

Kind of seed—Con.	Maximum mark-up per 100 pounds
Clover:	
Medium Red, Mammoth Red and Alsike .....	\$7.65
Sweet .....	5.25
Timothy .....	3.60

5. Paragraph (g) (2) (ii) of the appendix is amended to read as follows:

(ii) Sweetclover seed: Evergreen, Madrid, Spanish Willamette, and, beginning with seed of the 1946 crop, Emerald.

This amendment shall become effective August 22, 1945.

Issued this 22d day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 18, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-15560; Filed, Aug. 22, 1945;  
11:46 a. m.]

### Chapter XVIII—Office of Economic Stabilization

[Directive 60, Amdt. 1]

#### PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

##### 1945 CANNED VEGETABLES

The Secretary of Agriculture and the Price Administrator having submitted to me information with respect to the need for an increase (1) in the amount of the maximum price for sales to government procurement agencies, and (2) in the amount of the subsidy payment on other sales for certain canned tomatoes of the 1945 pack, I hereby find that the measures hereinafter authorized and directed to be taken by the Department of Agriculture and the Office of Price Administration will effectuate the purpose of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328 and 9599.

Directive No. 60 of the Office of Economic Stabilization, issued and effective June 27, 1945 (10 F.R. 8071), is hereby amended by adding a new paragraph (3) to read as follows:

(3) With respect to canned tomatoes only, the Office of Price Administration and the Department of Agriculture are further authorized and directed to increase the maximum prices fixed under (1) (c) and subsidy payments under (2) (a) by an amount equivalent to 6 cents per dozen No. 2 cans with appropriate adjustments for other container sizes, such adjustments to become effective as of July 5, 1945.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 20th day of August 1945.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-15529; Filed, Aug. 22, 1945;  
9:58 a. m.]

[Directive 74]

#### PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

##### MAXIMUM RAW MATERIAL COSTS; FROZEN VEGETABLES, 1945

##### Correction

In Schedule A to Federal Register Document 45-14802, appearing on page 10030 of the issue for Tuesday, August 14, 1945, Commodity No. 2 should read as follows:

Commodity	State or area	Dollars per ton
2. Beans, fresh lima other than Fordhook type (see Item 7 for Fordhooks).	New Jersey .....	\$128
	Arkansas, Washington, Oregon, California, and Idaho other than southeastern, <sup>1</sup>	115
	New York, Pennsylvania, Delaware, Maryland, Virginia's Eastern Shore, <sup>1</sup> Utah, Wyoming, and Idaho southeast, <sup>2</sup>	100
	All other States and areas...	95

[Directive 31, Amdt. 2]

#### PART 4003—SUPPORT PRICES; SUBSIDIES LIVESTOCK SLAUGHTER PAYMENTS

Directive No. 31, "Livestock Slaughter Payments" (10 F.R. 5650) is amended in the following respects:

Paragraph (a) of section 2 is amended to read as follows:

SEC. 2. *Establishment of slaughter base percentages for subsidy payments.* (a) The Office of Price Administration is authorized to establish, publish, and certify to the Reconstruction Finance Corporation, from time to time and with respect to any class or species of livestock, percentages of the total slaughter of livestock during the base period of 1944 upon which livestock slaughter payments may be made during corresponding quota periods of 1945 to any slaughterer or owner of livestock: *Provided*, That no such limitation shall be applicable with respect to (1) any slaughterer whose establishment is operated under Federal inspection, or (2) any slaughterer who has been certified under the provisions of War Food Order No. 139, as amended, either as the owner or operator of a slaughtering plant or as the owner of livestock which is slaughtered on a custom basis.

(E.O. 9250 and E.O. 9328, Pub. Law 108, 79th Cong.)

Issued this 18th day of August 1945.

Effective July 1, 1945.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-15537; Filed, Aug. 22, 1945;  
11:13 a. m.]

#### Chapter XXIII—Surplus Property Board

[SPB Reg. 4, Amdt. 2]

#### PART 8304—DISPOSAL OF SURPLUS AERONAUTICAL PROPERTY TO EDUCATIONAL INSTITUTIONS AND STATE OR LOCAL GOVERNMENTS FOR NON-FLIGHT USE

##### MISCELLANEOUS AMENDMENTS

Surplus Property Board Regulation No. 4, May 4, 1945, entitled, "Disposal of Sur-

plus Aeronautical Property to Educational Institutions for Non-Flight Use" (10 F.R. 5460, 6785) is hereby amended in the following respects:

1. The title is amended to read "Disposal of Surplus Aeronautical Property to Educational Institutions and State or Local Governments for Non-Flight Use."

2. There is added a new paragraph (i) to § 8304.1 to read as follows:

(i) "State or local government" means any State, territory or possession of the United States, the District of Columbia, and any political subdivision or instrumentality thereof.

3. The last sentence of § 8304.2 is amended to read as follows: "The Board further finds that the disposal of such surplus property to educational institutions and to State or local governments for school, classroom, or other educational use including research, experimentation and memorial uses, as provided herein, will result in substantial benefit to the United States by stimulating aeronautical interest and knowledge and thus promoting national defense, employment, production and trade."

4. The last sentence of § 8304.3 is amended to read as follows: "Disposal agencies for aeronautical property shall continuously survey all aeronautical property listed on Exhibit A which is declared surplus to them and shall give wide public notice to educational institutions and to State or local governments of such property as is determined to be commercially unsaleable in accordance with such orders."

5. Section 8304.4 is amended to read as follows:

§ 8304.4 *Disposals to educational institutions and to State or local governments.* Property listed in Exhibit A which is determined to be commercially unsaleable pursuant to § 8304.3 and orders hereunder shall be fairly and equitably disposed of by the disposal agencies to educational institutions and to State or local governments in accordance with the following rules:

(a) Charges for such property shall be the disposal cost as listed on Exhibit A opposite each type of such property.

(b) Such property shall be prepared for shipment by the agency in actual possession and delivered to the buyer at the location of the property or to a carrier at a place agreed upon with the buyer. Shipment shall be on commercial bill of lading, charges "collect."

(c) The buyer shall file with the disposal agency a certificate under oath duly notarized that such buyer is an educational institution as defined in § 8304.1 (e) or a State or local government as defined in § 8304.1 (i), that the property is being acquired to be used only for non-flight instructional, research, experimental, or memorial purposes, that it will not be used for any flight purposes, and that the property will be disposed of only as scrap and then only after it shall have been rendered completely unfit and useless except for its basic material content.

6. The first sentence of § 8304.6 is amended to read as follows: "Disposal

agencies shall submit monthly reports to the Board not later than the 10th day of each month covering the disposals of aeronautical property during the preceding month to educational institutions and to State or local governments as provided in § 8304.4."

This amendment shall become effective August 24, 1945.

SURPLUS PROPERTY BOARD,  
By W. STUART SYMINGTON,  
Chairman.

AUGUST 10, 1945.

[F. R. Doc. 45-15579; Filed, Aug. 22, 1945;  
11:56 a. m.]

## TITLE 34—NAVY

### Chapter I—Department of the Navy

#### PART 22—MUSTERING-OUT PAYMENTS TO MILITARY PERSONNEL IN THE UNITED STATES NAVY, MARINE CORPS, AND COAST GUARD

##### MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of the Navy by the act of February 3, 1944 (58 Stat. 10) as amended by the act of December 16, 1944 (58 Stat. 812), the regulations prescribed to govern mustering-out payments to military personnel in the United States Navy, Marine Corps and Coast Guard (10 F.R. 2188) are amended to read as follows:

Add a new subparagraph (3) to § 22.1 (f) as follows:

##### § 22.1 Statutory provisions. \* \* \*

(f) *Exemption from taxation and claims of creditors; issuance of regulations.* \* \* \*

(3) The Secretary of the Navy, or such subordinate officer as he may designate, is authorized to make direct payment to survivors over seventeen years of age, and to select a proper person or persons to whom mustering-out payments may be made for the use and benefit of former active members of the armed forces, or survivors thereof, as defined by § 22.1 (e), without the necessity of appointment by judicial proceedings of a legal representative of any such former member or such survivors when, in the opinion of the Secretary or his designee, the interests of persons under seventeen years of age so justify, or where the former active member or his survivors is suffering from a mental disability sufficient to make direct payment not in the best interests of such person or persons. Payments made under the provisions of this subparagraph shall constitute a complete discharge of the obligation of the United States as provided in the act of February 3, 1944, as amended; and the selection of a proper person or persons, as provided herein, and the correctness of the amount due and paid to such person or persons shall have the same finality as that accorded decisions made pursuant to § 22.1 (f) (2): *Provided*, That the provisions of this subparagraph shall not apply where a legal guardian or committee has been judicially appointed, except

as to any payments made hereunder prior to the receipt of notice of appointment.

Amend subparagraph (5) of § 22.3 (a) and add new subparagraphs (6), (7) and (8) to read as follows:

##### § 22.3 Payments to survivors.—(a) General. \* \* \*

(5) *To whom payable in cases of minority.* Where a survivor, otherwise entitled to mustering-out payment, is a minor, payment will be made in accordance with the following rules:

(i) Where a legal guardian has been judicially appointed and notice of such appointment has been received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(ii) Where a survivor is seventeen years of age and over and no notice has been received that a legal guardian has been judicially appointed, payment will be made directly to the survivor.

(iii) Where a survivor is under seventeen years of age and no notice is received that a legal guardian has been judicially appointed, payment for the use and benefit of the survivor will be made to a person within the following classes: parent, adult brother, adult sister, other person who is determined, after appropriate investigation, to be qualified to act in the best interests of the survivor. Payment will be made in the order of precedence set forth unless it is considered that compliance therewith would not serve the best interests of the survivor.

(6) *To whom payable in cases of mental incompetency.* Where a survivor, otherwise entitled to mustering-out payment is prevented from receiving payment because of mental incompetency, payment will be made in accordance with the following rules:

(i) Where a legal guardian or committee of the survivor has been judicially appointed and notice of such appointment has been received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(ii) Where no notice has been received that a legal guardian has been judicially appointed, payment for the use and benefit of the survivor will be made to a person within the following classes: spouse, parent, adult child, other person who is considered, after appropriate investigation, qualified to act in the best interests of the survivor. Payment will be made in the order of precedence set forth herein unless compliance therewith would not serve the best interests of the survivor.

(7) *Evidence required for payment.* No payment will be made to a legally appointed guardian or committee of a survivor without submission of a certified copy of the instrument of appointment. Payments will not be made to a person selected under § 22.3 (a) (5) (iii) or § 22.3 (a) (6) (ii) without the submission of a written and signed agreement executed by the person selected to receive the payments for the use and benefit of the survivor containing a statement that the proceeds of payment will

be used for the exclusive benefit of the survivor.

(8) *Method of payment.* All payments to survivors or to persons on their behalf will be made by checks. In the event that payments are made to a person other than the survivor, the check will be drawn to the order of (*selected payee*), and shall include in the lower left hand corner under "Object" the phraseology "for the use and benefit of (*name of survivor*)."

Amend paragraphs (b) and (c) of § 22.4 to read as follows:

##### § 22.4 Payments on behalf of persons discharged on account of mental disability. \* \* \*

(b) *To whom payable.* Mustering-out payments on behalf of personnel discharged on account of mental disability will be made in accordance with the following rules:

(1) Where a legal guardian or committee of the veteran has been judicially appointed and notice of such appointment is received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(2) Where no notice has been received that a legal guardian has been judicially appointed, payment may be made directly to the veteran if a written, dated, and signed statement by a registered physician is furnished to the effect that the veteran is, in the opinion of the examining physician, mentally capable to handle his own affairs. (The term "registered, practicing physician" includes staff physicians at Government hospitals.)

(3) Where no notice has been received that a legal guardian has been judicially appointed and where the veteran cannot receive payment directly under § 22.4 (b) (2), payment is authorized to be made in the following manner:

(i) Where the veteran is hospitalized in a Veterans' Administration facility, or is temporarily absent therefrom for convalescent purposes, payment for the use and benefit of the veteran will be made to the manager of the facility unless after appropriate investigation it is determined that some other person is better qualified to act in the best interests of the veteran. If a facility manager applies for payment on behalf of a mentally disabled veteran under his jurisdiction but, prior to the receipt of any one of the checks covering complete payment, the veteran is discharged from the facility, checks received after the veteran's departure will be returned to the Field Branch, Bureau of Supplies and Accounts (Mustering-Out Payment Division), Cleveland 15, Ohio, in the case of Naval and Coast Guard personnel or to the Paymaster General of the Marine Corps, Washington 25, D. C., in the case of Marine Corps personnel, accompanied by so much of the following information as is pertinent to the case of the individual concerned:

(a) A statement concerning the mental condition of the veteran at the time of discharge from the facility, i. e., whether considered mentally competent to handle his own affairs.