



FEDERAL REGISTER

VOLUME 14

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Washington, Tuesday, November 29, 1949

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

PROPERTY CLAIMS

Section 536.17 (a) is amended to read as follows:

§ 536.17 *Claims of or pertaining to military personnel or civilian employees—* (a) *Property claims—*(1) *Statutes and regulations.* Claims for damage to or loss or destruction of personal property of military personnel or civilian employees of the Department of the Army occurring incident to their service will be considered first under the provisions of § 536.27 which, if applicable, take precedence over the provisions of §§ 536.12 to 536.23. Such claims found not to be payable under the provisions of § 536.27 and claims for damage to or loss or destruction of personal property of all other persons, estates, public or private corporations, firms, partnerships, or other claimants may be payable under the provisions of §§ 536.12 to 536.23, except those cognizable under the Federal Tort Claims Act as codified in the act of June 25, 1948 (62 Stat. 983; 28 U. S. C. 2672).

(2) *Claims not payable.* Claims for war trophies, and articles intended directly or indirectly for persons other than the claimant or members of his immediate family, such as articles acquired to be disposed of as gifts or for sale to another, voluntarily bailed to agencies of the Department of the Army, are not payable hereunder. The foregoing sentence is not applicable to claims involving registered or insured mail. No allowance will be made for any item where the evidence indicates that the acquisition, possession, or transportation thereof was in violation of Army, theater, or command directives.

(3) *Articles of extraordinary value.* Claims for precious jewels and other precious articles of extraordinary value, voluntarily bailed to agencies of the Department of the Army or of the Army, are not payable hereunder. Allowance for expensive articles or for items purchased at unreasonably high prices will be based upon fair and reasonable prices for substitute articles of a similar type. Al-

lowance for articles acquired by barter will not exceed the cost of the articles tendered in barter. The provisions of this subparagraph are not applicable to claims involving registered or insured mail.

[C2, AR 25-25, Nov. 14, 1949] (41 Stat. 808, 55 Stat. 880, 57 Stat. 372; 10 U. S. C. 1577, 31 U. S. C. 223b, 224d)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-9533; Filed, Nov. 28, 1949; 8:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter i—Veterans' Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

CONDITIONAL DESIGNATION OF BENEFICIARY

1. In Part 6, a new § 6.58 is added to read as follows:

§ 6.58 *Conditional designation of beneficiary.* If the insured by notice in writing to the Veterans' Administration during his lifetime has provided that a designated beneficiary shall be entitled to the proceeds of United States Government life insurance only if such beneficiary shall survive him for such period (not more than 30 days), as specified by the insured, no right to the insurance shall vest as to such beneficiary during that period. In the event such beneficiary fails to survive the specified period, payment of the proceeds of United States Government life insurance will be made as if the beneficiary had predeceased the insured.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

2. In Part 8, the centerhead immediately preceding § 8.93 is deleted and a new § 8.94 is added to read as follows:

(Continued on next page)

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§ 8.94 *Conditional designation of beneficiary.* If the insured by notice in writing to the Veterans' Administration during his lifetime has provided that a designated beneficiary shall be entitled to the proceeds of National Service life insurance only if such beneficiary shall survive him for such period (not more than 30 days), as specified by the insured, no right to the insurance shall vest as to such beneficiary during that period. In the event such beneficiary fails to survive the specified period, payment of the proceeds of National Service life insurance will be made as if the beneficiary had predeceased the insured.

(Sec. 608, 54 Stat. 1012, as amended; 38 U. S. C. 808)

This regulation effective November 29, 1949.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 49-9517; Filed, Nov. 28, 1949; 8:45 a. m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A—REGISTRATION AND RESEARCH

1. In § 21.100, paragraph (b) is amended to read as follows:

§ 21.100 *Effective dates in original claims for education or training and subsistence allowance.* * * *

(b) The beginning date for payments of subsistence allowance will be authorized effective as of the date of receipt of the claim for subsistence allowance, or the date of entrance or reentrance into training as certified by the institution, or the date of approval of the institution, course, or establishment by the appropriate agency of the State or by the Veterans' Administration, or the date the institution applied to the State agency for approval, whichever is the later.

2. Section 21.103 is amended to read as follows:

§ 21.103 *Effective date of change or discontinuance of subsistence allowance.* (See in addition § 21.107 (f), (h), and (i).) (a) The effective date of a change in the authorization of subsistence allowance shall be:

(1) In the event of death of a dependent, as of the date of death.

(2) In the event of divorce, the date preceding the date of divorce.

(3) In case of a child, the date preceding the eighteenth anniversary of date of birth or if attending school after age 18, the date of cessation of school attendance or the date preceding the twenty-first anniversary of the date of birth, which ever is the earlier; the date preceding date of marriage; in case of cessation of incapacity to support self by reason of mental or physical defect, last day of month in which reduction is approved.

(4) In the event of a change in the extent of the course being pursued, the

date the change in the extent of the course occurred.

(b) The effective date of discontinuance of subsistence allowance shall be:

(1) In the event of death of the veteran, as of the date of death.

3. A new subparagraph (5) is added to § 21.107 (h) to read as follows:

§ 21.107 *Periodic reports of conduct, progress, and compensation for productive labor.* * * *

(h) *Suspension and discontinuance of subsistence allowance and other training benefits.* * * *

(5) A veteran whose training status has been discontinued for failure to submit a VA Form 7-1963 may be re-entered in training in the same establishment upon receipt of the delinquent VA Form 7-1963 and acceptable evidence showing that the veteran has been in continuous training in the establishment. The effective beginning date of subsistence allowance and other benefits in such cases will not be prior to the date the delinquent VA Form 7-1963 is received in the Veterans' Administration.

4. A new subparagraph (8) is added to § 21.112 (b) to read as follows:

§ 21.112 *Payment of subsistence allowance to persons in the military or naval service.* * * *

(b) (8) The receipt of the armed forces retirement or retainer pay by a person not on active duty with such forces is not a bar to the authorization of subsistence allowance.

5. In § 21.133, paragraph (f) is amended to read as follows:

§ 21.133 *Rates of subsistence allowance.* * * *

(f) *Waiver of service connected disability compensation in order to receive non-service connected disability pension.* (1) The determination of eligibility and need for training for the purposes of vocational rehabilitation as provided in Part VII, Veterans' Regulation 1 (a), as amended, (38 U. S. C. ch. 12), is not affected by action on the veteran's part in waiving payment of service connected disability compensation in order to receive the greater benefit payable for non-service connected disability pension under the provisions of Part III of the same regulation.

(2) For the purpose of determining whether the minimal amounts payable for disability rated 30 percent or more, or less than 30 percent, shall apply, the rate of service connected disability compensation waived will be used. However, in determining the rate of subsistence allowance to be authorized in view of such minimal amounts, the amount of the non-service connected disability pension will be used instead of the rate of service connected disability compensation waived.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 11a, 694, 707. Interpret or apply 57 Stat. 43, secs. 300, 400, 500, 1500-1504, 58 Stat. 286, 287, 291, 300, 301, secs. 5, 6, 7, 10, 11, 59 Stat. 624, 626, 631, 542, 60

Stat. 124, 934, 61 Stat. 180, 449, 739, 791; 38 U. S. C. 693g, 697-697d, 697f, 697g, ch. 12 notes)

This regulation effective November 29, 1949.

[SEAL]

O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 49-9518; Filed, Nov. 28, 1949; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

PART 3—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, ACROBATIC, AND RESTRICTED-PURPOSE CATEGORIES

REPRINTING UNDER NEW NUMBERING SYSTEM

Correction

In the republication of the regulations under Title 14, Chapter I, appearing in Part II, Section 1, of the issue for Saturday, July 16, 1949, the following changes should be made:

In the table of contents the section number "3.23-11" should read "3.23-1," and in the text the sections designated "§ 3.23-11" and "§ 3.84-11" should read "§ 3.23-1" and "§ 3.84-1," respectively.

[Supp. 3]

PART 60—AIR TRAFFIC RULES

STANDARD INSTRUMENT APPROACH PROCEDURES

Correction

In Federal Register Document 49-9259, appearing at page 6875 of the issue for Wednesday, November 16, 1949, the headnote for § 60.46-9 should read: "*Instrument land system procedures (CAA rules which apply to § 60.46).*"

TITLE 42—PUBLIC HEALTH

Chapter IV—Freedmen's Hospital, Federal Security Agency

PART 401—ADMISSION AND OUT-PATIENT TREATMENT

Notice of proposed rule-making having been published and consideration having been given to all relevant matter presented, the proposed amendments to the regulations concerning admission and out-patient treatment at Freedmen's Hospital as set forth in and published with said notice of proposed rule-making in 14 F. R. 6447 to 6449, inclusive, are hereby adopted and issued as set forth below. Said amendments shall become effective on the thirty-first day following publication of this document in the FEDERAL REGISTER: *Provided, however,* That such amendments shall not affect the rates charged to in-patients who will have been admitted prior to such effective date. Such in-patients shall continue to be charged the rates set forth in the presently effective regulations contained in Part 401, Chapter IV of Title 42, until their discharge from the hospital.

Sec.

- 401.1 Definitions.
- 401.2 Eligibility for admission, medical care, and treatment.
- 401.3 Examinations for admission.
- 401.4 Agreements for payment.
- 401.5 Advance payments.
- 401.6 Income schedule for determination of rates.
- 401.7 In-patient rates; full-pay patients.
- 401.8 In-patient rates; part-pay patients.
- 401.9 Out-patient rates; referred patients.
- 401.10 Out-patient rates; emergency patients.
- 401.11 Out-patient rates; clinic patients.
- 401.12 Rates for X-ray, laboratory, and other special services.
- 401.13 Patients referred by District of Columbia; rates.
- 401.14 Bureau of Employees' Compensation beneficiaries; rates.
- 401.15 Modification of rates for extended hospitalization.

AUTHORITY: §§ 401.1 to 401.15 issued under authority of 18 Stat. 223, 32 D. C. Code 317; 45 Stat. 992, 32 D. C. Code 318; 44 Stat. 208, 32 D. C. Code 319; 53 Stat. 561, 5 U. S. C. 133. Reorganization Plan No. IV, 3 CFR, Cum. Supp., Ch. IV.

§ 401.1 *Definitions.* As used in this chapter, the following terms shall have the meanings indicated:

(a) "Full-pay patients" are those patients who are responsible for paying the rates set forth in § 401.7 for their care as in-patients at the hospital.

(b) "Part-pay patients" are those patients who, after financial investigation, are found to be unable under the criteria specified in § 401.6, to pay the rates established for full-pay patients, but who are nevertheless able to pay the modified rates established in § 401.8 for their care as in-patients at the hospital.

(c) "Indigent patients" are those patients who, after financial investigation, are found to be unable under the criteria specified in § 401.6, to pay any amount for their care as in-patients at the hospital.

(d) "In-patients" are patients who are hospitalized for the purpose of receiving medical care or treatment.

(e) "Out-patients" are ambulatory patients who receive medical care or treatment not requiring hospitalization.

(f) "Referred patients" are out-patients referred to the hospital by private physicians as their own patients for X-ray, laboratory, or other special services performed on the prescription or at the request of such private physicians.

(g) "Emergency patients" are out-patients who require medical care or treatment as a result of sudden illness or injury where to delay such care or treatment would imperil the life or safety of the patient. Emergency patients who require hospitalization as in-patients shall be considered as full-pay patients, part-pay patients, or indigent patients as the case may be.

(h) "Clinic patients" are out-patients other than referred or emergency patients.

(i) "Patient day" means a period of twenty-four hours beginning at midnight provided that the day of admission into the hospital will be counted and the day of discharge therefrom excluded in the computation of the time for payment in each and every case. Patients admitted and discharged on the same pa-

RULES AND REGULATIONS

tient day will be charged for one patient day.

§ 401.2 Eligibility for admission, medical care, and treatment. All persons in need of hospitalization, medical care, or treatment are eligible for admission to the hospital either as in-patients or out-patients as their medical condition may indicate. Each admission shall be conditioned upon the capacity and facilities of the hospital available to receive and treat the patient.

§ 401.3 Examinations for admission. Each applicant for admission as an in-patient shall be examined pursuant to the direction of the Superintendent for determination by him or his designee of the eligibility of the applicant for admission under this part.

§ 401.4 Agreements for payment. All full-pay and part-pay patients or their responsible representatives will be required to execute an agreement to pay the costs of their hospitalization and other services as specified in this part.

§ 401.5 Advance payments. Payments are to be made weekly, in advance for in-patient hospitalization, except in those cases where the patient enters the hospital for a definite number of days constituting less than a week. In such cases payment shall be made in advance for the number of days the patient expects to remain in the hospital. However, the hospital may waive the requirements of this section in those cases in which it determines that the patient, his responsible representative, or other individual or organization who undertakes the payment for his hospitalization and care, is financially responsible. In such cases, full settlement shall be made as soon as practicable.

§ 401.6 Income schedule for determination of rates. The ability of a patient to pay for his hospitalization and other services shall be determined in accordance with the following Income Schedule. A patient whose total family income per month falls in Column "A" shall be considered to be an indigent patient who shall not be charged any amount for his hospitalization and other services. A patient whose total family income per month falls in Column "B" shall be considered to be a part-pay patient who shall be charged a modified rate for his hospitalization and other services as set forth in § 401.8. A patient whose total family income per month falls in Column "C" shall be considered to be a full-pay patient who shall be charged the rates set forth in § 401.7 for his hospitalization and other services.

INCOME SCHEDULE

Number in family	Family income per month		
	A	B	C
1.....	\$74 or less.....	\$75-\$99	\$100 or more.
2.....	\$94 or less.....	95- 119	\$120 or more.
3.....	\$109 or less.....	110-134	\$135 or more.
4.....	\$119 or less.....	120-144	\$145 or more.
5.....	\$129 or less.....	130-154	\$155 or more.
6.....	\$139 or less.....	140-164	\$165 or more.
7.....	\$149 or less.....	150-174	\$175 or more.
8.....	\$159 or less.....	160-184	\$185 or more.
9.....	\$169 or less.....	170-194	\$195 or more.
10 or more..	\$179 or less.....	180-204	\$205 or more.

§ 401.7 In-patient rates; full-pay patients. Full-pay patients shall pay the following rates:

GENERAL HOSPITAL

1. Schedule of rates for full-pay general hospital cases:

Private rooms.....	\$9.00 a day.
Ward.....	\$6.50 a day.
Children under 7 years of age....	\$3.25 a day.

2. There shall be the following extra charges for full-pay, general hospital patients:

(a) Drugs not regularly stocked on the wards, prescriptions which must be compounded, and biologicals.

(b) X-ray (see § 401.12 (a) and (b)).

(c) Laboratory. There shall be a flat charge of \$10.00 for laboratory work. However, there shall be no charge for laboratory work for obstetrics, pulmonary tuberculosis, tonsils and adenoids cases, or for children under 7 years.

(d) Operating room and anesthesia. Major surgery, \$15.00; Minor surgery, \$10.00.

(e) Delivery room and anesthesia. \$10.00.

(f) Miscellaneous:

(1) Physical therapy treatments. \$2.00 per treatment.

(2) Casts. (See § 401.12 (g).)

(3) Ambulance service. Trip within city limits—day or night rate, \$5.00 per trip.

MATERNITY CASES

1. Schedule of rates for full-pay maternity cases:

Ward.....	\$9.00 a day.
Delivery room.....	\$10.00.

TONSILLECTOMY CASES

1. Schedule of rates for full-pay tonsillectomy cases:

Patients 7 years and over. Private room—\$28.00 for minimum of 2 days; \$9.00 each day thereafter. Ward—\$23.00 for minimum of 2 days; \$6.50 each day thereafter.

Patients under 7 years. Ward—\$16.50 for minimum of 2 days; \$3.25 each day thereafter.

2. The above rates include operating room, anesthesia, prescribed drugs and medications, laboratory, and other special services for tonsillectomy cases.

TUBERCULOSIS HOSPITAL

1. Schedule of rates for full-pay tuberculosis cases: All rooms \$19.25 a week. All X-ray, laboratory, and other special charges are included in this rate.

§ 401.8 In-patient rates; part-pay patients. Part-pay patients shall pay rates in accordance with the following Rate Schedule:

GENERAL HOSPITAL

RATE SCHEDULE

Family Income deviation (from Column "B" of Income Schedule, § 401.6)	Rates (per day)	
	Patients 7 and over	Children under 7
Minimum through \$2 over minimum..	\$0.50	\$0.25
\$2.01 through \$4 over minimum.....	1.00	.50
\$4.01 through \$7 over minimum.....	1.50	.75
\$7.01 through \$10 over minimum.....	2.00	1.00
\$10.01 through \$13 over minimum.....	2.50	1.25
\$13.01 through \$16 over minimum.....	3.00	1.50
\$16.01 through \$19 over minimum.....	3.50	1.75
\$19.01 through \$22 over minimum.....	4.00	2.00
\$22.01 through \$24 over minimum.....	4.50	2.25

All X-ray, laboratory, and special services are included in the above rate schedule.

MATERNITY CASES

The above Rate Schedule shall also apply to maternity cases.

TONSILLECTOMY CASES

The above Rate Schedule shall also apply to tonsillectomy cases. The rates so determined include operating room, anesthesia, prescribed drugs and medications, laboratory, and other special services.

TUBERCULOSIS HOSPITAL

The above Rate Schedule is modified as follows for tuberculosis patients:

RATE SCHEDULE

Family income deviation (from column "B" of Income Schedule § 401.6):	Rates (per week) (all patients)
Minimum through \$2 over minimum.....	\$2.75
\$2.01 through \$5 over minimum.....	5.50
\$5.01 through \$8 over minimum.....	8.25
\$8.01 through \$11 over minimum.....	11.00
\$11.01 through \$14 over minimum.....	13.75
\$14.01 through \$17 over minimum.....	16.50
\$17.07 through \$20 over minimum.....	19.25

§ 401.9 Out-patient rates; referred patients. Referred patients shall pay for X-ray, laboratory, and other special services in accordance with the schedules set forth in § 401.12.

§ 401.10 Out-patient rates; emergency patients. The fee for treatment of emergency patients shall be \$2.00 per treatment, but if suturing is required, then the fee shall be \$2.50. Emergency patients shall also pay for X-ray, laboratory, and other special services in accordance with the schedules set forth in § 401.12. The fee for prescribed drugs and medications shall be \$0.35 for each prescription filled. The hospital may waive payment of any of the fees prescribed by this section if it determines that the patient is financially unable to pay such fees.

§ 401.11 Out-patient rates; clinic patients. The fee for care or treatment of clinic patients shall be \$2.00 for each visit to the clinic. This fee will include all X-ray, laboratory, and other special services necessary. The fee for prescribed drugs and medications shall be \$0.35 for each prescription filled. No charge shall be made for care or treatment of clinic patients at the tuberculosis, venereal disease, maternal or child welfare clinics. The hospital may waive payment of any of the fees prescribed in this section if it determines that the patient is financially unable to pay such fees.

§ 401.12 Rates for X-ray, laboratory, and other special services—(a) X-ray examinations.

Dental.....	\$5.00
Chest.....	7.00
Gastroduodenal series.....	10.00
Abdomen.....	8.00
Barium Colon Enema.....	10.00
Gall Bladder with dye.....	12.50
G. I. Complete (Stomach, Colon, Gall Bladder).....	25.00
Skull:	
(4 views).....	12.50
(2 views).....	7.50
Mastoids.....	7.50
Sinuses.....	7.50
Shoulder extremities.....	7.50
Elbow.....	5.00
Pelvis.....	8.00
Hip.....	8.00
Femur.....	7.50
Tibia.....	7.50
Knee.....	7.50
Hand or Foot.....	5.00
Ankle.....	7.50

Spine:	
Complete.....	\$20.00
Dorsal.....	8.00
Lumbar.....	8.00
Cervical.....	7.00
Thorax.....	8.00
Jaw.....	7.50

Pyelography:	
Retrograde.....	10.00
Intravenous.....	15.00
Aerocystogram.....	7.50

NOTE 1: Children under 7 years shall be charged one-half the above rates.

NOTE 2: For any X-ray not listed, a reasonable price will be set, using the above table as a guide.

(b) X-ray therapy.

1. X-ray therapy, deep:	
Series of 15 to 40 treatments.....	\$25.00
Any additional series.....	12.50
2. X-ray therapy, superficial:	
Series of 1 to 15 treatments.....	10.00
Any additional series.....	5.00

(c) Bacteriological examinations.

Agglutination tests.....	5.00
Bacterial culture.....	3.00
Bacterial culture with animal inoculation.....	10.00
Blood culture.....	5.00
Culture for G. C. organisms.....	3.00
Feces examination (for causative organisms).....	5.00
Feces examination (for parasites and ova).....	2.00
G. C. smear.....	2.00
Penicillin assay.....	5.00
Pneumococcus typing.....	3.00
Sputum smear.....	2.00

(d) Blood chemistry.

A/G ratio.....	5.00
Amylase.....	3.00
Ascorbic acid.....	3.00
Bilirubin (Van den Bergh).....	2.00
Calcium.....	3.00
Chemical examination of blood (creatinine, glucose, non-protein nitrogen or urea nitrogen, uric acid).....	7.50
Chlorides.....	3.00
Cholesterol.....	3.00
CO ₂ combining power.....	2.00
Galactose tolerance.....	5.00
Glucose tolerance.....	5.00
Icterus index.....	2.00
Lipase determination.....	3.00
Non-protein nitrogen.....	3.00
Phosphatase.....	5.00
Phosphorus.....	2.00
Proteins (Kjeldahl).....	3.00
Proteins (Falling Drop).....	1.50
Prothrombin.....	2.00
Spinal fluid proteins.....	1.00
Sugar, blood.....	2.00
Sulphonamide determination.....	2.00
Thiocyanate.....	2.00
Urea clearance.....	5.00
Urea nitrogen.....	3.00
Uric acid.....	2.00

(e) Hematology and urinalysis.

Bleeding time.....	1.00
Blood platelet.....	1.00
Blood typing.....	2.00
Blood typing with serology.....	4.00
Coagulation time.....	1.00
Complete hemogram (hemoglobin, red and white, sed. rate, hematocrit, and differential).....	5.00
Differential count.....	2.00
Hemoglobin estimation.....	1.00
Red and white blood count.....	2.00
Reticulocyte count.....	2.00
Sedimentation rate and hematocrit.....	2.00
Urinalysis.....	1.50

(f) Serology.

Cephlain cholesterol.....	2.00
Cold agglutination test.....	5.00

Colloidal gold on spinal fluid.....	\$3.00
Colloidal gold on spinal fluid with Kahn test.....	5.00
Combination serologic tests for syphilis.....	3.00
Kahn test for syphilis.....	2.00

(g) Plaster casts.

Arm.....	2.50
Chest.....	5.00
For disease or injury of vertebrae.....	7.50
Thighs and hips.....	7.50
Thigh and leg.....	2.50
Torso.....	7.50
Torso and hips.....	7.50
Torso, entire body (chest to feet).....	10.00

(h) Miscellaneous.

Plasma, per 500 cc.....	35.00
Basal metabolism.....	5.00
Bronchoscopic examination.....	5.00
Circumcision.....	5.00
Cystoscopic examination.....	5.00
Electro-cardiography.....	5.00
Gastric analysis.....	3.00
Pneumothorax.....	1.00
Oxygen therapy.....	7.50

§ 401.13 Patients referred by District of Columbia; rates. (a) In-patients who are referred and certified to the hospital by the District of Columbia as part-pay or indigent resident patients of the District shall pay charges for their hospitalization, including all X-ray, laboratory, and other special services, in amounts approved by the District. In such cases the District will also pay to the hospital an additional amount which, when added to the charge payable by such patient, will equal the per diem rate approved by the Bureau of the Budget as the reimbursable rate for in-patient hospitalization payable by the District to Freedmen's Hospital.

(b) Out-patients determined to be indigent residents of the District of Columbia shall not be required to pay for clinic services, prescriptions filled, X-ray, laboratory, and other special services. In such cases the District of Columbia will make payment to the hospital for such patients at the rate approved by the Bureau of the Budget as the reimbursable rate for out-patient treatment and care payable by the District to Freedmen's Hospital.

§ 401.14 Bureau of Employees' Compensation beneficiaries; rates. Federal employees who are beneficiaries of the United States Bureau of Employees' Compensation shall not be charged for hospitalization and other services which they receive at the hospital pursuant to the authorization and request of said Bureau.

§ 401.15 Modification of rates for extended hospitalization. In those cases where it is found that a patient must be hospitalized for a long term and in which the patient or his responsible representative is found, upon investigation, to be unable to pay for care for the full period of hospitalization required, the Superintendent is authorized to reduce the rates otherwise payable in accordance with §§ 401.6, 401.7, and 401.8 or to continue to render hospital services at no charge. Reduced rates shall not go into effect until after the first 14 days of hospitalization. The Superintendent shall establish

the effective date of the reduced rate in each case.

Dated: November 17, 1949.

[SEAL] LEONARD A. SCHEELE,
Surgeon General.

Approved: November 21, 1949.

OSCAR R. EWING,
Federal Security Administrator.

[F. R. Doc. 49-9514; Filed, Nov. 28, 1949; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND THEIR AFFILIATES

CLASS A AND CLASS B TELEPHONE COMPANIES

In the matter of amendment of certain schedules in Annual Report Form M; applicable to Class A and Class B Telephone Companies; Docket No. 9450.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration the matter of amendment of certain schedules in Annual Report Form M, applicable to Class A and Class B Telephone Companies and also having under consideration its notice of proposed rule making adopted herein on September 15, 1949, and published in the FEDERAL REGISTER on September 24, 1949 (14 F. R. 5849-50), in accordance with section 4 (a) of the Administrative Procedure Act;

It appearing, that the period in which interested persons were afforded an opportunity to submit comments expired on October 17, 1949, and the one comment received favored adoption of the proposed amendment;

It further appearing, that the proposed text of the instructions for schedule 463 requires a slight modification in language to clarify its intent; and that the form of the oath accompanying the annual report form under consideration should be further simplified;

It further appearing, that authority for the adoption of this amendment is contained in sections 4 (i) and 219 of the Communications Act of 1934, as amended;

It is ordered, That effective immediately, Annual Report Form M applicable to Class A and Class B Telephone Companies is amended as set forth below. (Sec. 4 (i), 48 Stat. 1066; 47 U. S. C. 154 (i). Applies 219, 48 Stat. 1077; 47 U. S. C. 219)

Released: November 17, 1949.

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

Amend annual report Form M (telephone companies) as follows:

Item No. 1, Schedule No. —, delete "Notice" (inside front cover) and substitute a page reading as follows:

GENERAL INSTRUCTIONS

1. This annual report form is prescribed for the use of Class A and Class B telephone companies (i. e., those having average annual operating revenues exceeding \$50,000). Each such company (hereinafter referred to as the "respondent") shall prepare its annual report in the form herein prescribed and shall file two copies with the Commission not later than March 31, and a third copy not later than April 30, of the year following that for which the report is made. See §§ 43.11, 43.12, 43.13 and 43.21 (a) of the Commission's Rules and Regulations.

2. Upon publication, the respondent shall file with the Commission without delay two copies of its annual report to stockholders covering the period for which this report was made. If its annual report to stockholders is not published, that fact shall be stated as provided on the title page of this form.

3. Unless otherwise indicated, the information required herein shall be taken from the accounts and other records prescribed in Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) of the Commission's Rules and Regulations, and the definitions and instructions contained therein shall also apply to this report wherever applicable.

4. The spaces provided in this report are designed to be filled in with a typewriter having elite-size type, and such a typewriter should be used if practicable. All entries shall be made in permanent black ink. Entries of a contrary or opposite character (such as decreases reported in a column for both increases and decreases) shall be enclosed in parentheses.

5. All instructions shall be followed and each question shall be answered fully and accurately. Sufficient answer shall appear to show that no question has been overlooked. The expression "none" or "not applicable" shall be given as the answer to any particular inquiry where it truly and completely states the fact. Where such answer applies to an entire schedule, entry may be made in the space provided below the table of contents in lieu of reproducing the schedule. Customary abbreviations may be used except that the exact name of the respondent shall be shown in full on the title page, in schedule 101, "Identity of respondent," and in the oath. Unless otherwise specified in the special instructions for the particular schedule, minor items of similar character in an aggregate amount of \$10,000 or less may be shown in one amount.

6. References to reports of previous years or to other reports shall not be made in lieu of requisite information herein except as specifically authorized or where the answer to a particular question or schedule requires more than one full page of inserted material, which is an exact duplicate of material filed in a previous report (but not more than ten years previous to the current report) to the Commission. In such a case, the question or schedule shall be noted as follows, "See report of _____ (year) setting forth details." Columns headed "Balance at beginning of year" and "Increase or decrease" call for comparison of figures of the previous year and the amounts reported shall be based upon those shown by the annual report for the previous year or an appropriate explanation shall be given as to why different figures were used.

7. Should the space provided be insufficient for the required data or when it is otherwise necessary or desirable to insert additional statements or schedules, such statements or schedules shall be prepared on durable paper conforming to this form in size and width of margin and shall be securely bound in the report. Each insert shall bear the number and title of the schedule to which it pertains as well as the name of the respondent and the year covered, in a style conforming as nearly as practicable to that appearing on the regular page. Wherever information is required to be shown "in a note", it is intended that the information shall be shown at the foot of the schedule, if space permits, or on some adjacent schedule or insert. In each case the information shown shall be properly identified.

8. When the instructions for any schedule pertaining to income or surplus accounts include a specific reference to this general instruction, show in a note, with respect to each item entered in each such account, in

connection with the sale, reacquisition, resale, exchange of, or other transaction in, securities invested in or assumed by the respondent, (1) a description of the securities involved, and (2) the amounts underlying the net represented in each reported item.

9. A query or response in this report regarding a practice or transaction is not to be construed as necessarily indicating conformity to accounting or other pertinent regulations.

10. It is not necessary to show erroneous entries and correcting reversals thereof in activity columns (i.e., charges and credits during the year) in any schedule of this report.

Item No. 2, Special Notice, revise to read as follows:

SPECIAL NOTICE

The attention of the respondent is directed to certain particulars in which this report form differs from the corresponding form for the preceding year.

Page No.	Schedule No.	Remarks
Inside cover.....	Notice.....	Deleted.
(ii).....	General Instructions.....	Substituted for "Notice" heretofore appearing inside the front cover.
(iii).....	Special Notice.....	Summary of changes in 1949 report.
(iv).....	Table of Contents.....	Instructions added regarding inapplicable schedules.
105.....	110.....	Title changed; instructions added.
301.....	303.....	Schedule deleted.
301A.....	304.....	Schedule revised.
301B.....	305.....	Schedule revised.
302.....	306.....	Schedule deleted.
302.....	310.....	Schedule revised.
303.....	311.....	Schedule deleted.
303.....	320.....	Schedule revised.
304.....	321.....	Schedule deleted.
305.....	324.....	Schedule revised.
311.....	360.....	Instructions revised.
409.....	463.....	Instructions revised.

WHERE FORM OF SCHEDULE HAS NOT BEEN CHANGED BUT REPORTING REQUIREMENTS MODIFIED

The following modifications in the reporting in this Annual Report Form may be observed for the year ended December 31, 1949:

The information called for in schedules 350 and 351 need not be furnished.

SCHEDULE 400. PLANT AND OPERATING STATISTICS (PAGE 401)

I. PLANT MILEAGE

The data called for in the columns headed "Total route mileage" designated as columns (c), (e), (g), (i), (k), (o), and (q) are not required to be reported.

SCHEDULE 404. PRIVATE LINE STATISTICS (PAGE 402)

Due to the discontinuance of "Bulletin News" service, the data with respect to Government service should be indicated only on lines 6, 14, and 22.

SCHEDULE 460B. INVESTMENT OF PENSION AND BENEFIT FUNDS (PAGE 405)

Securities held by trustees that are authorized by the laws of the State in which the trustee is located for inclusion in legal reserve funds required by such laws, or in other similar fiduciary funds requiring a qualification for the investment thereof, may be indicated in the aggregate amount applicable to each of the following classes:

- United States Government securities.
- Securities issued by the respondent or its affiliates.

- Securities of other public utilities.
- Other securities.

Securities in the trustee's portfolio that do not qualify as such legal investments shall be fully itemized and classified in accordance with the instructions on page 206.

MISCELLANEOUS

The term "Earned surplus" should be assumed to apply where the word "Surplus" is used in schedules 211C, 285, 285A, 291, 300, and 304.

Item No. 3, insert a page reading as follows: Annual report of—

TABLE OF CONTENTS

	Page
Identity of respondent.....
Balance sheet and supporting schedules.....
Income and earned surplus and supporting schedules.....
Operating and statistical data.....
Oath.....
Index.....

LIST OF SCHEDULES NOT REPRODUCED IN THIS REPORT FOR THE REASON THAT THE EXPRESSION "NONE" OR "NOT APPLICABLE" APPLIES TO THE ENTIRE SCHEDULE

[May be used when processed multicopies are prepared by the respondent]

NOTE: Half a page is available.

Item No.	Schedule No.	Particulars
17 (a)	Verification (of oath)-----	Delete present instructions and substitute the following: "This report shall be verified under oath, in accordance with § 43.11 of Part 43 of the Commission's rules and regulations, by the responsible accounting officer designated under the provisions of § 43.41 of that part." The statement in the oath is amended to read as follows: "That he has examined the foregoing report; that to the best of his knowledge, information and belief all statements of fact contained in the said report are true and the said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from and including Jan. 1, 19____, to and including Dec. 31, 19____." Delete.
(b)	Oath-----	
(c)	Supplemental oath-----	

[F. R. Doc. 49-9540; Filed, Nov. 28, 1949; 8:50 a. m.]

[Docket No. 9451]

PART 1—PRACTICE AND PROCEDURE

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND THEIR AFFILIATES

CLASS A AND B WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

In the matter of amendment of certain schedules in Annual Report Form O; applicable to Class A and Class B Wire-telegraph and Ocean-cable Carriers.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration the matter of amendment of certain schedules in Annual Report Form O, applicable to Class A and Class B Wire-telegraph and Ocean-cable Carriers and also having under consideration its notice of proposed rule making adopted herein on September 15, 1949, and published in the FEDERAL REGISTER on September 24, 1949 (14 F. R. 5849) in accordance with section 4 (a) of the Administrative Procedure Act;

It appearing, that the period in which interested persons were afforded an opportunity to submit comments expired

on October 17, 1949, and that no comments were received;
It further appearing, that the proposed text of the instructions for schedule 413 requires a slight modification in language to clarify its intent; and that the form of the oath accompanying the annual report form under consideration should be further simplified;
It further appearing, that authority for the adoption of this amendment is contained in sections 4 (1) and 219 of the Communications Act of 1934, as amended;

It is ordered, That effective immediately, Annual Report Form O applicable to Class A and Class B Wire-telegraph and Ocean-cable Carriers is amended as set forth below.

Released: November 17, 1949.

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

Amend annual report, Form O (wire-telegraph and ocean-cable carriers) as follows:

Change instruction 1 to read as follows:
"1. This annual report form is prescribed for the use of Class A and Class B wire-telegraph and ocean-cable carriers (i. e., those having average annual operating revenues exceeding \$50,000). Each such carrier (hereinafter referred to as the "respondent") shall prepare its annual report in the form herein prescribed and shall file with the Commission two copies not later than March 31, and a third copy not later than April 30, of the year following that for which the report is made. See §§ 43.11, 43.12, 43.13, and 43.21 (a) of the Commission's rules and regulations."
Revise the last sentence of instruction 4 to read as follows: "Entries of a contrary or opposite character (such as decreases in a column for both increases and decreases) shall be enclosed in parentheses."

4	110	Change the title to read: "Contingent liabilities" and add the following instructions: "3. List all notes receivable that were discounted during the year starting for each the name of maker, amount and term of the note, interest rate, date discounted, and net proceeds realized." "4. State whether or not at any time within the year the respondent was under any obligation with respect to other contingent liabilities than those covered by instructions 1, 2, and 3 of this schedule; if so, show for each such liability the pertinent particulars as required by items (a) through (c), inclusive, of instruction 1 hereof." Delete the schedule and the related footnote but retain the title and instructions. Transfer the text only of the instructions for schedule 305 to follow the title of schedule 305 and delete the parenthetical reference and the remainder of the schedule and the related footnote. Delete. Delete brackets below the title and the enclosed words; add the following sentence to the instructions: "Class B companies shall show on lines 7, 12, 19, and 21, the amounts included in accounts 300, 310, 320, and 330, respectively, and the Grand Total on line 22"; rearrange and revise the columns as follows: present column (f) to be column (c) with revised caption as follows: "Comparison with revenues of preceding year"; change column (d) to read "Revenue included in column (b), assignable to telegraph service"; and delete present columns (e) and (e). Delete. Delete brackets below the title and the enclosed words; and add the following sentence to the instructions: "Class B companies should substitute (602) Repairs of outside plant" in column (a) of line 2; use the lines showing corresponding account numbers for reporting the other required accounts in groups I to III, inclusive; and use the "Total" lines (16, 23, and 34) for reporting the amounts pertaining to groups IV, V, and VI, respectively." Delete. Change line items to read as follows: 1. Salaries and wages. 2. Publicity and advertising. 3. Newspaper and periodical advertising. 4. Booklets, pamphlets, bill inserts, window displays, exhibits, posters and placards. 5. Motion pictures. 6. Radio and television. 7. Lectures, demonstrations, central office visits, general press service, special news stories, and miscellaneous. 8. Total publicity and advertisements. 9. Other expenses. 10. Grand total. Delete the footnote. Delete the first paragraph of the instructions and substitute the following paragraphs: "Show the nature and purpose of all changes recorded during the year in surplus accounts as follows: 401. 'Credits for telephone plant sold'; 402. 'Miscellaneous credits to earned surplus'; 410. 'Debits for telephone plant sold'; and 413. 'Miscellaneous debits to earned surplus.' Class A companies should list each item amounting to \$5,000 or more, and Class B companies each item amounting to \$1,000 or more. "If any delayed item is reported include particulars of the accounts and years which would have been affected as prescribed in § 31.01-5 (b) of the Commission's Rules and Regulations." Delete the instructions and substitute the following: "Report by recipients the aggregate amount of all individual payments of \$5,000 or more (in the case of Class A companies) and of \$1,000 or more (in the case of Class B companies) including fees, retainers, commissions, gifts, contributions, assessments, bonuses, pensions, subscriptions, allowances for expenses, or any other form of payment for services or as donations (except rents for property, taxes, utility services, and traffic settlements, and amounts paid for construction or maintenance of plant to persons other than affiliated noncarriers) to any one corporation, institution, association, firm, partnership, committee, or person (not an employee of the respondent). "If more convenient, this schedule may be filled out for a group of companies considered as one system and shown only in the report of the principal company in the system, with reference thereto in the reports of the other companies." Make editorial changes in the several schedules of Annual Report Form M to reflect changes in the schedules herein amended as follows: Delete blockouts from column (b) on lines 8, 9, and 10 and from column (f) on lines 7, 8, 9, 10, and 11, and replace with leader lines. Delete "dagger" character in column (a) on lines 4, 8, 20, 28, 31, and 36, and the footnote related thereto; and insert "(p. 306)" in column (a) on line 12.
5	303	
6	304	
7	305	
8	306	
9	310	
10	311	
11	320	
12	321	
13	324	
14	300	
15	463	
16		
(a)	286	
(b)	302	

Item No. Schedule No.

General Instructions-----

Particulars

Item No.	Schedule No.	Particulars
45	414	"9. All contract data relating to operated plant leased from others as required by schedule 362A of the 1948 report, giving the details itemized in instruction 2 thereof, or references thereto if previously filed with the Commission. "10. All income from operated plant leased to others as required by schedule 364 of the 1948 report, giving the particulars listed in instruction 4 thereof. "11. All contract data relating to operated plant leased to others as required by schedule 364A of the 1948 report, giving the details itemized in instruction 2 thereof, or references thereto if previously filed with the Commission. "12. All franchises acquired during the year as required by schedule 404 of the 1948 report, giving the details outlined in the instructions therefor and those indicated by the columnar captions thereof."
46		Make editorial changes in the several schedules of Annual Report Form O to reflect changes in the schedules herein amended as follows:
(a)	300B	Substitute the word "statement" for the word "account" in the three places where "account" appears in the instructions.
(b)	300C	Substitute the words "surplus statement" for the words "profit and loss account" where the latter first appear in the instructions. Substitute the word "statement" for the words "profit and loss account" where the latter appear at two other places in the instructions.
47 (a)	Verification (of oath)	Delete present instructions and substitute the following: "This report shall be verified under oath, in accordance with § 43.11 of Part 43 of the Commission's rules and regulations, by the responsible accounting officer designated under the provisions of § 43.41 of that part."
(b)	Oath	The statement in the oath is amended to read as follows: "that he has examined the foregoing report; that to the best of his knowledge, information, and belief, all statements of fact contained in the said report are true and the said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from and including Jan. 1, 19—, to and including Dec. 31, 19—."
(c)	Supplemental oath	Delete.

[F. R. Doc. 49-9539; Filed, Nov. 28, 1949; 8:50 a. m.]

PART 1—PRACTICE AND PROCEDURE

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND THEIR AFFILIATES

CLASS A AND CLASS B RADIO TELEGRAPH CARRIERS

In the matter of amendment of certain schedules in annual Report Form R; applicable to Class A and Class B Radiotelegraph Carriers, Docket No. 9452.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration the matter of amendment of certain schedules in Annual Report Form R, applicable to Class A and Class B Radiotelegraph Carriers and also having under consideration its notice of proposed rule making adopted herein on September 15, 1949, and published in the FEDERAL REGISTER on September 24, 1949 (14 F. R. 5849) in accordance with section 4 (a) of the Administrative Procedure Act;

It appearing, that the period in which interested persons were afforded an opportunity to submit comments expired on October 17, 1949, and the one comment received favored adoption of the proposed amendment;

It further appearing, that authority for the adoption of this amendment is contained in sections 4 (i) and 219 of the Communications Act of 1934, as amended;

It is ordered, That effective immediately, Annual Report Form R applicable to Class A and Class B Radiotelegraph Carriers is amended as set forth below.

(Sec. 4 (i), 48 Stat. 1066; 47 U. S. C. 154 (i). Applies 219, 48 Stat. 1077; 47 U. S. C. 219)

Released: November 17, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, Secretary.

Insert special notice as follows:

SPECIAL NOTICE

The following modifications in the reporting in this Annual Report Form may be observed for the year ended December 31, 1949:

Item No.	Schedule No.	Particulars
1		The data required in schedules 103, 108, 114, 137, 221, 223, 250, 300A, 301a, 330c, 331, 332, 340, 361, 366, and 405 need not be filed.
2		The data called for in schedules 10, 310, 362A, 364, 364A, and 404, may be reported in narrative form in schedule 414.
3		General Instruction 1 requires the filing of two copies of the annual report. An additional copy for the year 1949 is hereby required to be filed not later than April 30, 1950.
4	101	Supporting schedules 101a, 101b, and 101c need not be submitted provided that the total amount for each column with respect to accounts 1100 and 1200 be shown on additional lines inserted after line 34 of schedule 101, and the grand total be reported on the next line. Lines 1 through 30 of schedule 101 will then relate to account 1000, exclusively, and line 30 should be changed accordingly. In connection with schedule 101 it should be noted that column (d) is designed to include amounts relating to plant placed in service and credited to accounts 1300 and 1400, the contra amounts being includible therefore on lines 31 and 32. (See instruction 4 re other transfers.)

Item No.	Schedule No.	Particulars
		If any amounts are reported in column (e) there should be shown in a note with respect to each sale (a) the book cost, (b) the selling price, (c) commissions and other expenses, (d) adjustments recorded in income accounts 6299 or 6199 pursuant to the provisions of § 34.1-6 (e) of the Rules, and (e) the charges to account 1515, "Allowance for depreciation—Radiotelegraph plant."
5	101b	The first two sentences of instruction 1 of schedule 101b are ineffective if the option relating to columns (a) through (f) of schedule 106 is exercised as permitted in item 7 hereinafter.
6	105	Supporting schedules 105a, 105b, 105c, and 105d need not be submitted provided that the total amount for each column with respect to accounts 1100, 1200, and 1400 and the Grand Total be shown on additional lines inserted after line 21 (which should then be used for subtotal). Lines 1 through 21 of the schedule will then relate to account 1000 exclusively.
7	106	Data required in columns (a) through (f) of schedule 106 need not be filed. Supporting schedules 106a, 106b, 106c, and 106d need not be submitted provided that additional lines be inserted after line 21 for reporting the total amount of each column with respect to accounts 1100, 1200, and 1400. Lines 1 through 21 of the schedule will then relate to account 1000 exclusively.
8	107	Supporting schedules 107a through 107d need not be filed, and the data required for lines 22 and 24 of section A need not be submitted, provided that four lines be added in the space below line 24 of section A for reporting the data required by columns (e) and (f) applicable to depreciable plant in accounts 1000, 1100, 1200, and 1400, respectively; and provided further, that in support of the returns on these added lines there be reported in section B complete data by class and subclass for which separate depreciation rates are determined. The data for account 1000 should be listed first, followed by that for the other accounts, divisions being indicated by appropriate account titles used as center captions in column (b). Lines 1 through 20, the first of the aforementioned added lines (for account 1000) in section A, and the indicated first portion of section B will then relate to account 1000 exclusively. Lines 21 and 23 remain unchanged.
9	110	The data required in columns (b) and (d) of schedule 110 need not be filed.
10	143	If the data required in schedule 361 are not filed (as permitted in foregoing item 1) there shall be shown in a note, related to column (d) of schedule 143, the distribution by accounts of the total charges reported in that column.
11	239	In connection with schedule 239 there need not be filed any data relating to minor items not included in account 2399, "Other deferred credits," at either the beginning or the end of the year.
12	333	Revised instructions are applicable to schedule 333 as follows: "Give complete details of all items of rent paid, or payable, to affiliates, amounting to \$5,000 or more during the year with respect to a single location or service. Transactions less than \$5,000 concerning affiliates may be grouped. Similar transactions involving others may be grouped in one balancing figure."
13	413	Only the aggregate amount of individual items of \$5,000 or more paid to any one person need be reported in this schedule.
14	414	If schedules 10, 310, 362A, 364, 364A, and 404 are not filed (as permitted in foregoing item 2) the data required by such schedules shall be included in narrative form in this schedule.

[F. R. Doc. 49-9541; Filed, Nov. 28, 1949; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

POSTING OF STOCKYARDS

NOTICE OF PROPOSED RULE MAKING

The Secretary of Agriculture has information that the stockyards, listed below, are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of that act.

Blair Livestock Sales Co., Blair, Nebr.
 Burwell Livestock Market, Burwell, Nebr.
 Culbertson Sale Barn Co., Culbertson, Nebr.
 Ewing Livestock Market, Ewing, Nebr.
 Republican Valley Livestock Auction, Franklin, Nebr.
 Hebron Livestock Commission Co., Hebron, Nebr.
 Humboldt Sales Barn, Humboldt, Nebr.
 Laurel Sales Co., Inc., Laurel, Nebr.
 Minden Livestock Sales Co., Minden, Nebr.
 Ord Livestock Market, Ord, Nebr.
 Pender Livestock Sales Co., Pender, Nebr.
 Ogallala Livestock Commission Co., Ogallala, Nebr.
 B & B. Commission Co., Ravenna, Nebr.
 Sidney Livestock Sales Pavilion, Sidney, Nebr.
 Dooley Auction Market, Wahoo, Nebr.
 Spalding Livestock Market, Spalding, Nebr.

Therefore, notice is hereby given that the Secretary of Agriculture proposed to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), as is provided in section 302 of that act. Any interested person who desires to do so may submit within 15 days of the publication of this

notice any data, views or argument, in writing, on the proposed rule to the Director, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C. this 22d day of November 1949.

[SEAL] H. E. REED,
 Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 49-9530; Filed, Nov. 28, 1949; 8:46 a. m.]

[7 CFR, Part 996]

HANDLING OF MILK IN SPRINGFIELD, MASS., MILK MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER

Correction

In Federal Register Document 49-9426, appearing at page 7085 of the issue for Wednesday, November 23, 1949, the following corrections should be made:

1. The following should be added at the end of subparagraph (2) of § 996.9 (e):

Connecticut: Ellington, Enfield, Granby, Somers, and Suffield;
 New Hampshire: Hinsdale and Winchester;
 Vermont: Guilford, Halifax, Headsboro, Vernon, and Whitingham.

2. In paragraphs (a) and (b) of § 996.10 "5th day" should read "25th day".

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 3]

FM BROADCAST STATIONS

ORDER MODIFYING NOTICE OF HEARING

In the matter of amendment of Part 3, Subpart B, § 3.266 (b) of the Commission's rules and regulations, and sections 1 and 8 of the Standards of Good Engineering Practice Concerning FM Broadcast Stations, pertaining to facsimile broadcasting; Docket No. 9425.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration its Notice of Hearing, dated August 24, 1949, in the above entitled proceeding providing for filing of appearances, data, views and arguments on or before November 28, 1949, and a hearing on December 12, 1949, at 10:00 a. m. at the offices of the Commission in Washington, D. C. before the Commission en banc; and

It appearing, that, in view of the Commission's extensive participation in current en banc proceedings, it is the Commission's opinion that it would be more conducive to the proper dispatch of the Commission's business not to hold the hearing in the above-entitled proceeding before the Commission en banc;

It is ordered, That the notice of hearing in the above-entitled proceeding be modified to specify that the hearing be held before Commissioner Jones.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
 Secretary.

[F. R. Doc. 49-9542; Filed, Nov. 28, 1949; 8:50 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Bureau of the Census

CERTAIN COMMODITY AREAS OF MANUFACTURING

NOTICE OF CONSIDERATION FOR SURVEYS

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct annual surveys of the products listed below, under the provisions of the act of Congress approved June 19, 1948, Stat. 478. These commodities are significant in the textile and apparel, pulp and paper, paint, clay, asphalt, and primary metal and metal product areas of manufacturing, and on the basis of information and recommendations received by the Bureau of the Census, the data have significant application to the needs of the public and industry and are

not publicly available from non-governmental or other governmental sources.

The content of these annual reports will be identical with that of monthly or quarterly reports conducted by the Bureau of the Census on the same group of products. However, there will be no duplication inasmuch as establishments that file the monthly or quarterly reports during the year covered by the annual report will not need to submit annual reports on these products.

Such surveys, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Information will be collected from the establishments engaged in the production of the following products:

Cotton broad woven goods.
 Rayon and related broad woven goods.

Woven fabrics made on woolen and worsted looms.

Men's and boys' clothing.
 Knit cotton and wool underwear.
 Pulp and paper.
 Paint, varnish, lacquer, and filler.
 Clay construction products.
 Asphalt and tar roofing and siding products.
 Cast iron products.
 Steel castings.
 Nonferrous castings.
 Steel forgings.
 Heating and cooking equipment.
 Fans, blowers, unit heaters and accessory equipment.
 Truck trailers.

In addition, data on wool consumption and machinery activity will be obtained from wool manufacturers.

Report forms furnishing information on shipments and/or production will be required from all establishments engaged in the production of the specified items.

For "Pulp and paper," inventory and materials-consumption data will also be required. For "Heating and cooking equipment," inventories and unfilled orders will be obtained. Unfilled orders will also be requested from establishments producing castings and steel forgings, and machinery activity will be asked of establishments in the textile industries. Copies of the proposed forms are available on request to the Director, Bureau of the Census, Washington 25, D. C.

Any suggestions or recommendations concerning the subject matter of these proposed surveys should be submitted in writing to the Director of the Census and will receive consideration.

P. M. HAUSER,
Acting Director.

Approved:

THOMAS C. BLAISDELL, JR.,
Acting Secretary of Commerce.

[F. R. Doc. 49-9552; Filed, Nov. 28, 1949;
9:00 a. m.]

Office of International Trade

AMAZON PACKING CO. ET AL.

ORDER TEMPORARILY SUSPENDING LICENSE PRIVILEGES

In the matter of Minos K. Zongos, dba Amazon Packing Company and Superior Packing Company, 547 East 181st Street, Bronx, New York; Constantine Dennis Zongos also known as Gus Dennis, also known as D. Dennis, 1201 Astoria Boulevard, Astoria, Long Island, New York.

On December 2, 1948, an order was issued by the Director of the Commodities Division, Office of International Trade, suspending for one year from the date thereof the privileges of Minos K. Zongos and Superior Packing Company to obtain or use or participate directly or indirectly in the obtaining or using of export licenses, including general licenses, such denial of export license privileges to extend to any firm, corporation, or other business organization in which either of said parties shall have a controlling interest or with which said Minos K. Zongos shall hold a position of responsibility, upon findings of violations of section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder. Said order was thereafter duly published in the FEDERAL REGISTER on December 7, 1948 (13 F. R. 7454), and copies thereof were duly sent by registered mail to said Minos K. Zongos and Superior Packing Company.

On November 18, 1949, an administrative compliance proceeding was duly instituted by the Director of the Enforcement Staff, Office of International Trade by the mailing of a charging letter to Minos K. Zongos, dba Amazon Packing Company and Superior Packing Company, and Constantine Dennis Zongos, also known as Gus Dennis, also known as D. Dennis, wherein said persons and companies were charged with having violated the Export Control Act of 1949; and Minos K. Zongos, Amazon Packing Company, and Superior Packing Company were further charged with having

violated the terms and provisions of the aforementioned suspension order, dated December 2, 1948. Copies of said charging letter, dated November 18, 1949, have been duly mailed by registered mail with return receipts requested to said respondents at their last known addresses, and the time for them to answer said charging letter has not yet expired.

On November 23, 1949, representatives of the Enforcement Staff, Office of International Trade, appeared before the Compliance Commissioner of the Office of International Trade and applied for an order temporarily suspending, from December 2, 1949, the date of the expiration of the aforesaid suspension order, during the pendency of the administrative compliance proceeding instituted by the aforesaid charging letter, and until the issuance of a final order in such administrative compliance proceeding, the privilege of respondents and each of them to obtain or use or participate directly or indirectly in the obtaining or using of validated export licenses or general license privileges.

It appears from the said application of the Enforcement Staff and the reported findings and recommendations of the Compliance Commissioner thereon that there is reasonable ground to believe from the evidence in the possession of the Enforcement Staff that all of the respondents named in said charging letter have violated the Export Control Act of 1949 in the manner recited therein, and that respondents Zongos, Superior Packing Company, and Amazon Packing Company have violated the terms of the said suspension order, dated December 2, 1948, in the manner recited in said charging letter; that said administrative compliance proceeding cannot in all probability be heard and finally determined before December 2, 1949, the date of the expiration of said suspension order; that there are reasonable grounds to believe that respondents may seek to effect exportations of commodities from the United States immediately upon the termination of said suspension order; and that such temporary suspension order as is sought by the Enforcement Staff is therefore reasonably necessary to protect the public interest pending final disposition of the said administrative compliance proceeding.

The application for said temporary suspension order has been made under the provisions of § 382.11 (b) of the Fourth General Revision of the Export Regulations, 14 F. R. 3277, et seq. (see Comprehensive Export Schedule No. 27, § 382.11 (b)), which provides, in part, that a temporary suspension order shall be issued only for such limited time, ordinarily not exceeding thirty days, as may be required to complete the proceeding, and that, on the showing of need for additional time, such order may be extended in the same manner as originally issued. In conformity with the recommendation of the Compliance Commissioner, it has been determined that the temporary suspension order sought herein should operate for a period of thirty days immediately from and after the expiration of the suspension order referred to above on December 2,

1949, unless a final order is sooner issued in said administrative compliance proceeding.

The aforesaid findings and recommendations of the Compliance Commissioner have been carefully considered, together with the application of the Enforcement Staff, and it appears that such findings and recommendations are supported by substantial evidence, are fair and reasonable, and should be adopted. Now, therefore, it is ordered as follows:

(1) Respondents Minos K. Zongos, Amazon Packing Company, and Superior Packing Company; and Constantine Dennis Zongos, also known as Gus Dennis, also known as D. Dennis, are hereby denied temporarily, pending the outcome of the compliance proceeding referred to herein the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general licenses as well as validated licenses, for shipment of any commodity, regardless of destination, such denial of license privileges to commence immediately upon the expiration of the aforesaid suspension order of December 2, 1948, and to continue for a period of thirty days thereafter or until the date of the issuance of a final order in said administrative compliance proceeding, whichever is sooner.

(2) Such temporary denial of export license privileges shall extend not only to said named respondents, but also to any person, firm, or corporation with which said respondents or any of them may be related by ownership, control, or other connection in the conduct of export trade.

(3) In conformity with the provisions of § 382.11 (c) of said Fourth General Revision of the Export Regulations, respondents or any of them may, at any time, move to vacate or modify this temporary suspension order by filing with the Compliance Commissioner an appropriate motion, and may request oral hearing thereon which, if requested, shall be held before the Compliance Commissioner at the earliest possible date.

Dated: November 23, 1949.

JAMES C. FOSTER,
Director,
Commodities Division.

[F. R. Doc. 49-9536; Filed, Nov. 28, 1949;
8:49 a. m.]

[Case No. 70]

ACETO CHEMICAL CO., INC., ET AL.

ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of: Aceto Chemical Company, Incorporated, S. Mandelkorn, Arnold J. Frankel, 104 Fifth Avenue, New York 11, New York; Case No. 70.

This proceeding was begun on September 20, 1949, by the mailing of a charging letter to the above-named respondents, wherein the Office of International Trade charged respondents with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, by apply-

ing for and obtaining an export license for shipment of 25,000 pounds of Dibutyl Phthalate to Belgium, and by filing shipper's export declarations and making partial shipment under such license, pursuant to false representations and certifications contained in such application and declarations to the effect that the named consignee in Belgium was the ultimate consignee and that Belgium was the country of ultimate destination, whereas respondents knew and intended that the true ultimate consignee was in Czechoslovakia and that transshipment would take place from Belgium to Czechoslovakia as the country of ultimate destination.

It appears that the above-named respondents, with the advice of their counsel and through such counsel, have submitted to the Office of International Trade a statement to the effect that they do not desire to contest the above charges as set forth in said charging letter of September 20, 1949, and that they waive their right to a hearing on such charges and consent to the entry of an order (1) revoking all outstanding export licenses issued to them, (2) suspending their export license privileges to make shipment of any commodity included in the Positive List as promulgated by the Office of International Trade to any destination for a period of six months, and (3) extending not only to said named respondents but also to any other person, firm or corporation with whom any of the respondents may be related by ownership, control or other connection in the conduct of export trade.

It further appears that counsel for respondents and for the Office of International Trade have personally appeared before the Compliance Commissioner and have discussed with him the facts of the case, the nature and volume of respondents' business, and the propriety and reasonableness of various possible periods of suspension; that the evidence in the possession of the Office of International Trade, as well as that informally submitted by counsel for respondents, has been carefully reviewed by the Compliance Commissioner; that he has found that the charges as set forth in the charging letter are supported by substantial evidence and that the terms and conditions of the proposed order as consented to by respondents are fair and reasonable; and that he has recommended that such proposal be accepted by the Office of International Trade and such order issued.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the investigation reports and other evidence, and it appears that such findings and recommendations are reasonable and should be adopted. Now, therefore, it is ordered as follows:

(1) All outstanding export licenses issued to respondents or any of them are hereby revoked and shall be returned forthwith to the Office of International Trade for cancellation.

(2) Respondents and each of them are hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export

licenses, general as well as validated, for the shipment to any destination of any commodity included in the Positive List as promulgated by the Office of International Trade as such list may exist at the time of any proposed shipment, for a period of six months from the date of this order.

(3) Such denial of export license privileges shall extend not only to respondents personally but also to any person, firm or corporation with which said respondents or any of them may be related by ownership, control or other connection in the conduct of export trade.

Dated: November 21, 1949.

JAMES C. FOSTER,
Director,
Commodities Division.

[F. R. Doc. 49-9532; Filed, Nov. 28, 1949;
8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9115, 9507]

ANGELUS BROADCASTING CO. AND NEWPORT HARBOR BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Gomer Cool, A. L. Nunamaker and Blaine O. Bender, a partnership d/b as Angelus Broadcasting Company, Temple City, California, Docket No. 9115, File No. BP-5697; P. A. Palmer tr/as Newport Harbor Broadcasting Company, Newport Beach, California, Docket No. 9507, File No. BP-6367; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration the above-entitled applications of Gomer Cool, A. L. Nunamaker and Blaine O. Bender d/b as Angelus Broadcasting Company which requests a permit to construct a new standard broadcast station to operate on frequency 760 kilocycles, with 250 watts power, daytime only at Temple City, California and of P. A. Palmer tr/as Newport Harbor Broadcasting Company which requests a permit to construct a new standard broadcast station to operate on frequency 740 kilocycles, with 1 kilowatt power, daytime only at Newport Beach, California;

It appearing, that, the application of Angelus Broadcasting Company requests authorization to operate daytime only on a United States Clear Channel and pursuant to the Commission's policy with respect to such requests has been placed in the pending file to await decisions in the hearings regarding Clear Channels (Docket Number 6741) and Daytime Skywave Transmissions (Docket Number 8333); and

It further appearing, that, the said application of Angelus Broadcasting Company may involve mutually exclusive interference with the application of Newport Harbor Broadcasting Company and that it is the policy of the Commis-

sion as announced in the Public Notice of August 9, 1946 to remove applications placed in the pending file for the aforesaid reason, for the purpose of designating same for hearing in a consolidated proceeding with conflicting applications for operation on adjacent channels;

It is ordered, That, the application of Angelus Broadcasting Company is removed from the pending file and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications of Angelus Broadcasting Company and of Newport Harbor Broadcasting Company are designated for hearing in a consolidated proceeding, at Washington, D. C. at 10:00 a. m. on February 2, 1950, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and the partners and of the individual applicant to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

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

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

5. To determine whether the operation proposed in the application of P. A. Palmer tr/as Newport Harbor Broadcasting Company would involve objectionable interference with the Commission's Monitoring Station at Santa Ana, California and, if so, the nature and extent thereof.

6. To determine whether the operation proposed in the application of P. A. Palmer tr/as Newport Harbor Broadcasting Company would involve second harmonic interference to Station KVOE, Santa Ana, California and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the operation of the proposed stations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

8. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference as to whether the 2.0 millivolt per meter contours and the 25

millivolt per meter contours of the proposed stations would overlap.

9. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, The Voice of the Orange Empire Incorporated, Limited, licensee of Station KVOE, is made a party to this proceeding with reference to the application of P. A. Palmer tr/as Newport Harbor Broadcasting Company only; and

It is further ordered, That, if, as a result of the consolidated proceeding, it appears that, were it not for the issues pending in the hearing regarding Clear Channels (Docket Number 6741) and in the hearing regarding Daytime Skywave Transmissions (Docket Number 8333) and the Commission's Policy pertaining thereto as announced in the Public Notices of August 9, 1946, and May 9, 1947, the public interest would be best served by a grant of the application of Angelus Broadcasting Company then said application shall be returned to the pending file until after conclusion of the said hearings regarding clear channels and daytime skywave transmissions.

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

[F. R. Doc. 49-9545; Filed, Nov. 28, 1949;
8:50 a. m.]

[Docket No. 9505]

A. H. KOVLAN AND J. D. SINYARD

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUE

In re application of A. H. Kovlan and J. D. Sinyard, Athens, Ohio, for construction permit; Docket No. 9505, File No. BP-7223.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1010 kilocycles, 250 watts power, daytime only at Athens, Ohio; and

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, that the proposed program service will adequately meet the requirements of the area and populations to be served, and that the application does not involve interference with any existing stations or other pending applications, but that it may not be in compliance with existing international agreements and the Commission's rules and Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at Washington, D. C. at 10:00 a. m. on February 1, 1950, upon the following issue:

1. To determine whether the installation and operation of the proposed station would be in compliance with the

Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations and with existing international agreements, with particular reference to the signal intensity delivered at the nearest point on the Canadian border.

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

[F. R. Doc. 49-9543; Filed, Nov. 28, 1949;
8:50 a. m.]

[Docket No. 9506]

McMA AGENCY

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of Grady Maples and R. B. McAlister, d/b as McMa Agency, Lubbock, Texas, for construction permit; Docket No. 9506, File No. BP-7297.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 16th day of November 1949;

The Commission having under consideration the above-entitled application of Grady Maples and R. B. McAlister d/b as McMa Agency, requesting a construction permit for a new standard broadcast station to operate on 1450 kc., with 250 w. power, unlimited time, at Lubbock, Texas;

It appearing, that the applicant is legally, technically, financially and otherwise qualified, but that the proposed operation may involve interference with one or more stations and otherwise not comply with the Commission's Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of McMa Agency is hereby designated for hearing at Washington, D. C., at 10:00 a. m. on February 1, 1950, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

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

3. To determine whether the operation of the proposed station would involve objectionable interference with stations KFDA, Amarillo, Texas, KENM, Portales, New Mexico, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations,

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Amarillo Broadcasting Corporation, licensee of Station KFDA, Amarillo, Texas, and Plains Broadcast Company, Inc., permittee of Station KENM, Portales, New Mexico, are made parties to this proceeding.

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

[F. R. Doc. 49-9544; Filed, Nov. 28, 1949;
8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6249]

SOUTH CAROLINA POWER CO. AND SOUTH
CAROLINA ELECTRIC & GAS CO.

NOTICE OF APPLICATION

NOVEMBER 22, 1949.

Notice is hereby given that on November 21, 1949, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by South Carolina Power Company (hereinafter called "Power Company") and South Carolina Electric & Gas Company (hereinafter called "Electric & Gas Company"), both incorporated under the laws of the State of South Carolina and doing business in said State with their principal business offices at Charleston and Columbia, South Carolina, respectively, seeking an order authorizing Power Company, all of whose capital stock is owned by Electric & Gas Company, to transfer and convey in liquidation all of its assets to Electric & Gas Company, and for Electric & Gas Company to receive the same for a consideration stated in the application to be the surrender by Electric & Gas Company to Power Company for cancellation of the latter's outstanding capital stock and the assumption by Electric & Gas Company of all of the liabilities of Power Company; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 14th day of December, 1949, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-9531; Filed, Nov. 28, 1949;
8:46 a. m.]

[Docket No. G-882]

TRUNKLINE GAS SUPPLY CO.

NOTICE OF PETITION TO AMEND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 22, 1949.

Take notice that Trunkline Gas Supply Company (Applicant), a Delaware

corporation, address, 1625 K Street NW., Washington 5, D. C., filed with the Federal Power Commission on November 15, 1949, a petition to amend the order issued herein on April 29, 1949, accompanying Opinion No. 178, granting a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, for the construction and operation of certain natural-gas transmission pipe line facilities.

Applicant by this petition seeks an amendment of said order of April 29, 1949, authorizing Applicant to:

(a) Construct and operate a 26-inch main natural-gas transmission pipe line approximately 740 miles in length having an initial sales capacity of 250,000 Mcf per day and extending from a point near Longville, Beauregard Parish, Louisiana, to the Tuscola Compressor Station of Panhandle Eastern Pipe Line Company, located at Tuscola, Douglas County, Illinois; and construct and operate main line compressor stations having an initial total installation of 32,000 horsepower, together with appurtenant facilities.

(b) Construct and operate lateral supply lines together with such compressor capacity as may be required, substantially as authorized by the Commission's said order of April 29, 1949.

(c) Sell to Panhandle Eastern Pipe Line Company at Tuscola, Douglas County, Illinois, 250,000 Mcf of natural gas per day.

The above-described facilities for which Applicant seeks authorization are to be in lieu of the construction and operation authorized by said order of April 29, 1949, of 711 miles of 26-inch main natural-gas pipe line commencing at a point near Edge, Texas, and extending in a generally northern direction to the Palmyra Compressor Station of Northern Natural Gas Company, located in Otoe County, Nebraska, including compressor stations authorized therein to be constructed. (Such facilities are more fully described in Opinion No. 178.)

Applicant states that such proposed amendment of its certificate was made necessary by reason of its inability to secure a written agreement with Northern Natural Gas Company covering the previously contemplated and authorized sale of natural gas to that company. Applicant further states that, subsequent to the refusal of Northern Natural to enter into such purchase agreement, an agreement was entered into with Panhandle Eastern Pipe Line Company covering the sale by Applicant for a 20-year period of 250,000 Mcf of natural gas per day to Panhandle at a point on the latter's system near Tuscola, Douglas County, Illinois.

It is estimated that the proposed facilities will cost approximately \$85,000,000. The proposed financing contemplates the sale of debt securities in amounts aggregating not more than 75% of the cost of the project, the remaining 25% of the required funds to be obtained by the issuance of equity securities.

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. 49-9529; Filed, Nov. 28, 1949;
8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24683]

SUGAR FROM MINNESOTA TO FORT MADISON AND KEOKUK, IOWA

APPLICATION FOR RELIEF

NOVEMBER 23, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent for and on behalf of carriers parties to Great Northern Railway Company's tariff I. C. C. No. A-8051.

Commodities involved: Sugar, beet or cane, carloads.

From: East Grand Forks and Bingham, Minn.

To: Fort Madison and Keokuk, Iowa.

Grounds for relief: Competition with rail carriers; market competition.

Schedules filed containing proposed rates: Great Northern Railway Company's tariff I. C. C. No. A-8051, Supplement No. 151.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-9534; Filed, Nov. 28, 1949;
8:46 a. m.]

[Sec. 5a Application 14]

LAKE COAL DEMURRAGE COMMITTEE AGREEMENT

APPLICATION FOR APPROVAL OF AGREEMENT

NOVEMBER 23, 1949.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under

the provisions of section 5a of the Interstate Commerce Act.

Filed by: O. H. Carper, Attorney-in-Fact, The Chesapeake and Ohio Railway Company, First National Bank Building, Richmond 10, Va.

Agreement involved: An agreement between or among common carriers by railroad relating to charges for, and rules and regulations governing, the detention of railroad cars loaded with coal or certain other commodities when held for unloading into vessels at United States ports on Lake Ontario, Lake Erie, and lower Lake Michigan, and to procedures for the joint consideration, initiation and establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-9546; Filed, Nov. 28, 1949;
8:50 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 CE 477]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK AND NEW JERSEY COURTS

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 having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the

amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of

the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on November 17, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>	
Yevka Herman.....	Poland.....	Estate of Tessie Prusak, deceased. Surrogate's Court, Queens County, State of New York. Docket No. 192-43.	\$11.00
		<i>Item 2</i>	
Anna Fedyna.....	do.....	Same.....	11.00
		<i>Item 3</i>	
Maria Saban.....	do.....	Same.....	7.00
		<i>Item 4</i>	
Lulka Musiat.....	do.....	Same.....	7.00
		<i>Item 5</i>	
Wasył Herman.....	do.....	Same.....	7.00
		<i>Item 6</i>	
Ivash Herman.....	do.....	Same.....	5.00
		<i>Item 7</i>	
Margarita Pignone.....	Italy.....	Estate of Domenico Pignone, deceased. County Court, Passaic, N. J.	1.00
		<i>Item 8</i>	
Heirs within Poland of Hattie Baer.	Poland.....	Estate of Hattie Baer, deceased. Surrogate's Court, Bronx County, State of New York.	95.00
		<i>Item 9</i>	
Salvator Franses.....	Belgium.....	Estate of Marie A. Mackintosh, deceased. Surrogate's Court, New York County, State of New York.	32.00

[F. R. Doc. 49-9538; Filed, Nov. 28, 1949; 8:49 a. m.]

[Vesting Order 12664, Amdt.]

JOHN JUCHTER

In re: Real property, property insurance policies and claim owned by John Juchter.

Vesting Order 12664, dated January 12, 1949, is hereby amended as follows and not otherwise:

By deleting the words northwest portion of Lot Number Four (4), Elliott Ward, contained in Exhibit A, attached

to said Vesting Order 12664, and substituting therefor the words northeast portion of Lot Number Four (4), Elliott Ward.

All other provisions of said Vesting Order 12664 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 17, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9537; Filed, Nov. 28, 1949; 8:49 a. m.]

N. V. HOLLANDSCHE DRAAD-EN
KABELFABRIEK

NOTICE OF INTENTION TO RETURN VESTED
PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

N. V. Hollandsche Draad-en Kabelfabriek, Amsterdam, Netherlands; 7742; property described in Vesting Order No. 671 (8 F. R. 5004, April 17, 1943), relating to United States Letters Patent Nos. 2,081,517, 2,142,625 and 2,165,738.

Executed at Washington, D. C., on November 18, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9523; Filed, Nov. 25, 1949; 8:51 a. m.]