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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

[1949 C. C. C. Dry Edible Bean Bulletin 1, Supp. 1]

PART 603—BEANS, DRY EDIBLE

SUBPART—1949-CROP DRY EDIBLE BEAN LOAN AND PURCHASE AGREEMENT PROGRAM

1949-CROP DRY EDIBLE BEAN PRICE SUPPORT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 14 F. R. 5285 governing the making of loans and containing the requirements of the purchase agreement program on dry edible beans produced in 1949 are hereby supplemented as follows:

§ 603.125 *Settlement rates*—(a) *Rates for U. S. No. 1 by classes and areas.* Settlement rates per 100 pounds net weight for beans grading U. S. No. 1 are as follows:

Class and area	*Rate*
Pea and Medium White:	
Michigan, New York, Minnesota	$7.15
Other	6.65
Great Northern:	
Nebraska and the counties of Goshen, Laramie and Platte in Wyoming	6.85
Montana, South Dakota, and all counties in Wyoming except Goshen, Laramie, and Platte	6.64
Malheur County, Oregon, and the counties of Ada, Bannock, Bear Lake, Bingham, Boise, Canyon, Caribou, Cassia, Elmore, Franklin, Gem, Gooding, Jerome, Lincoln, Minidoka, Oneida, Owyhee, Payette, Power, and Twin Falls in Idaho	6.50
All other areas	6.40
Small White and Flat Small White	7.20
Light, Dark and Western Red Kidney	8.50
Cranberry	7.65
Pink	$7.30
Small Red	6.85
Baby Lima	7.25
Standard Lima	8.85
Pinto:	
All counties in Arizona, California, Nebraska, Texas, Kansas. In Colorado, the counties of Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Clear Creek, Crowley, Denver, Douglas, Elbert, El Paso, Fremont, Gilpin, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Pueblo, Sedgwick, Teller, Washington, Weld, and Yuma. In New Mexico, all counties except McKinley, Rio Arriba, San Juan, Taos and Valencia. In Wyoming, the counties of Goshen, Laramie, and Platte	7.40
In New Mexico, the counties of McKinley and Valencia	7.28
All counties in Montana and South Dakota. In Colorado, the counties of Alamosa, Archuleta, Chaffee, Costilla, Conejos, Custer, Delta, Eagle, Garfield, Grand, Gunnison, Hinsdale, Jackson, Lake, La Plata, Mesa, Mineral, Moffat, Montrose, Ouray, Park, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, and Summit. In Wyoming, all counties except Goshen, Laramie, and Platte. In New Mexico, the counties of Rio Arriba, San Juan, and Taos	7.20
All counties in Utah. In Colorado, the counties of Dolores, Montezuma, and San Miguel	7.12
All other areas	7.02

(b) *Rates for U. S. choice hand-picked and U. S. Extra No. 1 beans.* Rates for U. S. choice hand-picked and U. S. Extra No. 1 beans shall be ten cents per 100 pounds net weight more than the settlement rate for U. S. No. 1 beans for the same class and area.

(c) *Rates for U. S. No. 2 beans.* Rates for U. S. No. 2 beans shall be fifteen cents per 100 pounds net weight less than the settlement rate for U. S. No. 1 beans of the same class and area.

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FEDERAL REGISTER

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(Sec. 4 (d), Pub. Law 806, 80th Cong. interpret or apply sec. 5 (a), Pub. Law 806, 80th Cong., secs. 1 (b), 202 (a), Pub. Law 897, 80th Cong.; 62 Stat. 1071, 1072, 1247, 1252)

Issued this 12th day of September 1949.

[SEAL] ELMER F. KRUSE,
Manager,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 49-7490; Filed, Sept. 15, 1949; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 813, Amdt. 4]

PART 813—SUGAR QUOTAS AND PRORATIONS OF QUOTA DEFICITS

REVISION OF PRORATION OF 1949 QUOTA

Basis and purpose. This amendment is issued pursuant to the Sugar Act of 1948 and is made for the purpose of prorating among the foreign countries other than Cuba and the Republic of the Philippines that part of the prorations of the basic quota to such foreign countries remaining unfilled on September 1. This amendment also reallots to certain foreign countries the unfilled portions of the Philippine deficit heretofore allotted to other foreign countries.

Section 204 (b) of the act provides that if on the first day of September in any calendar year any part or all of any proration of the basic quota to a foreign country has not been filled the Secretary may revise the prorations and allot the unfilled portions to those foreign countries which have filled their prorations by such date.

This amendment revises the prorations of the basic quota and reallots the Philippine deficit allotted to foreign countries other than Cuba and the Republic of the Philippines. In order to afford adequate opportunity to ship the additional sugar authorized by this amendment, and thereby protect the interest of consumers, it is essential that the revised prorations be made effective immediately. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendments herein made shall become effective on the date of their publication in the FEDERAL REGISTER. It should be noted that the act accords to each country the right to import the amount of its basic proration by providing that no reduction therein shall be made by reason of a determination under section 204 (b).

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922; 7 U. S. C. Sup. I, 1100) and the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), Sugar Regulation 813 (formerly General Sugar Quota Regulation, Series 11, No. 1) (13 F. R. 9483) as amended (14 F. R. 3258, 3578, 5421), establishing quotas for 1949, is hereby further amended as follows:

1. Section 813.3 is amended by adding thereto new paragraphs (g) and (h) as follows:

§ 813.3 *Determination and proration of area deficits.* * * *

(g) *Deficit in prorations of foreign countries other than Cuba and the Republic of the Philippines.* It is hereby determined, pursuant to section 204 (b) of the act, that by September 1, 1949, unfilled prorations to foreign countries of the quota for foreign countries other than Cuba and the Republic of the Philippines established under section 202 (c) of the act amounted to 13,921,666 pounds of sugar and that the Dominican Republic, the Republic of Haiti, Mexico, and Peru had filled their prorations of such quota by September 1, 1949.

(h) *Allotment of unfilled prorations of quota for foreign countries other than Cuba and the Republic of the Philippines.* An amount of sugar equal to the unfilled prorations to foreign countries determined in paragraph (g) of this section is hereby prorated, pursuant to subsections (b) and (d) of section 204 of the act as follows:

Country:	*Additional prorations in pounds, raw value*
Dominican Republic	3,753,076
Haiti, Republic of	518,692
Mexico	3,394,790
Peru	6,255,103

2. Section 813.4 (b) is changed to read:

§ 813.4 *Proration of quota for foreign countries other than Cuba and the Republic of the Philippines.* * * *

(b) *Additional prorations.* An amount of sugar equal to that part of the deficit prorated to foreign countries other than Cuba and the Republic of the Philippines under paragraph (b) of § 813.3 is hereby prorated, pursuant to subsections (a) and (d) of section 204 of the act, as follows:

Country:	*Additional prorations in pounds, raw value*
Dominican Republic	11,852,277
Haiti, Republic of	968,192
Mexico	7,425,733
Peru	21,753,798
Subtotal	42,000,000
Unallotted reserve	500,000
	42,500,000

Statement of bases and considerations. As of September 1, 1949, the basic quota for foreign countries other than Cuba and the Republic of the Philippines, established pursuant to section 202 (c) of the act, equaled 54,400,000 pounds of sugar, raw value. On the same date the share of the 1949 Philippine deficit accruing to foreign countries other than Cuba and the Republic of the Philippines, pursuant to section 204 (a) of the act, equaled 42,500,000 pounds of sugar, raw value.

Section 204 (b) of the act provides that if, on the first day of September in any calendar year, any part or all of the proration to any foreign country of the quota for foreign countries other than Cuba and the Republic of the Philippines established under the provisions of section 202 (c) has not been filled, the Secretary may revise the proration of such quota among such foreign countries by allotting an amount of sugar equal to the unfilled proration to those countries which have filled their quotas by such date. Section 204 (c) of the act provides that the quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under the provisions of section 202 shall not be reduced by reason of any such determination of a deficit.

The Dominican Republic, the Republic of Haiti, Mexico, and Peru are the only foreign countries that have filled their proration of the basic quota for foreign countries other than Cuba and the Republic of the Philippines, established pursuant to section 202 (c) of the act, as of September 1, 1949. Therefore, pursuant to section 204 (b) and section 204 (d) of the act, the unfilled portions of the prorations for all other foreign countries have been prorated to the four foreign countries mentioned above on the basis of the proration now in effect.

The Dominican Republic, the Republic of Haiti, Mexico, and Peru are the only foreign countries that substantially have filled their prorations of the Philippine deficit as of September 1, 1949, and appear likely to fill additional prorations before the end of the calendar year. In accordance with section 204 (d) the entire Philippine deficit prorated to foreign countries other than Cuba and the Republic of the Philippines is hereby prorated to the Dominican Republic, the Republic of Haiti, Mexico, and Peru on the basis of the prorations now in effect with the exception of 500,000 pounds held in an unallotted reserve for future contingencies.

Although the unfilled portions of the prorations which each country received pursuant to section 202 (c) of the act have been prorated to those countries that had filled their prorations as of September 1, 1949, the existing prorations for such countries in effect on that date are not reduced by reason of a deficit having been determined.

After giving effect to the changes set forth in Sugar Regulation 813 (formerly General Sugar Quota Regulation, Series 11, No. 1) and Amendments 1 to 4 thereto, the current sugar quotas in terms of pounds, raw value, for foreign countries other than Cuba and the Republic of the Philippines are as follows:

REALLOTMENT OF BASIC PRORATIONS AND PHILIPPINE DEFICIT TO FOREIGN COUNTRIES OTHER THAN CUBA AND THE PHILIPPINES (SEPT. 1, 1949) [1]

Country	Basic proration, Sept. 1, 1949	Adjusted basic proration, Sept. 1, 1949 [2]	Adjusted allotment of Philippine deficit, Sept. 1, 1949	Total adjusted proration, Sept. 1, 1949
Belgium	320,755	0	0	0
Canada	614,905	0	0	0
China and Hong Kong	314,004	18,900	0	18,900
Czechoslovakia	286,962	0	0	0
Dominican Republic	7,267,715	11,020,791	11,852,277	22,873,068
Dutch East Indies	230,379	0	0	0
Guatemala	364,997	0	0	0
Haiti, Republic of	1,004,431	1,523,123	968,192	2,491,315
Honduras	3,741,021	0	0	0
Mexico	6,573,906	9,968,696	7,425,733	17,394,429
Netherlands	237,442	0	0	0
Nicaragua	11,139,471	10,488,180	0	10,488,180
Peru	12,112,821	18,367,929	21,753,798	40,121,727
Salvador	8,946,168	2,134,202	0	2,134,202
United Kingdom	382,178	374,936	0	374,936
Venezuela	316,062	0	0	0
Other countries	46,783	3,243	0	3,243
Subtotal	53,900,000	53,900,000	42,000,000	95,900,000
Unallotted reserve	500,000	500,000	500,000	1,000,000
Total	54,400,000	54,400,000	42,500,000	96,900,000

[1] Based on charges against quota through Sept. 1, 1949.
[2] By reason of sec. 204 (e) of the act each individual country retains its basic proration of the quota even though it may not have filled such proration by Sept. 1.

(Sec. 204, 61 Stat. 925; 7 U. S. C. Sup., 1114)

Done at Washington, D. C., this 12th day of September 1949. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture

[F. R. Doc. 49-7466; Filed, Sept. 15, 1949; 8:46 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 993—HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

SALABLE PERCENTAGE AND SURPLUS PERCENTAGE FOR 1949-50 CROP YEAR

§ 993.200 *Dried prune salable tonnage and surplus tonnage regulation for the 1949-50 crop year*—(a) *Findings.* (1) Pursuant to the marketing agreement and order (14 F. R. 5254) regulating the handling of dried prunes produced in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 63 Stat. 282), hereinafter referred to as the "act", and upon the basis of the recommendation of the Prune Administrative Committee established under the said marketing agreement and the said order, and upon other available information, it is hereby found by me on behalf of the Secretary of Agriculture that to establish a salable percentage and a surplus percentage as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section for a longer period than three days after publication thereof in the FEDERAL REGISTER because deliveries of dried prunes to handlers by producers and dehydrators during the 1949-50 crop year have already begun, and it is necessary to have regulations of this nature in effect as promptly as practicable in order to regulate such receipts effectively. No preparation for this section is required which cannot be completed prior to such effective date. Therefore, good cause exists for not giving preliminary notice, engaging in public rule making procedure, and delaying the effective date of this section beyond three days after the publication of this document in the FEDERAL REGISTER.

(See sec. 4 (c) of the Administrative Procedure Act, Pub. Law 404, 79th Cong. 60 Stat. 237.)

(b) *Order.* The salable percentage of dried prunes produced in California for the crop year beginning August 25, 1949, and ending July 31, 1950, shall be 75 percent, and the surplus percentage of such dried prunes for said crop year shall be 25 percent.

(48 Stat. 31 et seq., 7 U. S. C. 601 et seq.; § 993.5, 14 F. R. 5254)

Issued at Washington, D. C., this 13th day of September 1949, to become effective at 12:01 a. m., P. s. t., September 19, 1949.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-7489; Filed, Sept. 15, 1949; 8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 164]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 162]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CERTAIN STATES

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 2a, is amended to describe the counties in the Defense-Rental Area as follows:

Shelby and Talladega.

This decontrols St. Clair County, Alabama, a portion of the Talladega, Alabama, Defense-Rental Area.

2. Schedule A, Item 82d, is amended to read as follows:

(82d) [Revoked and decontrolled.]

This decontrols the entire Carmi, Illinois, Defense-Rental Area.

3. In Schedule A, all of Item 90 which relates to Marion County, Missouri, is deleted.

This decontrols Marion County, Missouri, a portion of the Quincy, Illinois, Defense-Rental Area.

4. Schedule A, Item 128, is amended to read as follows:

(128) [Revoked and decontrolled.]

This decontrols the entire Richmond, Kentucky, Defense-Rental Area.

5. Schedule A, Item 138, is amended to read as follows:

(138) [Revoked and decontrolled.]

This decontrols the entire Presque Isle, Maine, Defense-Rental Area.

6. Schedule A, Item 168b, is amended to describe the counties in the Defense-Rental Area as follows:

Boone.

This decontrols Audrain County, Missouri, a portion of the Columbia, Missouri, Defense-Rental Area.

7. Schedule A, Item 191, is amended to describe the counties in the Defense-Rental Area as follows:

Warren.
Mercer.

This decontrols Hunterdon County, New Jersey, a portion of the Trenton, New Jersey, Defense-Rental Area.

8. Schedule A, Item 243, is amended to describe the counties in the Defense-Rental Area as follows:

Mayes and Rogers.

This decontrols Wagoner County, Oklahoma, a portion of the Choteau, Oklahoma, Defense-Rental Area.

9. In Schedule A, all of Item 334a which relates to Box Elder County, Utah, is deleted.

This decontrols (1) Brigham City in Box Elder County, Utah, a portion of the Ogden, Utah, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Box Elder County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

All decontrols effected by Items 1 through 9 of this amendment are on the Housing Expediter's own initiative, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This amendment shall become effective September 13, 1949.

Issued this 13th day of September 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-7436; Filed, Sept. 14, 1949; 8:49 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[4th Gen. Rev. of Export Regs., Amdt. P. L. 14]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Comm. Sched. B No.	*Commodity*
	Raw cotton, except linters:
300301 300302	Upland, staple length $1\frac{1}{16}$ up to, but not including $1\frac{1}{8}$ inches (U. S. Official Standard).
300303 300304	Upland, staple length $1\frac{15}{16}$ up to, but not including $1\frac{1}{16}$ inches (U. S. Official Standard).
300307 300308	Upland, staple length under $1\frac{15}{16}$ inch (U. S. Official Standard).

2. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
200901	Synthetic rubber (dry rubber content): GR-S	Lb.	RUBR	100	R
201200	Rubber scrap, unvulcanized	Lb.	RUBR	100	R
523130	Ophthalmic glass and glass blanks	No.	SATE	None	R
617720	Drills and bits, hard-surfaced steel and tungsten carbide types.		CDGS	None	R
	Steam engines, boilers, and accessories:				
711100	Stationary steam engines, except turbines		GIEQ	250	R
712900	Parts for: mechanical-drive turbines, 300 horsepower and over; and stationary steam engines, other than turbines.		GIEQ	100	R
713900	Steam specialties, and parts		GIEQ	100	R
722890	Parts and accessories for snowplows, 65 horsepower and over.[1]		CONS	None	R
745598	Parts for: balancing machines for balancing metal parts statically, dynamically, or both.		TOOL	250	R
750800	Spinnerettes for synthetic fibers		GIEQ	None	R
750800	Rayon preparing, spinning, and twisting machinery, and parts.		GIEQ	None	R
802490	Coal-tar acids, crude and intermediate: Other phenol derivatives.	Lb.	COTA	100	R
802590	Coal-tar intermediates, except coal-tar acids: Other phenol derivatives.	Lb.	COTA	100	R
	Plastics and resin materials: Synthetic gums and resins in all unfinished forms:				
825100	Pentaerythritol ester gum	Lb.	PLAT	100	R
	Organic chemicals not of coal-tar origin, n. e. s.:				
832990	Methyl isobutyl ketone	Lb.	ORGN 67	100	R
832990	Normal amyl sebacate	Lb.	ORGN 67	100	R
832990	Diethylhexyl sebacate	Lb.	ORGN 67	100	R
837990	Sodium persulfate	Lb.	SALT	100	R
	Other industrial chemicals:				
839900	Chromium compounds		SALT	100	R
839900	Persulfates, n. e. s.		SALT	100	R
839900	Phosphor powder		SALT 65	100	R
839900	Phosphor zinc silicate zinc cadmium sulfide		SALT 65	100	R
839900	Thallium bromo iodide		SALT	100	R
917500	Analytical balances, over 1/100th milligram accuracy.[2]	Unit	SATE	None	R

[1] By this amendment the description of the commodities on the Positive List is revised to read as follows:

722890 Parts and accessories for the following road and airport machines: concrete mixers and pavers; self-propelled road graders; self-propelled scrapers, self-loading; bull-dozers, angle dozers, trail builders, brush cutters and similar tractor equipment; bituminous paving plants; bituminous distributors; bituminous mixers; bituminous spreaders; compacting rollers; and snowplows, 65 horsepower and over.

[2] By this amendment the description of the commodities on the Positive List is revised to read as follows:

917500 Analytical balances; micro balances, 1/1000th milligram or under; and electronic balances.

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective September 9, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: September 7, 1949.

W. S. THOMAS,
Acting Assistant Director,
Office of International Trade.

[F. R. Doc. 49-7483; Filed, Sept. 15, 1949; 8:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5746]

PART 140—TAXES ON TOBACCO, SNUFF, CIGARS, CIGARETTES, CIGARETTE PAPERS AND TUBES, AND PURCHASE AND SALE OF LEAF TOBACCO

SUBDIVISION PACKAGES

Regulations 8 (1934 edition) (26 CFR, Part 140) but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4885, approved February 11, 1939 (26 CFR Cum. Supp., page 5876), are hereby amended as follows:

PARAGRAPH 1. Article 47 (26 CFR 140.47) is amended to read as follows:

§ 140.47 *Subdivision parcels.* The quantity of manufactured tobacco or snuff contained in a stamped statutory box or package may be subdivided into parcels or in any other manner satisfactory to the Commissioner. The caution notice provided by §140.55 (article 55) must not appear on any subdivision of a statutory box or package, but must appear only on the statutory box or package on whch the requisite tax stamps are affixed. Tobacco or snuff when subdivided must remain in the stamped statutory box or package until sold or delivered at arms-length direct to consumers, and the total net weight of tobacco or snuff in each stamped statutory box or package must correspond to the total denominations of the tax stamps affixed to such box or package.

PAR. 2. Article 76, as amended by Treasury Decision 4781, approved December 7, 1937 (26 CFR 140.76), is further amended to read as follows:

§ 140.76 *Subdivision parcels.* The number of cigars or cigarettes contained in a stamped statutory box or package may be subdivided into parcels or in other manner satisfactory to the Commissioner. The caution notice provided by § 140.84 (article 84), factory brand provided by § 140.85 (article 85), and classification clause provided by § 140.86 (article 86), must not appear on any subdivision of a statutory box or package on which the requisite tax stamp is affixed. Cigars and cigarettes when subdivided must remain in the stamped statutory box or package until sold or delivered at arms-length direct to consumers, and the total number of cigars or cigarettes in each stamped statutory box or package must correspond to the denomination of the tax stamp affixed to such box or package.

(Sec. 3791, I. R. C.; 53 Stat. 467; 26 U. S. C. 3791)

Because the sole purpose of the amendments made herein is to relieve restrictions, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: September 12, 1949.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 49-7474; Filed, Sept. 15, 1949; 8:48 a. m.]

[T. D. 5745]

PART 184—PRODUCTION OF BRANDY

ADDITION OF BURNT SUGAR OR CARAMEL TO BRANDY AT FRUIT DISTILLERIES AND INTERNAL REVENUE BONDED WAREHOUSES

1. On March 23, 1949, notice of proposed rule-making, regarding the production of brandy, was published in the FEDERAL REGISTER (14 F. R. 1301).

2. After consideration of all such relevant matter as was presented by interested persons, §§ 184.242 and 184.245 of Regulations 5 (26 CFR, Part 184) approved February 28, 1940, are hereby amended as follows:

§ 184.242 *Sweetening properties.* The burnt sugar or caramel added to brandy shall not contain any substantial quantity of sugar which has not been caramelized, or possess any material sweetening properties. (Secs. 3036, 3176, I. R. C.)

§ 184.245 *Addition to packages in warehouse.* Burnt sugar or caramel may be added to packages of brandy in warehouse only where the brandy is unmerchantable by reason of being deficient in color and it is shown that the failure to properly color the brandy prior to the filling of the packages was due to no negligence or fault of the distiller. In such cases, application must be filed with the district supervisor by the distiller or warehouseman, showing the serial numbers of the barrels, the name of the producing distiller, and the necessity for the addition of the burnt sugar or caramel to the brandy. The district supervisor may permit the addition, under the immediate supervision of the storekeeper-

gauger, of burnt sugar or caramel, conforming with § 184.242, to each of the barrels, after the brandy has been regauged for tax-payment and prior to the purchase and affixing of the tax-paid stamps to the barrels. (Secs. 3036 and 3176, I. R. C.)

3. The purpose of these amendments is to simplify the procedure relating to the addition of burnt sugar or caramel to brandy at fruit distilleries and internal revenue bonded warehouses.

4. This Treasury decision shall become effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

(Sec. 3036, 3176, I. R. C.; 26 U. S. C., 3036, 3176)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: September 12, 1949.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 49-7473; Filed, Sept. 15, 1949; 8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RADIO BROADCAST SERVICES

STATION IDENTIFICATION

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 7th day of September 1949;

The Commission having under consideration § 3.287 of its rules and regulations governing FM Broadcast Stations which permits, in certain instances, the joint announcement of call letters and location of an FM broadcast station and a standard broadcast station over the channels of both stations; and having also under consideration § 3.187 (f) which at present states, with reference to standard broadcast stations, that in making identification announcements the call letters shall be given only on the channel of the station identified thereby; and

It appearing, that it would be in the public interest to clarify the existing rules in order that they not appear to be inconsistent; and

It further appearing, that the public notice and procedure provided for by section 4 of the Administrative Procedure Act is unnecessary as a prerequisite to the amendment ordered herein since the Commission has already in § 3.287 provided for this type of joint announcement and now desires to make the provisions of § 3.187 (f) consistent with those of § 3.287; and

It further appearing, that authority for the proposed amendment is contained in sections 4 (i), 303 (o), 303 (p), and 303 (r) of the Communications Act of 1934, as amended;

It is ordered, That paragraph (f) of § 3.187 of the Commission's rules governing standard broadcast stations is amended effective immediately, to read as follows:

§ 3.187 *Station identification.* * * *

(f) In making the identification announcement the call letters shall be given only on the channel of the station identified thereby, except as otherwise provided in § 3.287 of the Commission's rules governing FM broadcast stations.

(Sec. 4 (i), 48 Stat. 1066; sec. 303 (r), 50 Stat. 191; 47 U. S. C. 154 (i), 303 (r). Applies secs. 303 (o), (p), 48 Stat. 1082, 1083; 47 U. S. C. 303 (o), (p))

Released: September 8, 1949.

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

[F. R. Doc. 49-7486; Filed, Sept. 15, 1949; 8:50 a. m.]

[Docket No. 8711]

PART 4—EXPERIMENTAL AND AUXILIARY BROADCAST SERVICES

REMOTE PICKUP BROADCAST STATIONS

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 7th day of September 1949;

The Commission having under consideration a proposal to amend §§ 4.401, 4.402, 4.431, 4.432, 4.436, 4.461, and 4.462 of Part 4, Subpart D of the Commission's rules and regulations governing remote pickup stations; and

It appearing, that notice of proposed rule making setting forth the proposed amendment was issued by the Commission on June 9, 1949, and was duly published in the FEDERAL REGISTER, which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before July 18, 1949; and

It further appearing, that, the American Petroleum Institute filed a statement dated July 18, 1949, objecting to the sharing of frequencies allocated to the Petroleum Radio Service with remote pickup broadcast stations; that the American Telephone and Telegraph Company filed a letter dated July 15, 1949, requesting that the remote pickup frequencies be made available to communications common carriers for use at such times as the common carrier provided a television pickup service; that under date of June 22, 1949, Radio Station WMIT, Winston-Salem, North Carolina, filed comments concerning the provisions of § 4.432 (e) of the proposed rules stating that the frequencies proposed for assignment for "order wire" types of communications might be subject to sky-wave interference and subsequently, under date of July 6, 1949, filed further comment stating that due to bandwidth limitations the frequencies available for "order wire" type communications are unsuitable for emergency STL use; that the American Broadcasting Company, Inc. and the National Broadcasting Company, Inc., filed substantially identical statements requesting that the proposed rules contain a footnote providing for continued operation of remote pickup broadcast stations currently licensed on frequencies in the 30–40 Mc. band for a reasonable period in order to allow for conversion of equipment; and

It further appearing, that the statement of the American Petroleum Institute and the request of the American Telephone and Telegraph Company concern frequency-service allocations heretofore adopted by the Commission and are irrelevant in this proceeding; that the suggestions filed by Radio WMIT concerning interference-free frequencies for "order-wire" type communications are impractical owing to the limited frequency space available to remote pickup stations; that WMIT's comment respecting the unsuitability of certain remote pickup frequencies for emergency STL service ignores the fact that all remote pickup frequencies are available for such emergency service; that the suggestion made by the American Broadcasting Company, Inc., and the National Broadcasting Company, Inc., is meritorious and the proposed rules have been modified to incorporate a footnote to § 4.402 (a) providing that operation of remote pickup broadcast stations currently licensed on frequencies in the band 30–40 Mc and between 156 and 162 Mc may be continued temporarily in order to allow for conversion of equipment; and

It further appearing, that slight editorial changes in the phrasing of §§ 4.402, 4.403, 4.432, and 4.462 is desirable for the purpose of clarity and consistency; and

It further appearing, that from considerations of the statements filed with the Commission and on the basis of its own further considerations of the matter, it now appears proper to make final the adoption of the amendment to the rules set forth below;

Accordingly, it is ordered, Effective October 24, 1949, that §§ 4.401, 4.402, 4.403, 4.431, 4.432, 4.436, 4.461, and 4.462 of the Commission's rules and regulations are amended as set forth below.

(Sec. 303 (r), 50 Stat. 191; 47 U. S. C. 303 (r). Applies sec. 303 (b), (c), (f), 48 Stat. 1082; 47 U. S. C. 303 (b), (c), (f))

Released: September 7, 1949.

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

1. In § 4.401, substitute the following text for the present text:

§ 4.401 *Definitions*—(a) *Remote pickup broadcast mobile station.* A land mobile station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

(b) *Remote pickup broadcast base station.* A base station licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

(c) The term "remote pickup broadcast station" as used in this part of the

rules includes both of the above definitions.

2. Amend § 4.402 as follows:

a. Delete subparagraphs (2) and (3) of paragraph (a) and substitute therefor the following subparagraphs:

(2)

Group D (megacycles)	Group E (megacycles)	Group F (megacycles)	Group G (megacycles)	Group H (megacycles)
26.15	26.17	26.19	26.21	26.23
26.25	26.27	26.29	26.31	26.33
26.35	26.37	26.39	26.41	26.43

(3)

Group I (megacycles)	Group J (megacycles)
26.11	26.13
26.45	26.47

(4)

Group K (megacycles)		
[6] 152.87	[6] 153.05	[6] 153.23
[6] 152.93	[6] 153.11	[6] 153.29
[6] 152.99	[6] 153.17	[6] 153.35

(5)

Group L (megacycles)	Group M (megacycles)
[7] 166.25	[7] 170.15

Operation on the frequencies 166.25 Mc. and 170.15 Mc. is not authorized (i) within the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37°30′ N., and on the east and south by that arc of the circle with center at Springfield, Illinois, and radius equal to the airline distance between Springfield, Illinois, and Montgomery, Alabama, subtended between the foregoing west and north boundaries; (ii) within 150 miles of New York City, and; (iii) outside the continental United States.

(6)

Group N (megacycles)				
450.05	450.45	450.85	451.25	451.65
450.15	450.55	450.95	451.35	451.75
450.25	450.65	451.05	451.45	451.85
450.35	450.75	451.15	451.55	451.95

b. Substitute the following text for the present text of paragraph (b):

(b) For the purpose of assignment, frequencies allocated to remote pickup broadcast stations are divided into six allocation divisions designated as subparagraphs (1), (2), (3), (4), (5), and (6) of paragraph (a) of this section. Within each allocation division is one or more frequency groups identified by letter designation, i. e., A, B, and C in division (1); D, E, F, G, and H in division (2); I and J in division (3); K in division (4); L and M in division (5); and N in division (6). A license for a remote pickup broadcast station may authorize a frequency or frequencies in one or more allocation divisions depending upon the frequency range of the equipment employed.[8] While a licensee may have one or more remote pickup broadcast stations licensed for operation in the same area, such stations will be limited within each allocation division to the assignment of frequences from a single group.

c. Add a new paragraph (c) as follows:

(c) Remote pickup broadcast stations will not be granted exclusive frequency assignments, and the same frequency or frequencies may be assigned to other licensees in the same area.

d. Present footnote 4 of § 4.402 is amended to read as follows:

[4] As heretofore provided, remote pickup broadcast stations currently licensed for operation on frequencies within the ranges 30–40 Mc. and 156–162 Mc. will be permitted to continue operations on such frequencies temporarily, subject to the condition that no harmful interference is caused to stations operating in accordance with existing frequency-service allocations, in order to allow for conversion of existing remote pickup equipment. However, in no event shall such operation be continued after July 1, 1950. Frequencies below 25 Mc. are subject to change in accordance with action resulting from the proceedings in Docket No. 6651.

e. Add the following additional footnotes to § 4.402.

[6] Subject to the condition that harmful interference will not be caused to the Industrial Radio Services.

[7] Subject to the condition that harmful interference will not be caused to government stations present or future in the government band 162–174 Mc.

3. Section 4.403 is amended to read as follows:

§ 4.403 *Frequency selection to avoid interference.* (a) Where two or more remote pickup broadcast stations are licensed for the same frequency or group of frequencies in the same area and when simultaneous operation is contemplated, the licensees shall endeavor to select frequencies or schedule operation in such manner as to avoid mutual interference. If a mutual agreement to this effect cannot be reached the Commission shall be notified and it will specify the frequency or frequencies on which each station is to be operated.

(b) The following order of priority of transmissions shall be observed on all frequencies except those listed in § 4.402 (a) (3): (1) The transmission of program material for broadcast, (2) the transmission of orders immediately necessary thereto, and (3) other transmissions permitted under § 4.431 (a). On frequencies listed in § 4.402 (a) (3), transmissions permitted under § 4.431 shall have priority over transmissions permitted under § 4.432 (e).

4. Section 4.431 is amended to read as follows:

§ 4.431 *Purpose of remote pickup broadcast stations.* (a) The license of a remote pickup broadcast station authorizes the transmission of program material, orders concerning such program material, and related communications necessary to the accomplishment of such transmissions, to an associated broadcast station,[1] to such other stations as are also broadcasting the same program material, or to the network with which the broadcast station is regularly affiliated. A license issued within the provisions of § 4.432 (e) authorizes the additional communications therein provided. Remote pickup broadcast stations may be operated in conjunction with other broadcast stations not aforementioned: *Provided,* That the transmissions by the remote pickup broadcast station shall be under the control of the remote pickup broadcast station licensee, and that such operation shall not exceed a total of 10 days in any 30-day period.

(b) No change.

(c) The license of a remote pickup broadcast station authorizes operation on only one of the assigned frequencies at any one time. A licensee may operate two or more remote pickup broadcast stations simultaneously. Remote pickup broadcast stations may be used to transmit orders and related communications from the program control point to the remote pickup point.

(d) No change.

5. Section 4.432 is amended to read as follows:

§ 4.432 *Licensing requirements.* (a) A license for a remote pickup broadcast station will be issued only to the licensee of a broadcast station. Remote pickup broadcast stations will be licensed to television broadcast stations upon an interim basis pending development of equipment capable of transmitting the aural and the visual portions of television programs within the bands of frequencies allocated for television pickup stations. A separate license is required for each remote pickup broadcast station. Each application for construction permit for a new remote pickup broadcast station or for a change in the facilities of an existing station shall be specific with regard to the frequency or frequencies requested.

(b) In case a licensee has two or more broadcast stations of different services (standard, FM, television, etc.) located in the same city, it shall, in applying for a new remote pickup broadcast station or for renewal of license of an existing station, designate each of the stations with which the remote pickup broadcast station is to be operated.

(c) In case a licensee has two or more broadcast stations located in different cities, it shall, in applying for a new remote pickup station or for renewal of license of an existing station, designate the broadcast station, or stations under the provisions of paragraph (b) of this section, in conjunction with which the remote pickup station is to be operated.

(d) A remote pickup broadcast station may be licensed for portable or mobile operation in accordance with § 4.401 (a), or for operation at a fixed location in accordance with § 4.401 (b). An application for a new remote pickup broadcast station or for modification of license

[8] Note requirement of § 4.462 (b).

[1] The term "associated broadcast station" as used herein means a broadcast station with which the remote pickup station is licensed as an auxiliary facility.

of an existing station requesting portable or mobile operation shall specify the area in which the proposed station is intended to be employed.

(e) Remote pickup broadcast base stations will be licensed for the purpose of providing communications between the studio and the transmitter of broadcast stations which utilize an FM broadcast STL station for program transmission: *Provided*, That such operation shall not be conducted on frequencies other than those listed in § 4.402 (a) (3).

6. Section 4.436 is amended to read as follows:

§ 4.436 *Emission authorized.* (a) The license for a remote pickup broadcast station operating on frequencies below 25 Mc. will normally authorize A3 emission and may in addition authorize A1 and A2 emission where a need therefor is shown. A license for a remote pickup broadcast station operating on frequencies above 25 Mc. will authorize A3 or F3 emission, depending upon the equipment employed. Stations licensed to employ F3 emission shall limit the frequency swing [1] so that the bandwidth of emission will conform to the requirements of the channel widths authorized as follows:

(1) For stations operating on the frequencies 26.11 to 26.47 Mc., 20 kilocycles.

(2) For stations operating on the frequencies 152.87 to 153.35, 166.25 and 170.15 Mc., 60 kilocycles.

(3) For stations operating on the frequencies 450.05 to 451.95 Mc., 100 kilocycles.

(b) Any emissions outside the authorized channel shall be limited to such an extent as not to constitute a source of potential interference to other stations and in no event shall such emissions be in excess of minus 40 decibels as compared to the emissions within the authorized channel.

7. Section 4.461 is amended to read as follows:

§ 4.461 *Frequency tolerance.* The licensee of a remote pickup broadcast station shall maintain the operating frequency of its station in accordance with the following: [2]

Frequency range	Tolerance (percent)	
	Base station	Mobile station
1606 to 2830 kc.:		
200 watts or less	0.01	0.02
Over 200 watts [1]	.005	.02
26.11 to 26.47 Mc.:		
5 watts or less	.005	.02
Over 5 watts	.005	.005
152.87 to 153.35, 166.25, and 170.15 Mc.:		
5 watts or less	.005	.01
Over 5 watts	.005	.005
450.05 to 451.95 Mc.: All powers	.01	.01

[1] The listing of tolerance for power over 200 watts is in accordance with treaty values and shall not be construed as a finding that such power will be authorized.

[1] The term "frequency swing" means the instantaneous departure of the frequency of the emitted wave from the center frequency resulting from modulation.

[2] Remote pickup broadcast stations now operating in the frequency range 30–40 Mc. and on frequencies above 154 Mc. will, during the period such operation continues pending frequency re-assignment of these stations pursuant to the proceedings in Docket No. 6651, retain the frequency tolerance requirements of their present licenses.

8. Section 4.462 is amended to read as follows:

§ 4.462 *Frequency monitors and measurements.* (a) The licensee of a remote pickup broadcast station shall provide the necessary means for determining that the frequency of the station is within the allowed tolerance. The date and time of each frequency check, the frequency as measured, and a description or identification of the method employed shall be entered in the station log. Sufficient observations shall be made to insure that the assigned carrier frequency is maintained within the prescribed tolerance.

(b) Each frequency for which the remote pickup broadcast station is licensed shall be measured at least once during each calendar year.[3]

[F. R. Doc. 49-7485; Filed, Sept. 15, 1949; 8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 2]

[Docket No. 9437]

FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. On April 27, 1949, the Commission adopted its report and order with respect to the revision of Part 2 of the Commission's rules and regulations. This revision of Part 2 became effective July 1, 1949.

3. It is proposed to amend Subpart A—Definitions, § 2.1 as follows:

Change the present definitions appearing in Part 2 to those shown below.

Industrial, scientific, and medical equipment. Devices which use Hertzian waves for industrial, scientific, medical, or any other purposes, including the transfer of energy by radio and which are neither used nor intended to be used for radiocommunication.

Meteorological radar station (WXD). A station, in the meteorological aids service, employing radar, not intended for operation while in motion.

4. The following proposed amendments, involve changes in the availability of frequencies to certain classes of service or stations and therefore, are considered as proposals to change the allocations in the manners to be described and for the reasons to be stated.

a. Section 2.104 (a) of the Commission's rules and regulations, now shows the bands 35.20–36.00 Mc. and 43.20–44.00 Mc. allocated to the "Domestic Public Land Mobile Services" and the "Land Transportation Radio Services". The Commission's rules governing these services make the frequencies in this band available as follows:

Frequencies:	*Service*
35.22 Mc.–35.66 Mc.	Domestic public.
35.70 Mc.–35.98 Mc.	Land transportation.
43.22 Mc.–43.66 Mc.	Domestic public.
43.70 Mc.–43.98 Mc.	Land transportation.

The Commission proposes to re-allocate these frequencies so as to conform to their availability as shown in the rules governing the individual services. The Commission believes that this re-allocation will be of benefit to both services. Appendix 1 shows this re-allocation.

b. Section 2.104 (a) on the bands, 3500–3700 Mc., 6425–6575 Mc. and 11700–12200 Mc. in column 9 under the entry "(a) Land" add the footnote NG12. The text of this footnote is as follows:

NG12: Only those land stations which communicate with mobile (except television pickup) stations, are authorized to use frequencies in this band.

5. Section 2.103 is amended as follows:

§ 2.103 *Assignment of frequencies.* (a) Except as provided in paragraph (b) of this section the assignment of frequencies and bands of frequencies to all stations and classes of stations and the licensing and authorizing of the use of all such frequencies between 10 kc. and 30,000 Mc., and the actual use of such frequencies for radiocommunication or for any other purpose, including the transfer of energy by radio, shall be in accordance with the table of frequency allocations herein, except that in individual cases the Commission may, without rule making proceedings, authorize, on a temporary basis only, the use of a frequency or frequencies not in accordance with the table below for projects of short duration or emergencies where the Commission finds that important or exceptional circumstances require such utilization: *Provided*, That no such authorization will be granted where harmful interference would be caused thereby to any service operating in accordance with the table of frequency allocations: *And provided further*, That such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service in the table of frequency allocations.

(b) Experimental stations, for the development of techniques or equipment to be employed by services or classes of stations set forth in columns 8 and 9 of the table of frequency allocations below, may be authorized to use frequencies allocated to those services or classes of stations: *Provided*, That no harmful interference will be caused to the services

[3] Remote pickup broadcast stations licensed for frequencies that are subject to change in accordance with the proceedings in Docket No. 6651 are required to measure only those frequencies on which they are equipped to operate.

or stations to which these frequencies are regularly assigned.

6. The proposed revision of Part 2 is issued under authority of sections 303 (c), (d), (e), (f), and (r), of the Communications Act of 1934, as amended.

7. Any interested party who is of the opinion that the proposed changes should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission, on or before October 24, 1949 a written statement or brief setting forth his comments. The Commission will consider all comments that are received before taking final action in the matter, and if any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given interested parties.

8. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: September 7, 1949.

Released: September 8, 1949.

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

APPENDIX I

World Wide		Region 2		United States		Federal Communications Commission				
Band Mc	Service	Band Mc	Service	Band Mc	Allocation	Band Mc	Service	Class of station	Frequency Mc	NATURE {OF SERVICES / of stations
1	2	3	4	5	6	7	8	9	10	11
		29.7–44.0	a. Fixed. b. Mobile.	35–36	NG	35.2–36.0 (NG1)	Land mobile.	a. Base. b. Land mobile.	35.22	DOMESTIC PUBLIC.
									35.26	Do.
									35.30	Do.
									35.34	Do.
									35.38	Do.
									35.42	Do.
									35.46	Do.
									35.50	Do.
									35.54	Do.
									35.58	Do.
									35.62	Do.
									35.66	Do.
									35.70	LAND TRANSPORTATION.
									35.74	Do.
									35.78	Do.
									35.82	Do.
									35.86	Do.
									35.90	Do.
									35.94	Do.
									35.98	Do.
				42–44	NG	43.2–50.0	Land mobile.	a. Base. b. Land mobile.	43.22	DOMESTIC PUBLIC.
									43.26	Do.
									43.30	Do.
									43.34	Do.
									43.38	Do.
									43.42	Do.
									43.46	Do.
									43.50	Do.
									43.54	Do.
									43.58	Do.
									43.62	Do.
									43.66	Do.
									43.70	LAND TRANSPORTATION.
									43.74	Do.
									43.78	Do.
									43.82	Do.
									43.86	Do.
									43.90	Do.
									43.94	Do.
									43.98	Do.

NG1 On the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations, the following classes of stations may be authorized to use frequencies in this band: (1) Experimental stations (research), (2) experimental stations (contract) which the Commission believes to be essential to national defense, and, (3) experimental stations (export).

[F. R. Doc. 49–7487; Filed, Sept. 15, 1949; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2534]

DELEGATION OF AUTHORITY

BUREAU OF RECLAMATION

SECTION 1. *Leases, licenses, permits.* (a) The Commissioner of Reclamation may:

(1) Lease or license for grazing or agricultural uses or other uses within the scope of the Federal Reclamation Laws, excluding the development or transmission of electric power and energy, public lands under reclamation withdrawal and lands acquired for reclamation purposes,

(2) Consent to the assignment of, terminate, or cancel such leases and licenses, and

(3) Consent to subleases or sublicenses.

(b) The Commissioner of Reclamation may grant permits for the removal of sand, gravel, or building materials from public lands under reclamation withdrawal or lands acquired for reclamation purposes, and modify, consent to the assignment of, terminate, or cancel such permits.

(c) All leases, licenses or permits made pursuant to this order shall be on terms and conditions that are deemed by the executing officer to be adequate to protect the interests of the United States and the project for which the particular lands are being administered and to be compatible with the purposes for which the lands were withdrawn or acquired.

SEC. 2. *Redelegation.* The authority granted in section 1 of this order may be redelegated pursuant to 43 CFR, 1946 Supp., 4.412 (b).

SEC. 3. *Revocations; saving clause.* This order supersedes 43 CFR, 1946 Supp., 4.412 (a) (5) and section 1 (e) of Order No. 2018 (10 F. R. 259), dated December 22, 1944, but any redelegations of the authority contained in the provisions superseded which have been made pursuant to 43 CFR, 1946 Supp., 4.412 (b) and which are still in force on the effective date of this order shall remain in force until revoked or superseded.

(5 U. S. C., 1946 ed., sec. 22; 16 U. S. C., 1946 ed., sec. 590z–11)

[SEAL] J. A. KRUG,
Secretary of the Interior.

SEPTEMBER 9, 1949.

[F. R. Doc. 49–7465; Filed, Sept. 15, 1949; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 63]

HARVEY WATKINS ASSOCIATES, INC., AND ROBERT B. PARKER

ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of Penn Export Petroleum Division of Harvey Watkins Asssociates, Inc., 71 Water Street, New York, New York; Robert B. Parker, 71 Water Street, New York, New York.

This proceeding was instituted on August 3, 1949, by the transmission of a charging letter to the above-named respondents, wherein the Office of International Trade charged respondents with having violated the provisions of the Export Control Act of 1949 and section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated under said statutes, by falsely representing to the Office of International Trade on an application for a validated license that respondents held an order for semi-refined paraffin wax, when in fact respondents held an order for fully refined paraffin wax; by filing with the Collector of Customs at New York, New York, shipper's export declarations purporting to declare exportation of semi-refined paraffin wax under the pretended authority of a validated license isued by the Office of International Trade on the basis of said application, when in fact respondents intended to export fully refined paraffin wax; and by exporting fully refined paraffin wax without having any license so to do.

It appears that after respondents received the aforementioned charging letter, respondent Robert B. Parker, Vice President of Harvey Watkins Associates, Inc., in charge of the business of respondent Penn Export Petroleum Division of said Corporation, appearing on his own behalf and on behalf of said Division of said Corporation, together with counsel for the Office of International Trade, came before the Compliance Commissioner and discussed with him at length the facts of the case, the nature and volume of respondents' business, and the propriety and reasonableness of periods of suspension; that the respondents submitted to the Office of International Trade a letter stating that they and each of them do not desire to contest the charges made in said charging letter of August 3, 1949, and that each of them waives a right to a hearing on such charges, and consents to the entry of an order (1) revoking all outstanding validated export licenses issued to the Penn Export Petroleum Division of Harvey Watkins Associates, Inc., or to any corporation or unincorporated company controlled by respondent Robert B. Parker individually; (2) denying to said Penn Export Petroleum Division of said Corporation and to said Robert B. Parker the right to obtain or use validated export licenses or general license privileges for a period of three months from the date of the entry of such order, with the sole exception that said Penn Export Petroleum Division shall be permitted to make general license shipments of white oil and petrolatum to Latin American countries, in amounts not to exceed a total f. a. s. value of $1,500 per month; (3) extending said order to preclude the exportation, directly or indirectly, by any other Division of said Harvey Watkins Associates, Inc., of any lubricating oils, white petroleum products, paraffin wax, or other petroleum products resulting from a sale by the Penn Export Petroleum Division, except as above provided; and (4) requiring respondent Penn Export Petroleum Division to furnish to the Enforcement Staff, Office of International Trade, a fourth copy of every shipper's export declaration filed with any Collector of Customs covering such shipments by Penn Export Petroleum Division under general licenses to Latin American countries as may be effected under the aforesaid exception.

The Compliance Commissioner has found that the charges as set forth in the charging letter are supported by substantial evidence and the terms and conditions of the proposed order as consented to by respondents are fair and reasonable and that such order should be issued.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the investigation reports and other evidence in the hands of the Office of International Trade, and it appears that such findings and recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) The privilege of obtaining or using or participating directly or indirectly in the obtaining or using of validated export licenses and general license privileges is hereby denied to Robert B. Parker and the Penn Export Petroleum Division of Harvey Watkins Associates, Inc., for a period of three months from the date of this order, with the sole exception that said Penn Export Petroleum Division may exercise general license privileges to ship white oil or petrolatum or both to Latin American countries, in amounts not to exceed an aggregate total f. a. s. value of $1,500 per month during the period of said suspension.

(2) Such denial of export license privileges shall apply not only to Robert B. Parker and Penn Export Petroleum Division of Harvey Watkins Associates, Inc., but also to any corporation or unincorporated company owned or controlled by Robert B. Parker, individually, and to any other Division of said Harvey Watkins Associates, Inc., with respect to the exportation directly or indirectly by any such Division of any lubricating oils, white petroleum products, paraffin wax or any petroleum products as a result of a sale by said Penn Export Petroleum Division, except as herein provided.

(3) All outstanding validated export licenses held by or issued in the name of any of the respondents are hereby revoked and shall be returned forthwith to the Office of International Trade for cancellation.

(4) Respondents shall promptly furnish to the Enforcement Staff of the Office of International Trade, immediately following each shipment, a fourth copy of every shipper's export declaration covering such shipments by Penn Export Petroleum Division under general license to Latin American countries, as may be effected in pursuance of the provisions of this order.

Dated: September 12, 1949.

JAMES C. FOSTER,
Acting Director,
Commodities Division.

[F. R. Doc. 49–7482; Filed, Sept. 15, 1949; 8:49 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which the certificates were issued, industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Regulations, Part 522—Regulations Applicable to the Employment of Learners.

P. R. Hosiery Mills, Inc., Arecibo, Puerto Rico; to employ 82 learners in the full-fashioned hosiery industry, as follows: 35 learners as knitters, 10 learners as loopers, and 20 learners as seamers at not less than 20 cents an hour for the first 320 hours; not less than 25 cents an hour for the second 320 hours; and not less than 30 cents an hour for the third 320 hours; and 2 learners as toppers and 10 learners as menders at not less than 20 cents an hour for the first 160 hours; not less than 25 cents an hour for the second 160 hours; and not less than 30 cents an hour for the third 160 hours; and 5 learners as examiners at not less than 20 cents an hour for the first 80 hours; not less than 25 cents an hour for the second 80 hours; and not less than 30 cents an hour for the third 80 hours. The certificate is effective August 5, 1949 and expires February 4, 1950.

The employment of learners under these certificates is limited to the terms

and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at Washington, D. C., this 8th day of September 1949.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 49-7464; Filed, Sept. 15, 1949; 8:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that a special certificate authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act has been issued under section 14 thereof and Part 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862) to the employer listed below effective as of the date specified in the item listed below.

The employment of learners under this certificate is limited to the terms and conditions as designated opposite the employer's name. This certificate is issued upon the employer's representations that he is actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificate may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificate may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Name and address of firm, industry, learner occupations, number of learners, learning period, learner wage, effective and expiration date:

Forest Lake Academy, Maitland, Florida:

Printshop; 15 learners in the occupations of typesetter, pressman and bindery worker for a learning period of 1,000 hours at 30 cents an hour for the first 500 hours and 35 cents an hour for the remaining 500 hours.

This certificate is effective September 1, 1949, and expires August 31, 1950.

Signed at Washington, D. C., this 8th day of September 1949.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 49-7463; Filed, Sept. 15, 1949; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 3289, 3299]

PIEDMONT AVIATION, INC., AND EASTERN AIR LINES, INC.; SERVICE TO LUMBERTON, N. C.

NOTICE OF HEARING

In the matter of the petition by the City of Lumberton, N. C., for air service by Piedmont Aviation, Inc., and/or Eastern Air Lines, Inc., under section 401 (h) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 28, 1949, at 10:00 a. m., e. s. t., in Room 2015, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Without limiting the scope of the issues presented by said petition, particular attention will be directed to the question of whether the public convenience and necessity require the amendment of the certificate of Piedmont Aviation, Inc., and/or Eastern Air Lines, Inc., so as to provide air service to the City of Lumberton.

For further details of the requested service interested parties are referred to the applications on file with the Civil Aeronautics Board.

Notice is further given that any person, other than the parties of record desiring to be heard in the proceeding must file with the Board on or before September 28, 1949, a statement setting forth the issues of fact or law he desires to controvert.

Dated at Washington, D. C., September 12, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-7472; Filed, Sept. 15, 1949; 8:47 a. m.]

[Docket No. 4053]

BONANZA AIR LINES, INC. AND TRANSCONTINENTAL & WESTERN AIR, INC.; ROUTE AUTHORIZATION TRANSFER CASE

NOTICE OF HEARING

In the matter of the application of Bonanza Air Lines, Inc., for approval, under the Civil Aeronautics Act of 1938, as amended, of an agreement with Transcontinental & Western Air, Inc., for the transfer to the applicant of certain route authorizations.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that the above-entitled proceeding is assigned for hearing on September 20, 1949, at 10:00 a. m. (eastern daylight saving time), in Room 1011, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner James M. Verner.

Without limiting the scope of the issues presented by the pleadings, particular attention will be directed to the following issues:

1. Whether the agreement provides for the transfer of a certificate of public convenience and necessity within the meaning of section 401 (i) of the Civil Aeronautics Act.

2. If so, whether such transfer is consistent with the public interest.

3. Whether the agreement constitutes a "purchase, lease or contract to operate the properties, or any substantial part thereof" of any carrier within the meaning of section 408 (a) (2) of the Civil Aeronautics Act of 1938, as amended.

4. Whether, if the agreement requires approval of the Civil Aeronautics Board pursuant to section 408 (b) of the Civil Aeronautics Act of 1938, as amended, such agreement is consistent with the public interest or will create a monopoly and thereby restrain competition or jeopardize another air carrier not a party thereto.

5. Whether the agreement is adverse to the public interest or violates the Civil Aeronautics Act within the meaning of section 412 of the Civil Aeronautics Act of 1938, as amended.

For further details of the matters covered by this proceeding interested parties are referred to the prehearing conference report of the examiner, the Board's orders, the applications and the pleadings which are on file with the Civil Aeronautics Board and are to be found in the docket hereinabove listed.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding must file with the Board on or before September 20, 1949, a statement setting forth the issues of fact or law he desires to controvert.

Dated at Washington, D. C., September 9, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-7471; Filed, Sept. 15, 1949; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-884, G-887, G-1263]

SOUTHERN NATURAL GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS

SEPTEMBER 9, 1949.

In the matters of Southern Natural Gas Company, Docket No. G-884; Atlantic Gulf Gas Company, Docket No. G-887; and United Gas Pipe Line Company, Docket No. G-1263.

Pursuant to the order of the Commission of May 11, 1949, the consolidated proceedings "In the matters of Southern Natural Gas Company," Docket No.

G–884, and "Atlantic Gulf Gas Company," Docket No. G–887, came on for hearing on August 22, 1949, and said hearing is now in progress.

On August 18, 1949, United Gas Pipe Line Company (Applicant) filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas pipe line transmission facilities for the purpose of transporting and selling to Atlantic Gulf Gas Company the natural-gas requirements as proposed at Docket No. G–887.

The facilities are more fully described in such application of United Gas Pipe Line Company, at Docket No. G–1263, which is on file with the Commission and open to public inspection. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on September 2, 1949 (14 F. R. 5476).

The Commission finds: Good cause exists for consolidating the proceedings at Docket No. G–1263 with the consolidated proceedings at Docket Nos. G–884 and G–887.

The Commission orders: For the purpose of hearing, the application of United Gas Pipe Line Company, at Docket No. G–1263, be and the same is hereby consolidated with the consolidated proceedings "In the matters of Southern Natural Gas Company," Docket No. G–884, and "Atlantic Gulf Gas Company," Docket No. G–887.

Date of issuance: September 12, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–7467; Filed, Sept. 15, 1949; 8:47 a. m.]

[Docket No. G–1159]

UNITED NATURAL GAS CO.

ORDER POSTPONING HEARING

SEPTEMBER 9, 1949.

On September 7, 1949, United Natural Gas Company filed a motion for a further postponement of the hearing now set to commence on September 19, 1949, in the above-entitled docket.

The Commission finds: Good cause has been shown for postponing the date of hearing as set by the order issued by the Commission in this docket on July 27, 1949.

The Commission orders: The hearing now set to commence on September 19, 1949, be and the same is hereby postponed to a date to be hereafter fixed by order of the Commission.

Date of issuance: September 12, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–7468; Filed, Sept. 15, 1949; 8:47 a. m.]

[Docket No. G–1271]

ALABAMA-TENNESSEE NATURAL GAS CO.

NOTICE OF APPLICATION

SEPTEMBER 12, 1949.

Take notice that Alabama-Tennessee Natural Gas Company (Applicant), a Delaware corporation, having its principal place of business in Florence, Alabama, filed on September 1, 1949, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipe-line facilities hereinafter described.

Applicant proposes to construct and operate (a) 35.5 miles of 8⅝-inch O. D. pipe line extending from Muscle Shoals, Alabama, to Decatur, Alabama, in lieu of 35.5 miles of 6⅝-inch O. D. pipe line previously authorized at Docket No. G–585; (b) approximately 6.5 miles of 10-inch and 8-inch lateral pipe line to serve Tennessee Valley Authority, in lieu of approximately 6 miles of 6-inch pipe line authorized at Docket No. G–585; (c) approximately 33.7 miles of 4-inch and 3-inch lateral pipe lines in lieu of approximately 29 miles of 3-inch lateral pipe lines authorized at Docket No. G–585; and (d) approximately 2.74 miles of 4½-inch O. D. lateral pipe line to serve the plant of Wolverine Tube Division of the Calumet and Hecla Consolidated Copper Company, located at a point southeast of the City of Decatur, Alabama, together with a metering and regulating station to serve that customer.

The estimated cost of the proposed facilities is $733,380, which includes an approximate additional cost of $149,320, because of the proposed changes in sizes of pipe, and $30,600 for the proposed new lateral and metering station. The cost of construction will be available from proceeds of the sale of securities covering cost of the entire project authorized at Docket No. G–585.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–7476; Filed, Sept. 15, 1949; 8:48 a. m.]

[Project No. 190]

UINTAH POWER & LIGHT CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE (MAJOR)

SEPTEMBER 12, 1949.

Public notice is hereby given that Uintah Power & Light Company, of Roosevelt, Utah, has made application for amendment of license for major Project No. 190 to describe and show the licensed project as presently constructed and to include in the license the constructed 46,000-volt transmission line extending from the power plant to Roosevelt substation, a distance of about 18 miles.

Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request, and the name and address of the party or parties so protesting or requesting, should be submitted on or before October 17, 1949, to the Federal Power Commission at Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49–7475; Filed, Sept. 15, 1949; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5582]

WARNER ELECTRIC CO. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Warner Electric Company, a corporation, and Michael M. Warner, Raymond E. Brandell, and Archer L. Howard, individually and as officers of Warner Electric Company.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That William L. Pack, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Thursday, September 22, 1949, at ten o'clock in the forenoon of that day (central daylight saving time), in Room 1105, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: September 9, 1949.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49–7484; Filed, Sept. 15, 1949; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, King's I. C. C. Order 3]

MISSOURI PACIFIC RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, the Missouri Pacific Railroad Company (not including the Gulf Coast Lines, International-Great Northern and Missouri-Illinois Railroad Companies) will be unable, because of a strike of its employees, to transport traffic routed over the lines of the Missouri Pacific Railroad Company. It is ordered, that:

(a) *Reroute Missouri Pacific traffic.* The Missouri Pacific Railroad Company (Guy A. Thompson, trustee), or its connections, subject to the Interstate Commerce Act, are hereby authorized to reroute or divert traffic routed via the Missouri Pacific Railroad Company's lines over any available route to expedite the movement; the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The Missouri Pacific Railroad Company (Guy A. Thompson, trustee), or its connections desiring to divert or reroute traffic over the line or lines of another carrier under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers.* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 12:01 a. m., September 7, 1949.

(g) *Expiration date.* This order shall expire at 11:59 p. m., October 7, 1949, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., September 6, 1949.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 49-7469; Filed, Sept. 15, 1949; 8:47 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 4]

UNION RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, the Union Railroad Company (Pittsburgh, Pa.), because of work stoppage on its lines, will be unable to transport carload traffic routed over and to points on its lines. It is ordered, that:

(a) *Rerouting freight traffic.* The Union Railroad Company (Pittsburgh, Pa.). Any common carrier by railroad subject to the Interstate Commerce Act is hereby authorized and directed to reroute or divert traffic routed via the Union Railroad Company (Pittsburgh, Pa.), via any railroad to facilitate and expedite its movement; the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers.* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 12:01 a. m., September 12, 1949.

(g) *Expiration date.* This order shall expire at 11:59 p. m., October 12, 1949, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., September 9, 1949.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 49-7470; Filed, Sept. 15, 1949; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-25, 59-11, 59-17]

UNITED LIGHT AND RAILWAYS CO. ET AL.

SUPPLEMENTAL ORDER AUTHORIZING SALE AND TRANSFER OF CERTAIN STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of September A. D. 1949.

In the matter of The United Light and Railways Company, American Natural Gas Company, Madison Gas and Electric Company; File Nos. 59-11, 59-17, 54-25.

The Commission by order dated December 30, 1947, having approved the Plan, designated as Application No. 31, as amended, filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"), by The United Light and Railways Company ("Railways") and American Natural Gas Company ("American Natural"—formerly American Light & Traction Company), registered holding companies, which provided, inter alia, for the distribution and transfer by American Natural, during 1948, to its common stockholders as a dividend in kind, of shares of the common stock of Madison Gas and Electric Company ("Madison") of the par value of $16 per share at the rate of one share of such common stock of Madison for each 10 shares of common stock of American Natural owned (together with cash in lieu of fractional shares) and for the complete divestment by American Natural of all shares of Madison not required for the distribution to stockholders; and said order of December 30, 1947, having recited, among other things, that the distribution and transfer by American Natural to its common stockholders, as a dividend in kind, of such common stock of Madison as aforesaid are necessary or appropriate to effectuate the provisions of section 11 (b) of the act; and the Commission having in said order reserved jurisdiction, inter alia, to take such further action and to enter such further orders as may be deemed appropriate in connection with the Plan, the transactions incident thereto and the consummation thereof, and as may be necessary to secure full compliance with the act; and

The Commission having been further advised that on December 8, 1948, American Natural distributed to its common stockholders, 272,330 of the 276,805 shares of Madison common stock owned by American Natural, cash having been distributed in lieu of fractional shares represented by the remaining 4,475 shares of Madison common stock, and that American Natural now proposes to dispose of the said 4,475 shares, as directed by orders of the Commission, such disposition to be accomplished by the sale of such shares for cash in ordinary broker-dealer transactions in the over-the-counter market; and

American Natural having requested the Commission to issue a supplemental order with respect to such sale of the remaining 4,475 shares of Madison common stock and that such order contain appropriate recitals conforming to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended, and the Commission finding that the standards of the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers to grant such request:

It is ordered and recited, That the sale and transfer by American Natural Gas Company of its holdings of 4,475 shares of common stock of Madison Gas & Electric Company of the par value of $16 per share (out of Certificate No. Cu-2) are necessary or appropriate to the integration or simplification of the holding company system of which American Natural Gas Company is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are hereby authorized and approved.

It is further ordered, That this order be effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-7480; Filed, Sept. 15, 1949; 8:49 a. m.]

[File No. 70-2169]

NORTH AMERICAN CO.

ORDER AMENDING PRIOR ORDER REGARDING SALE OF CAPITAL STOCK TO CERTAIN INDIVIDUALS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of September 1949.

The Commission having issued herein its findings and opinion and order dated August 24, 1949 (Holding Company Act Release No. 9287) permitting to become effective a declaration by The North American Company ("North American") with respect to the sale to certain individuals of its holdings of 109,458 shares of Capital Stock, $100 par value, of Capital Transit Company, a non-utility subsidiary company of North American; and

North American having requested the Commission to amend, as hereinafter set forth, the portion of the said order dated August 24, 1949, relating to the Commission's finding and order with respect to the requirements of Supplement R of Chapter 1 and section 1808 (f) of Chapter 11 of the Internal Revenue Code, as amended; and

The Commission having considered such request and deeming it appropriate in the public interest and the interest of investors and consumers that the request be granted:

It is ordered, That the last ordering paragraph of the Commission's order herein dated August 24, 1949, be and it hereby is deleted and in lieu thereof there is substituted the following:

It is ordered and recited and the Commission finds, That the proposed sale by North American and transfer by such company or its nominees of 109,458 shares of Capital Stock of Capital Transit Company (represented by Certificates Nos. 018, 05836, 05856, 06039, 09474, 09801, 010283, 010615, 010888 and 010889) to the following named purchasers:

	Shares
L. E. Wolfson	50,458
Sam W. Wolfson	12,500
Saul Wolfson	12,500
Cecil Wolfson	12,500
J. A. B. Broadwater	5,000
Doran S. Weinstein	5,000
Jack Surasky	5,000
E. B. Gerbert	4,500
A. J. Rosenthal	2,000
Total	109,458

as authorized or permitted by the Commission and pursuant to the Commission's order of April 14, 1942, in File No. 59-10, are necessary or appropriate to the integration or simplification of the holding company system of which North American is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-7478; Filed, Sept. 15, 1949; 8:48 a. m.]

[File No. 70-2198]

COLUMBIA GAS SYSTEM, INC. AND OHIO FUEL GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of September 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, The Ohio Fuel Gas Company ("Ohio"), having filed a joint application-declaration, pursuant to the provisions of sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, with respect to the following proposed transaction:

Ohio proposes to issue and sell to Columbia $6,000,000 principal amount of 3¼% Installment Promissory Notes. Such notes are to be unsecured and are to be paid in equal annual installments on February 15 of each of the years 1952 to 1976, inclusive. It is stated that the proceeds to be obtained through the issue and sale of the notes will be utilized by Ohio in connection with its construction and gas storage program. The Public Utilities Commission of Ohio, by order dated July 22, 1949, approved the issue and sale by Ohio of its 3¼% notes to Columbia.

Said joint application-declaration having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said joint application-declaration, be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-7477; Filed, Sept. 15, 1949; 8:48 a. m.]

[File Nos. 70-2200, 70-2201]

STANDARD GAS AND ELECTRIC CO. AND WISCONSIN PUBLIC SERVICE CORP.

ORDER GRANTING APPLICATION AND GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 9th day of September 1949.

Standard Gas and Electric Company ("Standard"), a registered holding company and a subsidiary of Standard Power and Light Corporation, also a registered holding company, and Standard's public utility subsidiary, Wisconsin Public Service Corporation ("Wisconsin"), have filed an application and an application-declaration (and amendments thereto), respectively, pursuant to the Public Utility Holding Company Act of 1935 ("act"), particularly sections 6 (b), 9, 10 and 12 thereof and Rules U-43 and U-50 promulgated thereunder, with respect to the following proposed transactions:

Wisconsin proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $4,000,000 principal amount of a new series of First Mortgage Bonds, Series due September 1, 1979. The bonds are to be issued under the provisions of the First Mortgage

and Deed of Trust, dated January 1, 1941, from Wisconsin to First Wisconsin Trust Company, as Trustee, as supplemented by Supplemental Indentures dated November 1, 1947, and August 1, 1948, and as further supplemented by a new Supplemental Indenture to be dated as of September 1, 1949. The price, to be not less than 100% or more than 102¾% of the principal amount, and the coupon rate, to be a multiple of ⅛ of 1%, are to be determined by the bidding.

Prior to or simultaneously with the sale of said bonds, Wisconsin proposes to issue and sell to Standard, and Standard proposes to buy, 250,000 shares of Wisconsin's authorized and unissued Common Stock, par value $10 per share, for a total cash consideration of $2,500,000. Standard, which presently owns all of the outstanding Common Stock, constituting 100% of the voting securities, of Wisconsin, states that it desires to acquire the aforesaid Common Stock of Wisconsin in order to provide the latter with additional permanent capital and to increase the amount of its equity capital.

The proceeds of the proposed issuance and sale of said bonds and stock are to be used by Wisconsin to repay $6,000,000 of outstanding short-term bank loans incurred to finance temporarily its construction program. This program, together with Wisconsin's purchases of and commitments to purchase capital stock in its subsidiary, Wisconsin River Power Company, calls for expenditures in 1949 of $10,950,000. Of such amount, $6,500,000 will be provided by the transactions presently proposed, approximately $3,000,000 will be obtained from other corporate funds, and the remainder is expected to be obtained by subsequent short-term bank loans which will later be retired through additional permanent financing.

The Public Service Commission of the State of Wisconsin has by order authorized the proposed stock issuance, but has deferred authorization of the proposed bond issuance until it shall have had opportunity to examine the provisions which are to be determined by competitive bidding.

Said application, application-declaration, and amendments to the latter having been duly filed and notice of the filings having been duly given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for hearing with respect to either said application or said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application and said application-declaration, as amended, that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied, that it is not necessary to impose any terms or conditions other than those set forth below, and that the ten-day period for inviting bids on the First Mortgage Bonds as provided by Rule U-50 may appropriately be shortened to six days as requested by Wisconsin, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that the application and application-declaration, as amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that Standard's application be, and hereby is, granted, effective forthwith.

It is further ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that Wisconsin's application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to (i) the terms and conditions prescribed by Rule U-24, (ii) the further condition that the proposed bond issuance shall have been authorized by the Public Service Commission of the State of Wisconsin, and (iii) the further condition that the proposed sale of bonds shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in these proceedings and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purpose.

It is further ordered, That the ten-day period for inviting bids on the First Mortgage Bonds as provided by Rule U-50, be, and hereby is, shortened to six days.

It is further ordered, That the Commission's order of August 8, 1941, the effect of which is to require Standard to sever its relationships with Wisconsin by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the act or of the rules and regulations promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued by Wisconsin, shall be deemed to require the disposition of any and all shares of Common Stock, par value $10 per share, of Wisconsin acquired by Standard hereunder, with the same force and effect as if said shares had been held by Standard as of the date of the said order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-7479; Filed, Sept. 15, 1949; 8:49 a. m.]

UNITED STATES MARITIME COMMISSION

[Docket No. 689]

CERTAIN CARRIERS ENGAGED IN TRANSPORTATION BETWEEN PACIFIC COAST PORTS OF UNITED STATES AND HAWAII

NOTICE OF DELEGATION OF AUTHORITY

Authority is hereby granted to the hearing examiner designated to conduct the hearing in this proceeding, to designate respondents in addition to the respondents named in the order of August 12, 1949, instituting said proceeding, and to dismiss the proceeding as against any respondent.

Respondents named as such pursuant to this delegation shall be served, personally or by registered mail, with a notice signed by the examiner, designating them as respondents, and with a copy of the Commission's order of August 12, 1949, instituting this proceeding.

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 49-7502; Filed, Sept. 15, 1949; 8:59 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13771]

JOHN H. JACHENS

In re: Estate of John H. Jachens, deceased. File No. D-28-11016; E. T. sec. 15437.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Buscher and Diederich Jachens, whose last known address was, on May 11, 1949, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. All rights and interests in, to, arising out of or under a judgment entered in the Supreme Court of the State of New York, Kings County, on October 14, 1940, in favor of Carl F. Jachens, administrator c. t. a. of the last will and testament of John H. Jachens, deceased, in the case entitled Carl F. Jachens, as Administrator c. t. a. of the last Will and Testament of John H. Jachens, deceased, v. Emily J. Wortmann, and Emily J. Wortmann, as Executrix of the last Will and Testament of Frederick H. Wortmann, deceased, and

b. That certain debt or other obligation of William von Husen, evidenced by a promissory note in the original principal amount of $2,000.00, issued by said William von Husen to John H. Jachens, together with all accruals thereto and any and all rights to demand, enforce and collect the same and all rights in, to and under, including particularly the right to possession of the aforesaid promissory note,

was assigned to the Alien Property Custodian by Carl F. Jachens, administrator c. t. a. of the last will and testament of John H. Jachens, deceased;

3. That said property was accepted by the Attorney General of the United States on May 11, 1949, pursuant to the Trading With the Enemy Act as amended;

4. That said property is presently in the possession of the Attorney General of the United States and was property

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

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country on May 11, 1949, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-7492; Filed, Sept. 15, 1949; 8:50 a. m.]

[Vesting Order 13788]

WILHELM JACOBSON

In re: Debt owing to Wilhelm Jacobson. F-28-30288-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wilhelm Jacobson, whose last known address is Siblin, u Ahrenbok, Holstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation, matured or unmatured, of the Lowry State Bank, Lowry, Minnesota, and/or I. M. Engebretson, Trustee, arising out of a Trust Agreement dated April 11, 1933, between the said Lowry State Bank and the depositors and unsecured creditors thereof, evidenced by a Participating Trust Certificate dated February 19, 1934, numbered 461, in the amount of $161.21 and registered in the name of Wilhelm Jacobson, Siblin, u Ahrenbok, Holstein, Germany, and any and all accruals to the said debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid Participating Trust Certificate numbered 461, and four (4) dividend checks drawn for payments on account of the aforesaid debt or other obligation, payable to Wilhelm Jacobson, numbered, dated and in the amounts set forth below:

Number	Date	Amount
1870	Apr. 6, 1940	$8.06
2234	Jan. 19, 1943	8.06
2599	Oct. 5, 1944	16.12
2956	May 10, 1947	16.12

and presently in the custody of the said Lowry State Bank, and any and all rights in, to and under, including particularly but not limited to, the right to possession and presentation for collection and payment of, the aforesaid checks,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-7495; Filed, Sept. 15, 1949; 8:51 a. m.]

[Vesting Order 13792]

ANTON SCHUTTE

In re: Debt owing to Anton Schutte. F-28-30395-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anton Schutte whose last known address is 38 Range Warstein-Westfaly, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligation matured or unmatured of the State Bank Commissioners in charge of the Canal Bank & Trust Co. in liquidation, 1206 Canal Bank Building, New Orleans 6, Louisiana, arising out of savings account H. O. 52950 carried on the books of the Canal Bank & Trust Co. prior to liquidation represented by seven checks drawn by W. J. Begnaud payable to Anton Schutte and drawn on the National Bank Commerce in New Orleans, numbered, dated and in the amounts as follows:

Numbered	Dated	Amount
48871	Apr. 30, 1948	$50.47
36313	do	50.48
30097	do	90.85
30191	Aug. 1, 1945	60.57
A 30286	Aug. 4, 1947	18.47
B 30346	Dec. 26, 1947	9.24
C 30346	Apr. 26, 1948	9.23

said checks representing the third, fourth, fifth and sixth liquidating dividends and first, second and final interest distributions on the said savings account H. O. 52950, and presently in the custody of J. Edgar Monroe, Geo. E. Burgess and Jno. F. Finke, State Bank Commissioners in charge of the Canal Bank & Trust Co., in liquidation, 1206 Canal Bank Building, New Orleans 6, Louisiana, and any and all rights to demand, enforce and collect the aforesaid debts or other obligation, and any and all rights in, to and under, including particularly, but not limited to the right to possession and presentation for collection and payment of the aforesaid checks,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-7496; Filed, Sept. 15, 1949; 8:51 a. m.]