyanite at prices not higher than those set forth below:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Maximum Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw</td>
<td>$5.50</td>
</tr>
<tr>
<td>Cased</td>
<td>$6.50</td>
</tr>
</tbody>
</table>

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

(c) This Order No. 8 shall be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 (§ 1490.350) is hereby incorporated as a section of the General Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1490.2.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HERSHBERGER,
Administrator.

(P. R. Doc. 48-725; Filed, July 27, 1942; 1:30 p. m.)

PART 1490—COMMODITIES AND SERVICES (Decree OP-650-P)

MALY-A-PLENTY, INC.

Order No. 8 under § 1490.18 (b) of the General Maximum Price Regulation.

For the reasons set forth in the opinion issued contemporaneously herewith, it is ordered:

§ 1490.350 Adjustment of maximum prices for Plenty Powder sold by Malaya-A-Plenty, Incorporated. (A) Malaya-A-Plenty, Incorporated, of 1918 South Troon, Tulsa, Oklahoma, may sell and deliver, and any person may buy and receive from Malaya-A-Plenty, Incorporated, Plenty Powder at prices not higher than those set forth below:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Maximum Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw</td>
<td>$7.50</td>
</tr>
<tr>
<td>Cased</td>
<td>$8.50</td>
</tr>
</tbody>
</table>

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

(c) This Order No. 8 shall be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 (§ 1490.350) is hereby incorporated as a section of the General Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1490.2.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of July 1942.

LEON HERSHBERGER,
Administrator.

(P. R. Doc. 48-725; Filed, July 27, 1942; 1:30 p. m.)

SECTION 7—NAVIGATION AND NAVIGABLE WATERS
Chapter II—Coast Guard, Department of the Navy

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LOADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL OR OTHER DANGEROUS CARGO

Section 7.50 (a) is amended by revising the second paragraph thereof to read as follows:

(a) ** The Captain of the Port is the Officer of the Coast Guard designated as such by the Commandant for certain ports and territorial waters of the United States. The Captain of the Port shall administer and enforce these rules and regulations, as well as all other Coast Guard rules and regulations as are contained in parts 0 and 9 of this chapter, under the supervision and general direction of the District Coast Guard Officer.

(P. R. Doc. 48-725; Filed, July 27, 1942; 1:30 p. m.)

FRANK KNOX,
Secretary of the Navy.
Approved: July 24, 1942.
FRANKLIN D. ROOSEVELT,
The White House.

(P. R. Doc. 48-725; Filed, July 27, 1942; 1:30 p. m.)
PART 8—REGULATIONS, U. S. COAST GUARD RESERVE

The Regulations, United States Coast Guard Reserve, 1941 (6 F.R. 1926), as amended, are hereby further amended as follows:

Section 8.0108 is amended to read as follows:

§ 8.0108 Uniforms prescribed. Regular reservists shall wear the uniform prescribed for officers and men of corresponding ranks and ratings in the regular Coast Guard. The uniform for temporary reservists shall be as prescribed by the Commandant.

R. R. Watters,
Commandant.

Approved: July 24, 1942.

Frank Knox,
Secretary of the Navy.

[F. R. Doc. 42-755; Filed, July 29, 1942; 0:48 a. m.]

TITLE 46—SHIPPING

Chapter II—Coast Guard Inspection and Navigation

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam, More Than 65 Feet in Length

PART 29—ENFORCEMENT

Section 29.6 of Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam, More Than 65 Feet in Length, Part 29, Enforcement, of this title, as amended, is further amended to read as follows:

§ 29.6 Procedure relating to number- ing of motorboats. (a) Application for a certificate of number of a motorboat will be made by the owner to the District Coast Guard Officer having jurisdiction over the area in which the vessel is located. (b) The following undocument- ed vessels are required to be numbered: (1) All boats equipped with permanently fixed engines. (2) All boats over 15 feet in length equipped with detachable engines. (3) All boats not more than 15 feet in length equipped with detachable engines as the ordinary means of propulsion. (c) The following undocument- ed vessels shall be numbered: (1) All boats not exceeding 16 feet in length equipped with detachable engines and falling within the following classes: (a) Rowboats and canoes designed and intended for the use of cars or paddles as the ordinary means of propulsion. (b) Sailboats. (2) For the duration of the war and six months thereafter, all undocumented motor vessel, which is required to be numbered, and which is found on the navigable waters of the United States, shall have the number painted on its structure in the following manner: (a) The number painted shall be painted horizontally in block characters, reading from left to right, on each side of the vessel, near the forward end and as legible of the entire number for surface and aerial identification purposes. (b) The number shall be painted with paint which contrasts in the color of the hull, 1 e., if the hull is light the color of the numbers shall be dark, or if the hull is dark the color of the numbers shall be light. (c) The number shall be painted parallel with the water line and the distance between the water line and the bottom of the number shall not be less than the minimum height of the number. The height of the number shall be in accordance with the following table:

<table>
<thead>
<tr>
<th>Length of vessel (feet)</th>
<th>Height of letters (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>90' and under 40'</td>
<td>6</td>
</tr>
<tr>
<td>40' and under 60'</td>
<td>8</td>
</tr>
<tr>
<td>60' and over</td>
<td>10</td>
</tr>
</tbody>
</table>

The width of the characters of the number and the distance of the individ- ual numbers will be in accordance with accepted engineering practices. (d) If the construction of the boat permits, the number shall also be painted in a conspicuous aspect of the top side for the purpose of aerial identification. The number shall be placed without ships or fore and aft, depending upon which of these two areas is the larger, and shall be painted in a color which contrasts to the color of the top side, and the size of the individual numbers shall be in proportionate ratio to the state set forth in the preceding paragraph. (e) The owner of a numbered boat shall be required, within 10 days, to notify the District Coast Guard Officer having jurisdiction over the area in which he resides: (1) The boat is lost, destroyed, or aban- doned; (2) he moves his permanent residence to a place in another Customs District or to a place within the jurisdiction of another District Coast Guard Officer; (3) The boat is transferred from one person to another. In all such cases the notice shall be accompanied by a surrender of the certificate of number if the same is in existence. (f) The statute upon which these regulations are based does not amend section 14 of the Act of March 4, 1915, requiring the marking of vessels. Therefore, motor lifeboats which are carried on a merchant vessel of the United States as a part of the vessel's lifesaving apparatus are only required to be marked in accordance with the provisions of section 14 of the Act of March 4, 1915, and need not be issued individual numbers or certificates of award of number. (G.R. 141, Sec. 2, 60 Stat. 482, as amended (1945 ed.) 22, 46 U.S.C. (1940 ed.) 308; R.O. 9074; F.R. 150.)

Chapter III—Coast Guard Inspection and Navigation, is amended by the addition of the following new Subchapters:

Subchapter C—General Provisions

PART 180—ENFORCEMENT

| § 180.1 Reports of violations. Reports of violations of navigation laws and regulations administered and enforced by the Coast Guard shall be submitted to the District Coast Guard Officer having jurisdiction over the area in which the violation occurred. Any person charged with a violation shall be notified of the penalties which he has in-
curred and of his opportunity to make application to the appropriate officer for administrative relief by way of remission or mitigation. If the person charged does not avail himself of the opportunity to apply for administrative relief, he shall be assessed the full amount of the statutory penalties involved. Where any amount due has not been paid within the prescribed period, the case will be referred to an appropriate United States Attorney for court action. (26 U.S.C. [1946 ed.] 24, 48 U.S.C. [1946 ed.] 288; E.O. 9774. 7 F.R. 1887.)

R. B. WARE, Vice Admiral, U. S. Coast Guard, Commandant.
July 27, 1942.

[ F. R. Doc. 42-7195; Filed, July 27, 1942; 12:27 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Correction of General Order O.D.T. No. 17.]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART V—MOTOR CARRIERS OF PROPERTY

In subparagraph (f) of paragraph (c) of § 591.38, General Order O.D.T. No. 17, the words "such contract carrier" should read "such motor carrier," and General Order O.D.T. No. 17 is hereby corrected accordingly.

Issued at Washington, D. C., this 27th day of July 1942.

JOSEPH D. HENSHAW, Director of Defense Transportation.
[ F. R. Doc. 42-7212; Filed, July 28, 1942; 9:30 a. m.]

NOTICES

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.
[1942, 3d Amendment: Dept. Cir. 608]

UNITED STATES OF AMERICA 2 PERCENT DEPARTMENT BONTS

July 29, 1942.

Department Circular No. 660, dated May 23, 1941, is hereby amended as follows:

1. By deleting the second sentence of paragraph 1 of part I (Ordering of Bonds), of the circular and inserting in lieu thereof the following sentence: * * * These bonds may be subscribed for, at par, by depositaries and financial agents designated under the provisions of section 512a of the Revised Statutes of 1873, as amended (26 U.S.C. title 12, sec. 531); the Act of May 7, 1928, 46 Stat. 483 (U.S.C., title 12, sec. 532); * * * 2. F.R. 3889.

* * *

[quoted No. 3-14]

B. F. GOODRICH COMPANY

NOTICE OF ORDER FOR REMOVAL

In the matter of the application of the B. F. Goodrich Company for an order for removal pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of coal produced at the mine of the B. F. Goodrich Company in District No. 4 having been filed on June 16, 1943, by the above-named applicant pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937. It is ordered, That a hearing in the above-mentioned matter, under the applicable provisions of said Act and the rules of the Division, be held on August 17, 1942, at 10 o'clock in the forenoon of that date at a hearing room in the Division Coal Division, 728 Fifteenth Street NW, Washington, D. C. On both
DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Pro. & R. Doct. No. 441]

ABERNATHY LIVESTOCK COMMISSION CO., ET AL.

NOTICE OF PETITION FOR MODIFICATION OF ORDER


FEDERAL REGISTER, Wednesday, July 29, 1942

rejection of the Administrator of Civil Aeronautics to reinstate his pilot certificate and to issue a pilot identification card.

Pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 602 (b) and 604 (a) thereof.

It is ordered, that the above mentioned proceedings is hereby assigned for oral argument before the Board on July 31, 1942, at 2:30 p.m. (Sawin Time) in Room 5542, Commerce Building, 14th Street and Constitution Avenue N.W., Washington, D.C.

Dated Washington, D.C.

By the Civil Aeronautics Board.

[SEAL]

Dwight Charles Brown,
Secretary.

[FR Doc. 42-7197; Filed, July 30, 1942; 11:35 a.m.]

OFFICE OF PRICE ADMINISTRATION.

ALFRED STIDHAM TIRE CO.

SUSPENSION ORDER

Suspension Order No. 3, under Tire Rationing Regulations restricting transactions by Alfred Stidham and Alfred Stidham Tire Company.

Alfred Stidham, doing business as Alfred Stidham Tire Company, 1338 Fourteenth Street, N.W., Washington, D.C., herein called respondent, is engaged in selling tires and tubes and is subject to the Tire Rationing Regulations and the Reissued Tire Rationing Regulations issued by the Office of Price Administration. There was duly served on respondent a notice of specific charges of violations of the Tire Rationing Regulations, and a notice of hearing thereon. Pursuant to said notice a hearing upon said charges was held on July 16, 1942 in this Office. There appeared a representative of the Office of Price Administration.

It is hereby determined:

(a) That respondent has violated the Tire Rationing Regulations in that respondent between February 9, 1942 and February 27, 1942 sold, transferred and delivered seven hundred and forty-four (744) new tires to Diamond Service Company without the presentation of a certificate issued pursuant to the Reissued Tire Rationing Regulations, in the instances set forth with particularity in the notice of charges in said proceedings.

(b) That respondent has violated the Reissued Tire Rationing Regulations in that respondent between March 6, 1942 and April 17, 1942 sold, transferred and delivered one hundred and thirty-one (131) new tires and one hundred and twenty-six (126) new tires to consumers without the presentation of a certificate issued pursuant to the Reissued Tire Rationing Regulations, in the instances set forth with particularity in the notice of charges in said proceedings.

Because of the great scarcity and critical importance of new tires and tubes, violations of the Tire Rationing Regulations and Reissued Tire Rationing Regulations necessarily result in the diversion of new tires and tubes from military and essential civilian uses into nonessential uses, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Deputy Administrator, on the evidence before him, that further violations of these Regulations are likely, unless appropriate administrative action is taken.

It is therefore ordered:

(a) During the period in which this Suspension Order No. 3 shall be in effect, respondent, his successors or assigns, shall not accept any deliveries or transfers of new tires and tubes directly or indirectly receive from any source any new tires, new tubes, reissued or reconditioned tires.

(b) During this period respondent is hereby forbidden to receive, sell, offer for sale, or deliver any new tires, new tubes, reissued or reconditioned tires.

(c) No person shall in any manner directly or indirectly sell, transfer, or deliver any new tires, new tubes, reissued or reconditioned tires to respondent, his successors or assigns, regardless of whether such new tires, new tubes, reissued or reconditioned tires have been previously purchased and completely paid for.

(d) Nothing in this Order shall be construed to require respondent to return, recondition or reconditioning any tires, tubes or parts of tires or tubes to the source of which are currently sold, or who have been sold to respondent, on the condition that respondent, his successors or assigns, sell, transfer or deliver such tires, tubes or parts of tires or tubes to persons if required to be returned, reconditioned or reconditioned.

(e) Any terms used in this Order that are defined in the Reissued Tire Rationing Regulations shall have the meaning there given.

(f) This Order shall become effective 11:51 A.M., July 29, 1942 and unless sooner terminated, shall expire 12:01 A.M., September 27th, 1942.

[FR Doc. 42-7197; Filed, July 30, 1942; 11:35 a.m.]

AMERICAN TIRE CO.

SUSPENSION ORDER

Suspension Order No. 4, under Tire Rationing Regulations restricting transactions by David Pinkelnick, David D. Paul and American Tire Company.

David Pinkelnick and David D. Paul, co-partners, doing business as American Tire Company, 1204 K Street, N.W., Washington, D.C., herein called respondents, are engaged in selling and using new tires and tubes.
and are subject to the Tire Balancing Regulations1 issued by the Office of Price Administration. There was duly served on the respondents a notice of specific charges of violations of the Tire Balancing Regulations, and a notice of hearing thereon. Pursuant to said notice a hearing upon said charges was held on June 11, 1942, in Washington, D. C. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to such charges was presented before an authorized presiding officer. Such evidence having been duly considered by the Deputy Administrator.

It is hereby determined:

(a) That respondents have violated the Tire Balancing Regulations in that respondents Peter J. Foley, on June 1, 1942, sold, transferred and delivered one hundred and fifty-three new tires to Diamond Service Company without the presentation of a properly signed and pur- suant to said Tire Balancing Regulations.

Because of the great scarcity and critical importance of new tires and tubes, violators of the Tire Balancing Regulations and Revised Tire Balancing Regulations necessarily result in the diversion of new tires and tubes from military and essential civilian use into nonessential use, in a manner contrary to the public interest and detrimental to national defense. It further appears to the Deputy Administrator, on the evidence before him, that further violations of these Regulations will continue to occur unless properly directly or indirectly receive from any source any new tires, new tubes, or recapped or retreaded tires.

(b) That said respondents, successors or assigns, shall not accept any deliveries or transfers of any new tires or tubes, whether directly or indirectly, from any person or entity which has been duly served with a notice of specific charges of violations of the Tire Balancing Regulations.

(c) That said respondents, successors or assigns, shall not accept any purchases or orders for new tires or tubes, whether directly or indirectly, from any person or entity which has been duly served with a notice of specific charges of violations of the Tire Balancing Regulations.

(d) This Order shall become effective July 20, 1942, and unless sooner terminated shall expire December 31, 1942.

1942, 44:487.
FEDERAL REGISTER, Wednesday, July 20, 1943

FEDERAL REGISTER, Tuesday, July 20, 1943

Western Salvage and Appraisals Company
APPROVAL OF REGISTRATION

General Maximum Price Regulation—Order No. 6 Under Supplementary Regulation No. 1.

An opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as principally and primarily engaged in the business of reconditioning and selling transported commodities received in direct connection with the adjustment of losses from insurance companies, transportation companies or agents of the United States Government, and whose other activities do not include selling new or second-hand commodities for its own account: Universal Salvage and Testing Corp., 471 Central Avenue, Minneapolis, Minnesota.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 it is hereby ordered:

(a) That sales or deliveries by Western Salvage and Appraisals Company, Minneapolis, Minnesota, be, and the same hereby are, excepted from the General Maximum Price Regulation in accordance with 1493.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 6 shall become effective July 20, 1943.

Issued this 21st day of July, 1943.

Leon Henderson,
Administrator.

[FR Doc. 43-7141 Filed July 21, 1943; 11:30 a.m.]

Petitioner to the authority vested in the Administrator by the Emergency Price Control Act of 1942 is hereby ordered:

(a) That sales or deliveries by R. A. Wald & Co., Inc., New York, New York, be, and same hereby are, excepted from the General Maximum Price Regulation in accordance with § 1540.26(b)(1) of Supplementary Regulation No. 1.

(b) This Order No. 18 shall become effective July 27, 1942.

Issued this 27th day of July, 1942.

Leon Henderson,

Administrator.


[Docket No. 13415-F]

HILLSMAN COAL AND COKE COMPANY ORDER GRANTING EXCEPTION Order No. 21 Under Maximum Price Regulation No. 128—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 18, 1942, the Hillsmann Coal and Coke Company, 1814 Grant Building, Pittsburgh, Pennsylvania, filed a petition against Maximum Price Regulation No. 128. The facts involved justify treatment of the petition as a request for an adjustment or exception under § 1540.207(a) of Maximum Price Regulation No. 128, and it is therefore also being treated as such in accordance with § 1540.23 of Provisional Regulation No. 1. The opinion in support of this Order No. 21 has been issued simultaneously herewith and has been filed in the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Provisional Regulation No. 1, it is hereby ordered:

(a) Hillsmann Coal and Coke Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver the kinds, sizes and qualities of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) Any person may buy and receive, agree, offer, solicit and attempt to buy and receive such kinds, sizes and qualities of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein.

(c) This Order No. 21 shall become effective July 27, 1942.

Issued this 27th day of July, 1942.

Leon Henderson,

Administrator.


[Docket No. 3109-128, 510-112]

JOHNSTOWN COAL AND COKE COMPANY ORDER PERMITTING ADJUSTABLE PRICING Order No. 22 Under Maximum Price Regulation No. 129—Bituminous Coal Delivered From Mine or Preparation Plant.

On June 19, 1942, the Johnstown Coal and Coke Company, 1568 United States National Bank Building, Johnstown, Pennsylvania, hereinafter called the petitioner, filed a petition for adjustment of, or exception from, the maximum prices established by Maximum Price Regulation No. 129. On June 22, 1942, the petitioner requested permission to enter into an adjustable pricing agreement with persons to whom it sells coal produced at its Logan No. 4 Mine (Mine Index No. 283), pending final disposition of its petition, herein. For the consideration of this petition and for the reasons set forth in the opinion, which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Provisional Regulation No. 1, issued by the Office of Price Administration, it is hereby ordered:

(a) On and after June 19, 1942, the Johnstown Coal and Coke Company may enter into agreements with the purchasers of bituminous coal produced at its Logan No. 4 Mine (Mine Index No. 283), located at Beaverdale, Pennsylvania, for the sale of such coal at the applicable maximum prices, subject to an agreement to adjust prices upon deliveries made during the period of the petition in accordance with the disposition thereof.

(b) Order No. 22 may be revoked or amended by the Price Administrator at any time, upon any event, to be effective only to the date upon which such petition is finally determined by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1540.26 of Maximum Price Regulation No. 129 shall apply to the terms used herein.

(d) This Order No. 22 shall become effective July 27, 1942.

Issued this 27th day of July, 1942.

Leon Henderson,

Administrator.

FEDERAL REGISTER, Wednesday, July 29, 1942

[Vol. No. 23, 9371-P]

OTTAWA BASKET COMPANY
ORDER GRANTING PERMISSION TO SELL WOODEN BASKETS AND OTHER PRODUCTS

ORDER No. 1 under Maximum Price Regulation No. 165—Sesquialteral Wooden Agricultural Containers

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1277.64 (b) of Maximum Price Regulation No. 159, incorporating \( 1499.19 \) of the General Maximum Price Regulation, it is hereby ordered:

(a) The maximum price for the sale by the Ottawa Basket Company, Oak Harbor, Michigan, for bushel baskets and some other products shall be $1.50 per dozen.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 1 shall become effective July 27, 1942.

Issued this 27th day of July 1942.
LEON HENDERSON, Administrator.

[FR Doc. 42-7256; Filed, July 27, 1942; 1:12 p. m.]

KANSAS RUG MILLS
AMENDMENT OF ORDER SETTING PRICES

Amendment No. 1 to Order No. 1 under Revised Price Schedule No. 97—Wool Floor Coverings

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, paragraph (a) of Order No. 1 is amended to read as follows:

(a) Kansas Rug Mills may sell, offer to sell, offer to sell or deliver or transfer the designated fabrics at prices no higher than those set forth below:

<table>
<thead>
<tr>
<th>Type</th>
<th>Maximum Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kera-Tex</td>
<td>$0.99 per square yard</td>
</tr>
<tr>
<td>Kera-Tuf</td>
<td>$1.05 per square yard</td>
</tr>
<tr>
<td>Kera-Shag</td>
<td>$1.10 per square yard</td>
</tr>
<tr>
<td>Kera-Flax</td>
<td>$1.15 per square yard</td>
</tr>
</tbody>
</table>

(subject to discounts including 5% for cash within 10 days, or 4% for cash on 10 days to 60 days extra), allowances, rebates and terms no less favorable than those established by the Office of Price Administration, in accordance with Procedural Regulation No. 1, issued on December 19, 1941, as amended, it is hereby ordered:

(a) Copies and after July 15, 1942, Commodore and Colton Companies shall enter into agreements with the manufacturers of the products purchased for the sale of such products on such terms and conditions as shall be approved by the Administrator to the maximum price as established by the Office of Price Administration, in accordance with the final disposition thereof.

CHARLES F. COCHRANE COMPANY
ORDER APPROVING MAXIMUM PRICE

Order No. 1: Under Revised Price Schedule No. 97—Wool Floor Coverings

On June 1, 1942, Charles F. Cochrane Company, Bridgeport, Pennsylvania, filed an application pursuant to \( 1583.4 \) of Revised Price Schedule No. 97, for permission to manufacture a new fabric and to fix a maximum price.

(a) The application was approved by the Administrator, and the maximum price was established in accordance with the application.

This Amendment No. 1 to Order No. 1 under Revised Price Schedule No. 97 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.
LEON HENDERSON, Administrator.

[FR Doc. 42-7255; Filed, July 27, 1942; 1:02 p. m.]

KANSAS RUG MILLS
AMENDMENT OF ORDER SETTING PRICES

Amendment No. 1 to Order No. 4 under Revised Price Schedule No. 97—Wool Floor Coverings

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, paragraph (a) of Order No. 4 is amended to read as follows:

(a) Kansas Rug Mills may sell, offer to sell, deliver or fabric designated as Kera-Luna at a price no higher than $3.50 per square yard, f. o. b. mill, subject to discounts (including 5% for cash in 10 days, or 4% for cash in 10 days to 60 days extra), allowances, rebates, and terms no less favorable than those in effect with respect to the maximum price of Kera-Luna, as established by Revised Price Schedule No. 97.

This Amendment No. 1 to Order No. 4 under Revised Price Schedule No. 97 shall become effective on the 27th day of July 1942.

Issued this 27th day of July 1942.
LEON HENDERSON, Administrator.

[FR Doc. 42-7257; Filed, July 27, 1942; 2:04 p. m.]
A. M. KARGASHNE, INC.
ORDER APPROVING MAXIMUM PRICE
Order No. 7 Under Revised Price Schedule No. 97—Wool Floor Coverings.
On July 2, 1942, A. M. Kargashne, Inc., New York, New York, filed an application for permission to use the maximum price and for approval of a maximum price thereof, and for the designation of the application as Virginia Dare.
Due consideration having been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register, for the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:
(a) A. M. Kargashne, Inc., may sell, offer to sell, or deliver the new fabric designated as Virginia Dare, at a price no higher than $2.95 per square yard, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Virginia Dare, as established by Revised Price Schedule No. 97.
(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.
C. H. MAISLAND & SONS COMPANY
ORDER APPROVING MAXIMUM PRICE
Order No. 8 Under Revised Price Schedule No. 97—Wool Floor Coverings.
On June 30, 1942, C. H. Maisland & Sons Company, Philadelphia, Pennsylvania, filed an application pursuant to § 3532.4 of Revised Price Schedule No. 97 for permission to manufacture a new fabric and for approval of a maximum price thereof. This new fabric is designated in the application as Lincoln.
Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register, for the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:
(a) Philadelphia Carpet Company may sell, offer to sell or deliver the new fabric designated as Lincoln, at a price no higher than $3.50 per square yard, f. o. b. mill, subject to discounts, allowances, rebates and terms no less favorable than those in effect with respect to the maximum price for Special 160, as established by Revised Price Schedule No. 97.
(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.
(c) Unless the context otherwise requires, the definitions set forth in § 3532.11 of Revised Price Schedule No. 97 shall apply to terms used herein.
ORDER GRANTING PETITION FOR ADJUSTMENT
Order No. 2 Under Maximum Price Regulation No. 142—Dressed Hogs and Wholesale Pork Cuts.
On June 27, 1942, the Paulmier Packing Company, Pottstown, Pennsylvania, filed a petition for adjustment pursuant to § 3539.16(c) of Maximum Price Regulation No. 145. Due consideration has been given to the petition, and an opinion in support thereof has been issued by the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:
(a) The Paulmier Packing Company may sell and deliver, and agree to sell and deliver, the kinds of wholesale pork cuts set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, and such kinds of wholesale pork cuts at such prices from the Paulmier Packing Company.
(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.
FEDERAL REGISTER, Wednesday, July 29, 1942

Pork loins 8/10.              29
Pork loins 10/12.            29
Pork loins 12/14.            29
Pork loins 14/16.            31
Pork loins 16/18.            31
Pork loins 18/20.            31

Smoked ham: Ribs.  29
12/14.                    31
14/16.                    31
16/18.                    29
18/20.                    31
20/22.                    31

Beef hams: Ribs.            31
12/14.                    31
14/16.                    31
16/18.                    29
18/20.                    31
20/22.                    31

Bacon.  20

Detroit.  28

(c) The permission granted to the Paulmer Packing Company in this Order No. 1 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to September 15, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 16, to March 31, inclusive, of any such year, the maximum price at which the Paulmer Packing Company may sell or deliver, or agree to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from the Paulmer Packing Company each pork cut specified shall be such maximum price as fixed by Order No. 148 of Maximum Price Regulation No. 148.

(d) All prices of the petition not granted herein are denied.

(e) This Order No. 8 may be revoked or amended by the Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1464.29 of Maximum Price Regulation No. 148 shall apply to terms used herein. This Order No. 8 shall become effective July 27, 1942.

Issued this 27th day of July, 1942.
Leon Henderson, Administrator.

P. R. Doc. 42-7206; Filed July 27, 1942; 6:32 p. m.

(Docket No. 1205-1-P)

PAULMER & WILSON CO. COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 8 Under Maximum Price Regulation No. 122—Sold maid from Facilities Other Than Producing Facilities—Dealers.

On May 6, 1942, the Paulmer & Wilson Co. Company, 24 E. Cheyenne St., Philadelphia, Pennsylvania, filed a written complaint with the Administrator, alleging that the prices fixed in § 1464.29 of the Maximum Price Regulation 122 are not sufficient to cover all of the costs which the Company has in the production of such goods.

The Administrator having considered the complaint and found that the prices fixed in § 1464.29 of Maximum Price Regulation No. 122 are not sufficient to cover all the costs which the Company has in the production of such goods.

(d) This Order No. 9 shall become effective on the 29th day of July, 1942.

(e) This Order No. 8 shall become effective at any time.

(f) On or before the 31st day of August, 1942, the Paulmer & Wilson Co. Company shall report to the Office of Price Administration in Washington, D. C. its maximum selling prices as established in accordance with this Order No. 9 and all data supporting such prices.

Issued this 27th day of July, 1942.
Leon Henderson, Administrator.

P. R. Doc. 42-7207; Filed July 27, 1942; 5:30 p. m.

(Docket No. 1205-5-P)

PACIFIC COAST COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 123—Sold maid from Facilities Other Than Producing Facilities—Dealers.

On May 28, 1942, the Pacific Coast Coal Company, 24 E. Cheyenne St., Philadelphia, Pennsylvania, filed a written complaint with the Administrator, alleging that the prices fixed in § 1464.29 of the Maximum Price Regulation No. 122 are not sufficient to cover all of the costs which the Company has in the production of such goods.

The Administrator having considered the complaint and found that the prices fixed in § 1464.29 of Maximum Price Regulation No. 122 are not sufficient to cover all of the costs which the Company has in the production of such goods.

(d) This Order No. 9 shall become effective on the 29th day of July, 1942.

(e) This Order No. 8 shall become effective at any time.

(f) On or before the 31st day of August, 1942, the Pacific Coast Coal Company shall report to the Office of Price Administration in Washington, D. C. its maximum selling prices as established in accordance with this Order No. 9 and all data supporting such prices.

Issued this 27th day of July, 1942.
Leon Henderson, Administrator.

P. R. Doc. 42-7208; Filed July 27, 1942; 5:30 p. m.

(Docket No. 1205-5-P)
Notice is further given that any interested person may, not later than August 6, 1942, at 5:30 P.M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application or declaration, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may except such transactions as provided in Rule U-29(a) and U-160 thereof. Any such request should be addressed to Secretary, Securities and Exchange Commission, 15th and Locust Streets, Philadelphia, Pennsylvania.

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

At June 30, 1942, there were outstanding $4,824,600 principal amount of New Orleans City and Lake Railway Company Consolidated First Mortgage 5% Gold Bonds, due January 1, 1943, assumed by New Orleans, New Orleans states that at June 30, 1942, it had on hand $4,184,774 in cash which together with estimated net receipts for the balance of the year, is, in its opinion, more than sufficient to meet all its expenses, pay the assumed bonds at maturity, and leave an adequate working balance. New Orleans states that it is drawing no interest on such balances and that these bonds which are currently maturing are not callable, it proposes to use its available cash to purchase such bonds from the owners thereof, paying therefor a price in excess of principal amount which will provide a yield to the company of not less than 7 3/4% of one percent per annum. The application or declaration sets forth that such bonds will not, in any event, be purchased at less than their principal amount. It is intended that the bonds so purchased will be surrendered for cancellation to the trustee under the mortgage securing the bond issue.

New Orleans proposes to solicit bondholders directly by mail and by the use of its personnel and without the payment of special fees, commissions, or other compensation. According to the application or declaration expenses to be incurred in connection with the transaction will be negligible. By the Commission.

[Text]

[File No. 70-364]

WILLIAMSTOWN WATER COMPANY
NOTICE REGARDING FILINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of July, A.D. 1942.

Notice is hereby given that an application or declaration for the filing of this Commission pursuant to the Public Utility Holding Company Act of 1935 by Williamstown Water Company, incorporated, a registered holding company, has been filed with the Commission.

The Commission, having heretofore on October 20, 1935, instituted proceedings directed against the above-named companies pursuant to section 11(b) of
of the Public Utility Holding Company Act of 1935, concerned with (1) what action, if any, was necessary and should be required to be taken by Midland United Company, Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company to insure that the corporate structures and/or continued existence of Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company did not unduly or unnecessarily complicate the distribution voting structure among the security holders of the holding company system of Midland United Company; and (2) what action, if any, was necessary and should be required to be taken by Midland United Company, Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company to assure that voting power was not unfairly or inequitably distributed among the respective security holders of Public Service Company of Indiana, Central Indiana Power Company, Terre Haute Electric Company, Inc., and Northern Indiana Power Company.

These companies having subsequently filed with the Commission a plan of reorganization and recapitalization, which, among other things, resulted in the creation of Public Service Company of Indiana, Inc., and the dissolution of all of said companies except Midland United Company, such plan as amended having been approved by this Commission, and it now appearing to the Commission that the problems raised by said proceedings have been satisfied;

It is ordered that said proceeding under section 11 (b) (2) of the Act be, and the same hereby is, dismissed without prejudice to the institution in the future of whatever proceedings, if any, as may in the judgment of this Commission appear appropriate and necessary to the interest of investors, consumers or the public interest.

By the Commission.

[Signature]

Secretary

[Date: Dec. 30, 1944; Filed: July 28, 1945; 9:30 a.m.]

COMMONWEALTH DISTRIBUTION, INC., ET AL.

ORDER DISMISSING PROCEEDINGS


At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July, A.D. 1942.

The Commission on January 21, 1941, having ordered, pursuant to section 2 (a) of the Public Utility Holding Company Act of 1935 that a hearing be held at the office of the Securities and Exchange Commission, 1703 Pennsylvania Avenue, N.W., Washington, D.C., at 10 a.m., on March 4, 1941, to determine if a hearing should be held at the offices of the Respondents above-named, has died since the commencement of the instant proceeding, that numerous other changes have taken place, since the commencement of said proceedings, in the relationship of the several Respondents to Communi- ty Power and Light Company, General Public Utilities, Inc., National Gas & Electric Corporation, and between the said several Respondents and each of said corporations last named; and it appearing to the Commission that the said relationship which are the subject matter of this proceeding have been materially altered since the institution of such proceedings so that it is no longer appropriate that such proceeding be further maintained.

It is hereby ordered, That this proceeding be and the same hereby is, dismissed, without prejudice to the right of the Commission to institute similar procedures, or other or further proceedings, under the Public Utility Holding Company Act of 1935 against the Respondents above-named, or any of them.

By the Commission.

[Signature]

Secretary

[Date: H. Dec. 32, 1944; Filed: July 28, 1945; 9:30 a.m.]

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