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VOLUME 13 NUMBER 203

Washington, Saturday, October 16, 1948

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10000

REGULATIONS GOVERNING ADDITIONAL COMPENSATION AND CREDIT GRANTED CERTAIN EMPLOYEES OF THE FEDERAL GOVERNMENT SERVING OUTSIDE THE UNITED STATES

Correction

In Executive Order 10000, appearing as Federal Register Document 48-8466 at page 5453 of the issue for Saturday, September 18, 1948, the list in section 502 (a) should be corrected so that the entry "Roma, Belgian Congo" shall read "Boma, Belgian Congo."

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. C. Cotton Form 1, Supp. 1]

PART 256—COTTON LOANS

1948 AMERICAN-EGYPTIAN COTTON LOAN INSTRUCTIONS

The 1948 Cotton Loan Instructions (1948 C. C. C. Cotton Form 1) (13 F. R. 4038) are hereby amended by adding thereto a new section as follows:

§ 256.240 *Loans on American-Egyptian cotton.* Pursuant to the 1948 American-Egyptian Cotton Loan Program of Commodity Credit Corporation, loans on eligible American-Egyptian cotton will be made available to eligible producers. The provisions of §§ 256.221 to 256.238, applicable to loans on upland cotton, will also be applicable to loans on American-Egyptian cotton, except as follows:

(a) Loans will be available on those qualities of American-Egyptian cotton specified in the table of loan rates at the end of this section at the rates specified in such table.

(b) In addition to meeting the requirements for eligible cotton as set forth in paragraph (b) of § 256.221, all such cotton shall be of normal character and no such cotton shall be accepted for a loan with respect to which the classification indicates any reduction in grade or staple length because of irregularities or defects.

(c) A lending agency in any State may, if it so desires, execute either a Lending Agency Agreement (C. C. C. Cotton Form D) or a Cotton Lending Agency Agreement (C. C. C. Cotton Form DW) and shall tender notes under paragraph (a) or paragraph (b) of § 256.235 depending on whether it has entered into a Lending Agency Agreement or a Cotton Lending Agency Agreement.

(d) Repayments of loans on American-Egyptian cotton shall be made under paragraph (a) or paragraph (b) of § 256.237 depending on whether the lending agency which made the loan entered into a Lending Agency Agreement (C. C. C. Cotton Form D) or a Cotton Lending Agency Agreement (C. C. C. Cotton Form DW).

LOAN RATES FOR ALL QUALITIES OF 1948-CROP AMERICAN-EGYPTIAN COTTON

[Rates expressed in cents per pound, net weight]

Grade	Staple length (inches)			
	1 3/16		1 5/16	
	California and Arizona	New Mexico and Texas	California and Arizona	New Mexico and Texas
1	56.80	57.05	60.25	60.50
1 1/2	55.80	56.05	59.25	59.50
2	54.25	54.50	57.65	57.90
2 1/2	52.40	52.65	54.00	54.25
3	48.65	48.90	50.25	50.50
3 1/2	43.25	43.50	45.50	45.75
4	38.40	38.65	41.70	41.95
4 1/2	33.80	34.05	37.15	37.40
5	31.35	31.60	34.35	34.60

Grade	Staple length (inches)—Continued			
	1 1/2		1 5/16 and longer	
	California and Arizona	New Mexico and Texas	California and Arizona	New Mexico and Texas
1	63.20	63.45	63.20	63.45
1 1/2	62.25	62.50	62.25	62.50
2	61.10	61.35	61.10	61.35
2 1/2	57.05	57.30	57.05	57.30
3	52.40	52.65	52.40	52.65
3 1/2	48.35	48.60	48.35	48.60
4	44.85	45.10	44.85	45.10
4 1/2	40.70	40.95	40.70	40.95
5	37.60	37.85	37.60	37.85

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

(Sec. 4 (a), 55 Stat. 498, as amended, sec. 1 (b), 62 Stat. 1247, 62 Stat. 1070; 15 U. S. C. 713a-8 (a))

Issued this 13th day of October 1948.

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

Approved: October 13, 1948.

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 48-9155; Filed, Oct. 15, 1948; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Tangerine Reg. 74]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.403 *Tangerine Regulation 74*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR and Supps. Part 933), regulating the handling

of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 18, 1948, and ending at 12:01 a. m., e. s. t., November 1, 1948, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States Standards for Tangerines (13 F. R. 4790)); or

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid United States Standards), in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of October 1948.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9211; Filed, Oct. 15, 1948; 11:54 a. m.]

[Orange Reg. 151]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.402 *Orange Regulation 151*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR and Supps. Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 18, 1948, and ending at 12:01 a. m., e. s. t., November 1, 1948, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida which grade U. S. No. 2 Russet or lower than U. S. No. 2 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida which are of a size smaller than 2 11/16 inches in diameter measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except a tolerance of 10 percent, by count, of oranges smaller than such minimum size shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the U. S. Standards for Oranges: *Provided*, That in determining the percentage of oranges in any lot which are smaller than 2 11/16 inches in diameter, such percentage shall be based only on those oranges in such lot which are 3 inches in diameter and smaller.

(2) As used in this section, the terms "handler" and "ship" shall each have the same meaning as when used in said amended marketing agreement and order; and the term "U. S. No. 2 Russet," shall have the same meaning as when used in the United States Standards for Oranges (13 F. R. 5174, 5306). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of October 1948.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9212; Filed, Oct. 15, 1948; 11:54 a. m.]

[Grapefruit Reg. 102]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.401 *Grapefruit Regulation 102*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR and Supps., Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., October 18, 1948 and ending at 12:01 a. m., e. s. t., November 1, 1948, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which grade U. S. No. 2 Russet, or lower than U. S. No. 2 Russet;

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any pink seeded grapefruit grown in the State of Florida which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iv) Any seedless grapefruit of any variety, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order; and the terms "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Grapefruit (13 F. R. 4787). (48

Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of October 1948.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9213; Filed, Oct. 15, 1948; 11:54 a. m.]

[Lemon Reg. 296]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.403 *Lemon Regulation 296*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq.; 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 17, 1948 and ending at 12:01 a. m., P. s. t., October 24, 1948 is hereby fixed as follows:

(i) District 1: 250 carloads;

(ii) District 2: unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 295 (13 F. R. 5906), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 *et seq.*)

Done at Washington, D. C., this 14th day of October 1948.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9215; Filed, Oct. 15, 1948; 11:55 a. m.]

[Orange Reg. 251, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

Order, as amended. The provisions in paragraph (b) (1) (i) of § 966.397 (Orange Regulation 251, 13 F. R. 5907) are hereby amended to read as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1, no movement; (*b*) Prorate District No. 2, 1100 carloads; and (*c*) Prorate District No. 3, no movement.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of October 1948.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9198; Filed, Oct. 15, 1948; 9:01 a. m.]

[Orange Reg. 252]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.398 *Orange Regulation 252*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handing of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., October 17, 1948 and ending at 12:01 a. m., P. s. t., October 24, 1948 is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: 950 carloads;

(*c*) Prorate District No. 3: No movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: No movement;

(*c*) Prorate District No. 3: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 15th day of October 1948.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Oct. 17, 1948 to 12:01 a. m. Oct. 24, 1948]

VALENCIA ORANGES

Prorate District No. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Alta Loma	.1015
A. F. G. Corona	.1766
A. F. G. Fullerton	.0000
A. F. G. Orange	.3704
A. F. G. Riverside	.1358
A. F. G. San Juan Capistrano	1.0189
A. F. G. Santa Paula	.7505
Hazeltine Packing Company	.4998
Placentia Pioneer Valley Growers Association	.7633
Signal Fruit Association	.1645
Azusa Citrus Association	.4762
Covina Valley Orange Co	.1054
Damerel-Allison Co	1.0275
Glendora Mutual Orange Association	.4752
Irwindale Citrus Association	.0000
Puente Mutual Citrus Association	.2584
Valencia Heights Orchard Association	.6759
Covina Citrus Association	1.3465
Covina Orange Growers Association	.7113
Glendora Citrus Association	.4561
Glendora Heights Orange and Lemon Growers' Association	.0685
Gold Buckle Association	.0000
La Verne Orange Association	.8201
Anaheim Citrus Fruit Association	1.4281
Anaheim Valencia Orange Association	.5111
Eadington Fruit Co., Inc	2.7113
Fullerton Mutual Orange Association	1.3347
La Habra Citrus Association	1.3804
Orange County Valencia Association	.9311
Orangethorpe Citrus Association	.6986
Placentia Cooperative Orange Association	.6599
Yorba Linda Citrus Association	.6689
Citrus Fruit Growers	.1749
Cucamonga Citrus Association	.2697
Etiwanda Citrus Fruit Association	.0498
Mountain View Fruit Association	.0000
Old Baldy Citrus Association	.1600
Rialto Heights Orange Growers	.0745
Upland Citrus Association	.2405
Upland Heights Orange Association	.1837
Consolidated Orange Growers	1.9454
Frances Citrus Association	1.5899
Garden Grove Citrus Association	1.3882
Goldenwest Citrus Association, The	1.9656
Irvine Valencia Growers	3.1373
Olive Heights Citrus Association	2.0794
Santa Ana-Tustin Mutual Citrus Association	1.3521
Santiago Orange Growers Association	3.7792
Tustin Hills Citrus Association	2.8299
Villa Park Orchards Association, The	1.9753
Bradford Brothers, Inc	.7948
Placentia Mutual Orange Association	1.8642
Placentia Orange Growers Association	.0000
Yorba Orange Growers Association	.6913
Call Ranch	.0935
Corona Citrus Association	.6678
Jameson Company	.0000
Orange Heights Orange Association	.4464

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Crafton Orange Growers Association	0.5194
East Highlands Citrus Association	.0981
Fontana Citrus Association	.1445
Highland Fruit Growers Association	.0000
Redlands Heights Groves	.3842
Redlands Orangedale Association	.4058
Break & Sons, Allen	.0000
Bryn Mawr Fruit Growers Association	.3218
Krinard Packing Co	.2518
Mission Citrus Association	.1981
Redlands Cooperative Fruit Association	.4459
Redlands Orange Growers Association	.3084
Redlands Select Groves	.3829
Rialto Citrus Association	.0000
Rialto Orange Co	.1950
Southern Citrus Association	.2386
United Citrus Growers	.0000
Zilen Citrus Co	.0000
Arlington Heights Citrus Co	.1249
Brown Estate, L. V. W	.0000
Gavilan Citrus Association	.1699
Hemet Mutual Groves	.0000
Highgrove Fruit Association	.0722
McDermont Fruit Co	.2282
Monte Vista Citrus Association	.0000
National Orange Co	.0000
Riverside Heights Orange Growers Association	.0756
Sierra Vista Packing Association	.0755
Victoria Avenue Citrus Association	.2302
Claremont Citrus Association	.2193
College Heights Orange and Lemon Association	.2692
El Camino Citrus Association	.0799
Indian Hill Citrus Association	.2436
Pomona Fruit Growers Exchange	.5035
Walnut Fruit Growers Association	.6464
West Ontario Citrus Association	.4925
El Cajon Valley Citrus Association	.0000
Escondido Orange Association	3.1224
San Dimas Orange Growers Association	.6066
Andrews Brothers of California	.2104
Ball & Tweedy Association	.7185
Canoga Citrus Association	1.2445
North Whittier Heights Citrus Association	1.1846
San Fernando Fruit Growers Association	.7325
San Fernando Heights Orange Association	1.2814
Sierra Madre-Lamanda Citrus Association	.0000
Camarillo Citrus Association	2.0432
Filimore Citrus Association	3.2571
Mupu Citrus Association	3.8055
Ojai Orange Association	1.2817
Piru Citrus Association	2.2963
Santa Paula Orange Association	1,4466
Tapo Citrus Association	1.5080
Ventura County Citrus Association	.0000
Limoneira Co	.8444
East Whittier Citrus Association	.2832
El Ranchito Citrus Association	1.0080
Murphy Ranch Co	.4772
Rivera Citrus Association	.5248
Whittier Citrus Association	.8406
Whittier Select Citrus Association	.4887
Anaheim Cooperative Orange Association	1.1343
Bryn Mawr Mutual Orange Association	.0000
Chula Vista Mutual Lemon Association	.0000
Escondido Cooperative Citrus Association	.0000
Euclid Avenue Orange Association	.4143
Foothill Citrus Union, Inc	.0428

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Fullerton Cooperative Orange Association	0.4051
Garden Grove Orange Cooperative Inc	.6764
Golden Orange Groves, Inc	.0000
Highland Mutual Groves	.0000
Index Mutual Association	.2908
La Verne Cooperative Citrus Association	1.6170
Mentone Heights Association	.0000
Olive Hillside Groves	.7175
Orange Cooperative Citrus Association	1.2084
Redlands Foothill Groves	.7641
Redlands Mutual Orange Association	.1817
Riverside Citrus Association	.0000
Ventura County Orange and Lemon Association	1.1946
Whittier Mutual Orange and Lemon Association	.1604
Babijuice Corporation of California	.4943
Banks Fruit Co	.0000
Banks, L. M	.0000
Borden Fruit Co	.0000
California Associated Growers	.0993
California Fruit Distributors	.0452
Cherokee Citrus Co., Inc	.0000
Chess Co., Meyer W	.2482
Escondido Avocado Growers	.0246
Evans Brothers Packing Co	.2861
Furr, N. C	.0224
Gold Banner Association	.3518
Granada Hills Packing Co	.0479
Granada Packing House	1.4125
Hill, Fred A	.0957
Inland Fruit Dealers, Inc	.0838
Morris Brothers Fruit Co	.0137
Orange Belt Fruit Distributors	.0000
Panno Fruit Co., Carlo	.0289
Paramount Citrus Association	.5796
Placentia Orchard Co	.5643
San Antonio Orchard Co	.3074
Snyder & Sons Co., W. A	.4274
Stephens, T. F	.1198
Torn Ranch	.0000
Wall, E. T	.1222
Webb Packing Co	.0000
Western Fruit Growers, Inc., Reds	.8060

[F. R. Doc. 48-9214; Filed, Oct. 15, 1948; 11:55 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Rev. Supplement 1]

PART 60—AIR TRAFFIC RULES

SEGMENTED CIRCLE AIRPORT MARKER SYSTEM; RIGHT TURN INDICATORS

Under section 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board is empowered to delegate to the Administrator of Civil Aeronautics the authority to prescribe rules, regulations, and standards which promote safety of flight in air commerce.

Under § 60.108 (a) of the Civil Air Regulations, the Civil Aeronautics Board has authorized the Administrator of Civil Aeronautics to approve standard visual markings which, when displayed at airports, require pilots operating aircraft to make turns to the right.

Acting pursuant to the foregoing statute and regulation, the following rules are hereby adopted. They supersede the CAA Specifications published in

13 F. R. 172-173 and made effective on January 13, 1948, and they impose no additional burdens upon interested persons. They are made effective on the date indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable, unnecessary, and contrary to the public interest, and therefore is not required.

§ 60.108 *Operation on and in the vicinity of an airport.* * * *

(CAA Rules)

RIGHT-TURN INDICATORS

The "L" shaped marker described hereinafter is approved as a standard visual marker which indicates that turns are to be made to the right. The marker shall be prepared in such size and color, and located in such area, that when displayed between sunrise and sunset it will be readily visible to pilots using the airport. The marker shall be placed in such a position that the short member of the "L" will show the direction of traffic in the air, the long member of the "L" will point out the landing strip to be used, and the entire "L" will indicate the course of the turn to be executed by pilots using the landing strip.

NOTE: The "L" shaped marker is applied to the Segmented Circle Airport Marker System in Technical Standard Order TSO-N5.

(Sec. 601, 52 Stat. 1007; Pub. Law 872, 80th Cong.; 49 U. S. C. 551; Reorg. Plan No. IV of 1940, 5 F. R. 2421; 3 CFR, 1943 Cum. Supp.)

These rules shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] D. W. RENTZEL,
Administrator of Civil Aeronautics.

[F. R. Doc. 48-9118; Filed, Oct. 15, 1948; 8:46 a. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 12—DELEGATIONS OF AUTHORITY

TRANSFER AND OPERATION OF AIR NAVIGATION FACILITIES ABROAD

Section 12.10 Executive Order 9709 (15 CFR 1946 Supp., 12.10) is hereby revoked. The International Aviation Facilities Act (Public Law 647, 80th Congress; 62 Stat. 450) vests directly in the Administrator of Civil Aeronautics and the Chief of the Weather Bureau certain authorities in connection with the transfer and operation of air navigation facilities abroad formerly vested in the Department of Commerce by virtue of Executive Order 9709. In view of this legislative transfer of authority, the delegations of authority made to the Administrator of Civil Aeronautics and the Chief of the Weather Bureau in § 12.10 are no longer necessary.

(R. S. 161; 5 U. S. C. 22)

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 48-9123; Filed, Oct. 15, 1948; 8:49 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52062]

PART 1—CUSTOMS DISTRICTS AND PORTS; DELEGATION OF POWERS TO COMMISSIONER OF CUSTOMS

PART 3—DOCUMENTATION OF VESSELS

ENTRY AND CLEARANCE OF VESSELS AT PLACES OTHER THAN PORTS OF ENTRY AND CHANGE OF NAME OF DOCUMENTED VESSELS

1. Section 1.2 (b), Customs Regulations of 1943 (19 CFR, Cum. Supp., 1.2 (b)), is amended as follows:

(b) A vessel shall not be entered or cleared at a customs station, or other place that is not a port of entry, unless entry or clearance is authorized by the collector of customs for the district in which such station or place is located pursuant to the provisions of section 447, Tariff Act of 1930.[a] Such authorization shall be granted by the collector only upon the condition that the vessel will be under such customs supervision as he may deem to be necessary; that compliance will be had with all applicable customs and navigation laws and regulations; that the salary and expenses of the customs officer for such time as is required to be devoted to entry and clearance work, together with any expense incurred by such officer in connection with the entry or delivery of merchandise, shall be reimbursed to the Government as provided in paragraph (c) of this section; and that the collector shall be notified in advance of the arrival of the vessel concerned.

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. President's message of March 3, 1913; T. D. 33249. Sec. 102, Reorg. Plan No. 3 of 1946; 3 CFR, 1946 Supp., Ch. IV)

2. Section 3.51, Customs Regulations of 1943 (3 CFR, Cum. Supp., 3.51), as amended by T. D. 51912, is further amended to read as follows:

§ 3.51 *Change of name of documented vessel.* (a) The name of a documented vessel (including any documented yacht) shall not be changed except with the consent and approval of the collector of customs for the district in which the vessel's home port is located.[35]

(b) An application for change of name shall be executed by the owner or owners of the vessel, addressed to the collector, and shall be submitted in duplicate to the deputy collector at the vessel's home port.

(c) The application shall state the change desired, the reasons therefor, official number, rig, gross tonnage, name or names of the owner or owners of the vessel, and date and place of last inspection, if the vessel is subject to inspection. If the vessel is not subject to inspection, a certificate of seaworthiness issued by an officer in charge, marine inspection, United States Coast Guard, shall be obtained by the applicant and submitted with the application. A certificate of ownership on customs Form 1330 from the deputy collector at the vessel's home port shall be submitted with the application as evidence to the collector of the date and place of build and pecuniary liability of the vessel. The consent of the mortgagee or other beneficiary under each lien, mortgage, or other encumbrance of record at the vessel's home port shall be submitted in writing with the application, together with a certified copy of any approval of the United States Maritime Commission required by subsection 0 (a) of the Ship Mortgage Act, 1920.[38a]

(d) If the application is approved by the collector, he shall issue an order in writing authorizing the change of name as requested. A copy of the order shall be delivered to the applicant by the deputy collector at the vessel's home port.

(e) The applicant shall cause notice of the order for the change of name to be published in some daily or weekly newspaper of general circulation at or nearest to the home port of the vessel in at least four consecutive issues. The notice shall be in the following form:

Notice is hereby given that the collector of customs for this district has issued an order dated _____ authorizing the name of the _____
(rig) (name)
official number ____, owned by _____, of which _____ is the home port, to be changed to _____.

_____
Deputy Collector
_____
(Port)

(f) No document shall be issued to the vessel in the new name until the applicant has paid the fee prescribed by § 3.52[38b] and, except as specified in paragraph (g) of this section, until he has complied with paragraph (e) of this section and has furnished to the deputy collector at the vessel's home port (1) an affidavit or declaration of publication executed by a proper representative of the newspaper in which the order for the change of name was published setting forth the wording of the order, the dates of publication, and the payment of the cost of advertising, or (2) a copy of each of the four consecutive issues of the newspaper in which the order appeared, together with a receipt for the payment of the cost of advertising.

(g) Documentation of the vessel in the new name shall not be withheld until notice of the order for the change has been published as required by paragraph (e) of this section, if the deputy collector at the vessel's home port is satisfied that the contract for publication has been entered into and he has been furnished with a receipt for the payment of the cost thereof, but the applicant shall within a reasonable time after publication furnish to the deputy collector the evidence prescribed in subparagraphs (1) or (2) of paragraph (f) of this section.

(h) The cost of advertising and of procuring any evidence required by this section shall be paid by the applicant.

[38b] The fee is due upon approval of the application whether or not the vessel is documented in the new name.

(i) An accurate index of each change of name of a documented vessel under both the old and new names, and showing the dates of authorization, shall be kept by the collector.

(j) If there is a change in ownership of a vessel and the new owner applies for a change of name of the vessel, his designation of home port shall be in the name under which the vessel was last documented. A designation of home port shall not be required to be submitted merely by reason of a change of name.

(k) A vessel which is to be redocumented after being out of documentation shall be redocumented only under the name and official number in which it was last documented, but a vessel never before documented may be documented under any name. (R. S. 161, secs. 2, 3, 23 Stat. 118, 119, R. S. 4179, secs. 1–3, 41 Stat. 436, 437; 5 U. S. C. 22, 46 U. S. C. 2, 3, 50–53. Sec. 102, Reorg. Plan No. 3 of 1946; 3 CFR, 1946 Supp., ch. IV)

[SEAL] W. R. JOHNSON,
Acting Commissioner of Customs.

Approved: October 8, 1948.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 48-9127; Filed, Oct. 15, 1948; 8:49 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 202—MINIMUM WAGE DETERMINATIONS

MEN'S HAT AND CAP INDUSTRY; DETERMINATION OF THE SECRETARY

This matter is before me pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C., secs. 35–45) entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act, and upon the petition of the United Hatters, Cap and Millinery Workers International Union, that I determine the prevailing minimum wage for skilled workers in the men's hat and cap industry, except furfelt hats, to be 85 cents an hour, and the prevailing minimum wage for auxiliary workers to be 65 cents an hour. The existing rate of 67.5 cents for skilled workers was established in the determination of the Secretary of Labor dated July 28, 1937 and continued in the amendment dated January 24, 1938 (41 CFR, 202.11), and the existing rate of 40 cents per hour for auxiliary workers was established in the amending determination of February 2, 1944 (41 CFR, 1944 Supp., 202.11).

Notice of a hearing in this matter was published in the FEDERAL REGISTER (13 F. R. 2661) and copies were sent to Government agencies, associations, unions and individuals known to be interested, and a press release was distributed to the national press, trade publications and firms in the industry advising of the time and place for interested parties to appear and offer testimony for or against the proposal of the Union, and as to whether any amendment to the prevailing minimum wage determination should include provision for the employment of learners for skilled occupations at a rate lower than the minimum wage hereinbefore stated. The notice also provided that written statements in lieu of personal appearance might be filed at any time prior to the hearing or with the presiding officer at the hearing, and stated that copies of a recent survey of wages prepared by the Union were available upon request. The hearing which was held on June 15, 1948, and at which representatives of the Union and of employers appeared and testified, was intended to obtain evidence on the wages being paid to employees who make caps and cloth hats, and no evidence was received relative to wages paid in the furfelt hat branch of the industry. Following consideration of the record by him, the Administrator of the Wage and Hour and Public Contracts Divisions recommended approval of the petition of the union.

I have considered this matter and I am satisfied that the rate of 85 cents an hour proposed in the petition of the Union is the prevailing minimum wage in the cap and cloth hat branch of the industry and that an amendent of the current determination is required pursuant to the act. The evidence presented at the hearing clearly supports an 85-cent minimum. There was no opposition to the fixing of such rate for experienced workers by the employer representatives who testified at the hearing. The employer representatives, however, suggested the inclusion of adequate provision in the amendment permitting the employment of learners at a subminimum rate, and the Administrator has proposed a learner provision as hereinafter shown.

The survey of wages submitted by the Union was based on reports from employers on wages paid in 20.4 percent of the number, according to the 1939 Census of Manufacturers, of cap and cloth hat manufacturing establishments. The survey was a representative sample of the wages paid to employees in the various producing areas. The plants were selected not on the basis of knowledge of their wage scales but on the basis of an adequate representation of uniform cap shops and civilian shops and on the basis that they had the necessary number of employees to make up a one-third sample of all employees in the industry. The covered areas employed, according to the 1939 Census, 80.7 percent of the cap workers in the United States in that year, and the survey embraced 34.4 percent of the workers on the basis of such Census, 88 percent being skilled workers. On the basis of Census figures the proportion of workers covered by the survey was lower in the highest-wage area and substantially lower on the basis of Union membership, resulting in a downward bias in the computation of average earnings, and of frequency distribution of earnings for the United States as a whole; for example, the average straight-time hourly earnings for skilled workers in February–March of 1948 was $1.51, which was raised to $1.57 by adjustment to equal coverage of all areas according to the 1939 Census and to $1.63 by such adjustment to 1947 membership figures.

The range in the average straight-time hourly earnings of skilled workers, 90 percent of whom were unionized employees, was from $1.07 in the lowest wage area to $1.97 per hour in the highest wage area, there being no marked differences in the other areas, which ranged between $1.36 and $1.55. Only 7.2 percent of such workers were earning less than 85 cents per hour; moreover, the 7.2 percent is lowered to 6.9 and 6.7 percent, respectively, by adjusting the distribution figures to equal distribution of workers according to the 1939 Census and the 1947 membership. There were no skilled workers earning less than 85 cents an hour in one area. The range in the other surveyed areas was, without adjustment to Census and membership figures, from 1.2 percent to 19.7 percent, but in the latter area only 10.5 percent earned less than 75 cents per hour and only 5.9 percent earned less than 70 cents. The survey also shows that nearly all cap and cloth hat contracts which are covered by the act are for uniform caps and hats, and that workers in uniform cap shops generally earn higher wages than workers in other cap shops, the average for the former being $1.66 and for the latter $1.40; only the St. Louis area deviated from this pattern of wage differentials. Additional evidence that the prevailing minimum wage is 85 cents an hour may be derived from the survey's table showing the percentage distribution of hourly earnings; the largest cluster of employees earning less than one dollar an hour occurs in the 80–89 cents brackets, with 7.0 percent receiving such earnings; only 1.5 percent of such employees are shown in the 75–79 cents brackets, and only 1.3 percent are shown as receiving 70 to 74 cents per hour.

A manufacturer of the St. Louis area who represented five manufacturers in that area pointed out alleged inadequacies in the Union's statistical method and testified that he had made a wage survey which indicated lower average earnings than shown in the Union's survey, but it appeared that the employees involved were predominantly hourly-rate employees who traditionally earn less than pieceworkers and that his survey was made at a time when employment had increased with a resultant influx of inexperienced employees; however, the detailed data upon which his conclusions were based were not presented in evidence, and counsel stated that a wage differential for the area was not proposed. The Pennsylvania employer representative who appeared at the hearing entered no objection to the methods or results of the Union survey, and, as heretofore indicated, none of the representatives of cap and cloth hat manufacturers considered the proposed 85-cent minimum wage for experienced employees a problem if appropriate allowance were made for the employment of learners. Also, subsequent to the hearing a letter was received from a national association representing 186 firms which make uniform headwear stating that they approved the proposed minima and ex-

pressing the thought that some provision should be made for a limited number of learners.

The Union proposed a learner tolerance for the occupations of operating, cutting, blocking, pressing and overhand sewing, limited to not exceeding 10 percent of workers employed in each craft, and the period of learning to be 240 hours of employment in the industry. The Union proposal was satisfactory to the Pennsylvania representative at the hearing in all respects except as to the proposed percentage limitation of 10 percent on the number of learners to be permitted. The St. Louis representative opposed such limitation as well as the 240-hour learning period, and urged that a learner tolerance be granted permitting subminimum learner rates on a graduated scale for a period of one year with no limitations on the number of learners which may be employed at such subminimum rates.

It is my opinion that the evidence and testimony presented at the hearing supports a finding that a 10% learner tolerance is appropriate and sufficient to take care of normal needs in the industry. It seems clear, however, that in some abnormal situations such as establishing of new plants and expansion of plants and plant facilities a greater proportion of learners in the skilled occupations is required, and that adequate provision for an increase in the tolerance under certain specified conditions should be included in the determination. The evidence also shows that under the section-work system which prevails in this industry any extension of the learning period at subminimum rates beyond six weeks would be unwarranted.

There was no substantial objection to the Union's proposal of a 65-cent rate for auxiliary workers, which constituted approximately 13 percent of the total working force, and there is no indication that the Union survey does not give a substantially correct picture of the wage structure for such workers. The average straight-time hourly earnings for auxiliary workers in February and March of 1948, according to the Union survey, were 76 cents, the range among the various areas being from 67 to 85 cents. Of all such workers, 32.4 percent earned less than 65 cents but only 15.1 percent earned less than 60 cents and only 1.4 percent earned less than 55 cents; and the 32.4 percent is reduced to 20.3 percent and 15.4 percent by adjustment to Census and membership figures. In the New York area no auxiliary workers would be affected by the proposed minimum and the range of the other areas is, without adjustment, from 16.7 percent in Chicago to 46 percent in Philadelphia, but in the latter area only 24.4 percent earned less than 60 cents per hour and none earned less than 55 cents per hour. The largest cluster of low-wage employees in the survey's table showing the percentage distribution of hourly earnings is in the 60–69 cents brackets, with 32.4 percent of the workers receiving such hourly earnings; only 13.7 percent were in the 55–59 cents brackets, and only 1.4 percent received hourly earnings of 50 to 54 cents.

There was no objection to the continued exclusion from the definition of the industry of washable service articles such as hats and caps worn by cooks, bakers, hospital employees, et al., as set forth in the notice of hearing. However, this exclusion does not cover white sailor hats, work hats, or similar caps and hats which, even though they may be washable, are not contemplated by the term "washable service" hats and caps. The Union contended, however, that since hat and cap manufacturers did in fact manufacture leather and sheeplined hats and caps such articles should be covered in amending the current determination, but since they are also made by companies which manufacture leather and sheeplined clothing and in about equal proportions, and since the notice of the hearing contained a proposed clarification of the definition which specifically excluded such articles, I see no purpose in disturbing the Department's present structure of industry definitions, nor do I feel justified in making any such change in the definition at this time, particularly since there is now before the Department a union petition to amend current determinations for other industries, one of which now includes the manufacture of leather and sheeplined hats and caps, and the petitioned rate is the same as in the current petition.

After consideration of the entire record of this proceeding the prevailing minimum wage determination for the men's hat and cap industry is amended to read as follows:

§ 202.11 *Men's hat and cap industry.* (a) (1) The cap and cloth hat branch of the men's cap and hat industry shall be defined as the manufacture and supply of men's and boys' hats (other than fur-felt) and caps, hat and cap covers, cap frames, helmets and hoods, and women's hat and cap products of similar construction and design: *Provided, however,* That the definition shall not include the following types of hats and caps: Leather and sheeplined; washable service (such as cooks', bakers', hospital, etc.); rainwear; straw; knitted; metal; molded plastic; vulcanized fiber; and similar types.

(2) That the prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act for the manufacture or supply of products of the cap and cloth hat branch of the men's hat and cap industry is 85 cents an hour or straight-time earnings of $34 per week of 40 hours, arrived at either upon a time or piece-rate basis, except that auxiliary workers in such branch, as defined in the determination of February 2, 1944, shall be paid not less than 65 cents an hour or straight-time earnings of $26 per week of 40 hours, arrived at either upon a time or piece-rate basis and that learners in such branch may be employed subject to the following terms and conditions:

(i) Learners may be employed in the non-auxiliary occupations of machine operating, cutting, blocking, pressing and overhand sewing;

(ii) Learners may be paid 67½ cents per hour or straight-time earnings of $27 per week of 40 hours, unless experienced workers in the same plant and occupation are paid on a piece-rate basis, in which case learners must be paid the same piece rates paid to experienced workers and earnings based upon those piece rates, if such earnings are in excess of 67½ cents per hour;

(iii) The length of the learning period shall be 240 hours unless the learner has had experience in the industry within the previous five years in which case, the total number of hours of such experience must be deducted from the 240 hour learning period;

(iv) The number of learners may equal 10 percent of the number of workers employed in the crafts in which learners may be employed; except where, upon application to the Administrator of the Wage and Hour and Public Contracts Divisions or his authorized representative, a special certificate has been issued authorizing employment of learners in excess of such 10 percent to meet a plant's abnormal situation created by establishment of new plants, expansion of production or plant facilities, and the like. Such special certificates will not be issued where it appears that experienced workers are available to the employer within the area from which he customarily draws his supply of labor, or that the issuance of a special certificate will create unfair competitive labor cost advantages, or will impair or depress working standards established for experienced workers for work of a like or comparable character in the industry.

(3) There shall be no limitation upon the number or proportion of auxiliary workers employed in the cap and cloth hat branch of the industry.

(4) The term "auxiliary workers" as applied to the employees in the cap and cloth hat branch of the industry shall include only those employees engaged in auxiliary occupations enumerated and defined as follows:

Hand clipping. The operation of separating component parts of the article after they have been sewn.

Hand cleaning. The operation of removing excess threads from the article or removing stains or dust.

Size stamping. The operation of stamping the head size marks on the article.

Floor boys (girls). One who carries items of work to and from the various departments.

Examining. The operation of inspecting the article for imperfections during any stage of manufacture.

Sweat band, braid, and strap cutter and measuring. The operation of measuring and cutting bands, straps and ribbons.

Turning. The operation of turning the article inside out or outside in.

Packing. The operation of packing the finished caps into shipping containers, spraying larvex or moth flakes; if necessary, inserting tissue paper in caps and inserting a cardboard ring stiffener to support crown of cap.

Shipping and receiving. The operation of unloading and checking stock and preparing containers for shipment.

Waste material sorting. The operation of separating paper from the rags whether performed in the cutting room or elsewhere.

Hand stapling. The operation by hand pressure of a wire stapling machine to join together parts of the article, to attach labels, bows or cloth to the article or part of the article, or to join ends of a cardboard strip to form a packing ring.

Drawstring pulling. The operation of slipping a cord or drawstring through part of a cap, hood or helmet.

Basting pulling. The operation of pulling out basting threads.

Porter. The operation of cleaning floors or carrying boxes.

Band and braid fitting. The operation of placing by hand but not sewing on a cap a prepared band or braid.

Wire stiffener inserting. The operation of slipping a wire ring into the cap.

Hand buckling. The operation of slipping a buckle on a strap.

Visor inserting. The operation of inserting a canvas stiffener into a cloth pocket before the visor is attached.

Pasting. The operation of attaching a label or ticket to a part of hat with paste or glue.

Hand button inserting. The operation of inserting, by hand, into a prepared hole a button and bending over clips to hold the button in place, or inserting a button with a threaded neck, and screwing a nut on neck to hold button firm.

Hand hole punching. The operation of punching a hole into material by use of an ice pick or similar pointed hand instrument.

Wire cutting and ring forming. The operation of cutting a wire to length and joining the ends to form a stiffener ring.

Hand eyeletting. The operation by hand pressure of a machine to attach an eyelet to the article.

Hand snap fastening. The operation by hand pressure of a machine to attach a snap fastener to the article.

(b) (1) The minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act for the manufacture or supply of products of the fur-felt hat branch of the men's hat and cap industry is 67½ cents an hour or $27 per week of 40 hours, arrived at either upon a time or piece-work basis.

(2) A tolerance of not more than 20 percent of the employees in any one factory whose activities at any given time are subject to the provisions of the Walsh-Healey Public Contracts Act is permitted for auxiliary workers in the fur-felt hat branch of the men's hat and cap industry: *Provided*, That any auxiliary workers in this branch of the Industry shall be paid not less than 40 cents an hour or $16 per week for 40 hours arrived at either upon a time or piece-rate basis.

(c) Nothing in this section shall affect such obligations for the payment of minimum wages as an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after November 16, 1948.

(49 Stat. 2036; 41 U. S. C. 35)

Dated: October 13, 1948.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 48-9130; Filed, Oct. 15, 1948; 8:49 a. m.]

PART 202—MINIMUM WAGE DETERMINATIONS

TEXTILE INDUSTRY; DETERMINATION OF THE SECRETARY

This matter is before me pursuant to the act of June 30, 1936 (49 Stat. 2036; 41 U. S. C., secs. 35–45) entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act, and upon the petition of the Textile Workers Union of America, that the current minimum wage determination for the textile industry be amended by determining that the prevailing minimum wage in the industry is eighty-seven (87) cents an hour. The existing rate of forty (40) cents was established in the determination of the Secretary of Labor dated May 25, 1942 (41 CFR, Cum. Supp., 202.43).

Notice of a hearing was published in the FEDERAL REGISTER (13 F. R. 3051) and copies were mailed to trade associations, unions and Government agencies having an interest in the industry; in addition a press release was distributed to the national press, trade publications, and firms which had received awards since January 1, 1947. This notice and press release advised interested parties of the time and place at which they could appear and offer testimony for or against the proposal of the Union and as to whether any amendment should include provisions for the employment of apprentices and learners at rates lower than the petitioned minimum wage. The notice also provided that written statements in lieu of personal appearances could be filed at any time prior to the hearing or with the presiding officer at the hearing, and stated that copies of a recent survey of wages prepared by the Union were available upon request. The hearing was held on July 8, 1948 at which representatives of employees and employers appeared and testified. Briefs and written statements were filed by several interested parties.

I have considered the matter and I am satisfied that the rate of 87 cents an hour proposed in the petition of the Union and as recommended by the Administrator of the Wage and Hour and Public Contracts Divisions is the prevailing minimum wage for this industry and that an amendment of the current determination is required pursuant to the act.

Well over 50 percent of the employees in the Textile Industry as herein defined are concentrated in the Southern States. Accordingly, in making a determination of the prevailing minimum wage, particular emphasis must be given to the rates which are paid in this predominant segment of the industry. While the Union's survey was representative of all principal textile areas, it included an unusually large representation of mills in the South. According to the Union's petition, mills organized by other unions and unorganized mills follow the wage pattern in contracts negotiated by the Textile Workers Union of America and the survey listed all mills in the low-wage areas known to have a minimum wage of 87 cents an hour or higher. Approximately three-fourths of the textile employees in the South are shown to be employed in such mills, and the Union contended that there were many additional mills having such minima, which contention appears to be supported by the results of a limited survey of wages in certain mills made by the Bureau of Labor Statistics of the Department.

The petition also stated that the Union had a very large proportion of the industry in the New England and Middle Atlantic States under contract and that the present minimum wage in cotton and rayon spinning and weaving in those areas is 97 cents an hour. In other branches of the industry the union minimum rate varied from 87½ cents upwards. The listing of mills and establishments in those areas having minimum rates of 87 cents or higher covered approximately half of the estimated number of employees in the former area and about 40 percent in the latter region.

Well over 90 percent of the industry's employees are concentrated in the three areas consisting of the South, the Middle Atlantic States and New England, and the Union contended that plants in the Middle Western States and on the Pacific Coast follow the Northern scale or have a higher scale. The listing of mills presented by the Union appears to be comprehensive and generally representative of the industry with respect to types of fiber, stages of processing and end products. A Union representative testified that 87 cents an hour "is truly the point of the lowest cluster of rates in the industry."

The employer representatives who appeared at the hearing offered no wage data and made no attempt to disprove or refute the economic data submitted by the Union in support of the proposed rate nor did they contend that 87 cents was not the prevailing minimum wage actually existing in the industry. They did, however, present arguments against the issuance of any amendment to the current determination for the industry. These arguments were directed against the basic public policy expressed in the act and therefore have no relevancy to the issues presented in this proceeding. In this connection it is pointed out that in the words of the Supreme Court in "Perkins v. Lukens Steel Co.," 310 U. S. 113 (1940), "This act's purpose was to impose obligations upon those favored with Government business and to obviate the possibility that any part of our tremendous national expenditures would go to forces tending to depress wages and purchasing power and offending fair social

standards of employment." The act, as the embodiment of a permanent policy, simply directs that specified contracts shall include, among other things, stipulations that persons employed in the manufacture or furnishing of the contract commodities "will be paid not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages." The proceeding was instituted upon the petition of the Union to ascertain the prevailing wage in this industry. The petition is not for an initial determination for this industry but for an amendment of a currently existing determination and only for the purpose of changing the determined rate so as to reflect the prevailing minimum wage as required by the act. The wage data presented provide adequate support for a finding that the prevailing minimum wage in the industry is 87 cents an hour.

There was no opposition to the Union proposal of a learner tolerance of 80 cents per hour for a six weeks period for the occupations now included in the learner regulations issued under the Fair Labor Standards Act and incorporated by reference in the current wage determination. The testimony also shows that apprentices are uniformly paid more than the petitioned minimum, making it unnecessary to provide for a subminimum rate for this group of employees.

After consideration of the entire record of this proceeding, the prevailing minimum wage determination for the textile industry is hereby amended to read as follows:

§ 202.43 *Textile industry.* (a) For the purpose of this determination the term "textile industry" means:

(1) The manufacturing or processing of yarn or thread and all processes preparatory thereto, and the manufacturing, bleaching, dyeing, printing and other finishing of woven fabrics (other than carpets and rugs containing any wool) from cotton, flax, jute, other vegetable fiber, silk, grass, or any synthetic fiber, or from mixtures of these fibers; or from such mixtures of these fibers with wool or animal fiber (other than silk) as are specified in subparagraphs (7) and (8) of this paragraph; except the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber;

(2) The manufacturing of batting, wadding, or filling and the processing of waste from the fibers enumerated in subparagraph (1) of this paragraph;

(3) The manufacturing, bleaching, dyeing, or other finishing of pile fabrics or cords (except carpets and rugs containing any wool) from any fiber or yarn;

(4) The processing of any textile fabric, included in this definition of this industry, into any of the following products: bags; bandages and surgical gauze; bath mats and related articles; bedspreads; blankets; diapers; dishcloths; scrubbing cloths and wash-cloths; sheets and pillow cases; table-cloths, luncheloths and napkins; towels; window curtains; shoe laces and similar laces;

(5) The manufacturing or finishing of braid, net or lace from any fiber or yarn;

(6) The manufacturing of cordage, rope or twine from any fiber or yarn including the manufacturing of paper yarn and twine;

(7) The manufacturing or processing of yarn (except carpet yarn containing any carpet wool) or thread by systems other than the woolen system from mixtures of wool or animal fiber (other than silk) with any of the fibers designated in subparagraph (1) of this paragraph, containing not more than 45 percent by weight of wool or animal fiber (other than silk);

(8) The manufacturing, bleaching, dyeing, printing or other finishing of woven fabrics (other than carpets and rugs) from mixtures of wool or animal fiber (other than silk) containing not more than 25 percent by weight of wool or animal fiber (other than silk), with any of the fibers designated in subparagraph (1) of this paragraph, with a margin of tolerance of 2 percent to meet the exigencies of manufacture;

(9) The manufacturing, dyeing, finishing or processing of rugs or carpets from grass, paper, or from any yarn or fiber except yarn containing any wool but not including the manufacturing by hand of such products.

(b) The minimum wage for persons employed in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C., secs. 35–45) for the manufacture or furnishing of the products of the textile industry shall be eighty-seven (87) cents an hour or straight-time earnings of thirty-four dollars and eighty cents ($34.80) for a week of forty (40) hours, arrived at on a time or piecework basis, except that learners may be employed subject to the following terms and conditions:

(1) Learners may be employed in the occupations of machine operating, machine tending, machine fixing and jobs immediately incidental thereto;

(2) Learners may be paid a subminimum rate of eighty (80) cents per hour or straight-time earnings of thirty-two dollars ($32) per week of forty (40) hours, unless experienced workers in the same plant and occupations are paid on a piece-rate basis, in which case learners must be paid the same piece rates paid to experienced workers and earnings based upon those piece rates, if such earnings are in excess of eighty (80) cents per hour;

(3) The length of the learning period shall be two hundred and forty (240) hours unless the learner has had previous experience in the industry in which case the number of hours of such experience must be deducted from the two hundred and forty (240) hour learning period;

(4) The number of learners may not exceed three (3) percent of the total number of machine operators, machine tenders, machine fixers and persons engaged in jobs immediately incidental thereto except where, upon application to the Administrator of the Wage and Hour and Public Contracts Divisions or his authorized representative, a special certificate has been issued authorizing employment of learners in excess of three (3) percent to meet a plant's abnormal situation created by establishment of new plants, expansion of production or plant facilities, and the like. Such special certificates will not be issued where it appears that experienced workers are available to the employer within the area from which he customarily draws his supply of labor, or that the issue of a special certificate will create unfair competitive labor cost advantages, or will impair or depress working standards established for experienced workers for work of a like or comparable character in the industry.

(c) Deductions from the wages of employees may be made in accordance with the present regulations under the Fair Labor Standards Act of 1938, which I hereby adopt for the purpose of this wage determination.

(d) Nothing in this determination shall affect any obligation for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this determination.

(e) This determination shall be effective and its provisions shall apply to all contracts subject to the Public Contracts Act, bids for which are solicited or negotiations otherwise commenced by the contracting agency on or after November 16, 1948. (49 Stat. 2036; 41 U. S. C. 35)

Dated: October 13, 1948.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 48-9129; Filed, Oct. 15, 1948; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 801]

GENERAL SUGAR REGULATIONS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Director, Sugar Branch, Production and Marketing Administration, pursuant to § 801.52 of General Sugar Regulations, Series 3, No. 2, as amended (13 F. R. 127, 1076, 2063, 4590) is considering the issuance of a determination that the 1948 sugar quota for Cuba, amounting to 2,895,962 short tons of sugar, raw value, has been filled to the extent that certification is required to maintain effective quota control.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed determination shall file the same in quadruplicate with the Director, Sugar Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 10 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 13th day of October 1948.

[SEAL] GEORGE A. DICE,
Acting Director, Sugar Branch, Production and Marketing Administration.

[F. R. Doc. 48-9154; Filed, Oct. 15, 1948; 8:52 a. m.]

[7 CFR, Part 955]

GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF SAN GORGONIO PASS

GENERAL NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVAL OF BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948-1949 FISCAL PERIOD

Consideration is being given to the following proposals submitted by the Administrative Committee, established under Marketing Agreement No. 96, and Order No. 55 (7 CFR and Supps., 955.1 et seq.), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, as the agency to administer the terms and provisions thereof: (1) That the Secretary of Agriculture find that expenses not to exceed $16,275 will be necessarily incurred during the fiscal period August 1, 1948 to July 31, 1949, for the maintenance and functioning of the committee established under the aforesaid marketing agreement and order, and (2) that the Secretary of Agriculture fix, as each handler's share of such expenses, the rate of assessment, which each handler shall pay during the aforesaid fiscal period in accordance with the aforesaid marketing agreement and order, at $0.015 per standard box of fruit (as such box is defined in the aforesaid agreement and order) shipped by such handler as the first shipper thereof during the said fiscal period.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same with the Hearing Clerk, Room 1846, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

As used herein, "handler," "shipped," "fruit," and "fiscal period" shall have the same meaning as is given to each such term in the said marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp. 955.1 et seq.)

Issued this 12th day of October 1948.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-9121; Filed, Oct. 15, 1948; 8:47 a. m.]

[7 CFR, Part 984]

HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO BUDGET OF EXPENSES FOR MARKETING YEAR BEGINNING AUGUST 1, 1948

Pursuant to the authority vested in the Secretary of Agriculture by the provisions of § 987.7 (a) of the marketing agreement and order (13 F. R. 4344), regulating the handling of walnuts grown in California, Oregon, and Washington, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601, et seq.; 61 Stat. 208, 707), the Secretary of Agriculture is considering the approval of the budget of expenses of the Walnut Control Board (the administrative agency for operations under the regulatory program) in the sum of $59,800 for the marketing year beginning August 1, 1948. A proposed budget in this amount for the marketing year beginning August 1, 1948, has been recommended by the aforesaid Walnut Control Board, pursuant to a resolution adopted by said board at the duly called meeting in Los Angeles, California, on August 26, 1948.

It is anticipated that adequate funds will be provided to cover the proposed operational expenses by an assessment of one-tenth of a cent per pound of merchantable walnuts handled or certified for handling by handlers. This is the assessment rate for operational expenses prescribed by § 984.7 (b) of the marketing agreement and order in the absence of the fixing of a higher rate of assessment by the Secretary of Agriculture.

Prior to final approval of the aforesaid proposed budget in the amount specified, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writting to the Hearing Clerk, United States Department of Agriculture, Room 1844, South Building, Washington, D. C., and which are received not later than 5:30 p. m., e. s. t., on the 10th day after the publication of this notice in the FEDERAL REGISTER, except that if such 10th day should fall on a holiday or a Sunday, such submission may be received not later than 5:30 p. m., e. s. t., on the next following work day.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 48-9120; Filed, Oct. 15, 1948; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 40, 41, 61]

PILOT AND DISPATCHER ROUTE AND AIRPORT QUALIFICATION AND RESCISSION OF SPECIAL CIVIL AIR REGULATION SERIAL NUMBER SR-323

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments of Parts 40, 41, and 61 of the Civil Air Regulations and the rescission of Special Civil Air Regulation Serial No. SR-323 as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received within 45 days after the date of this publication will be considered by the Board before taking further action on the proposed rule.

Special Civil Air Regulation Serial No. SR-323 provides that certain domestic long-range high-altitude flights need not comply with certain of the provisions of the Civil Air Regulations applicable to scheduled air carriers. Experience has shown that safety has been in no way adversely affected during operations conducted under this and similar preceding Special Civil Air Regulations and that certain of the provisions and results should be incorporated into the permanent regulations. Therefore, the following proposals are being made applicable to Parts 40 and 61 (domestic scheduled air carriers) and Part 41 (scheduled air carriers operating to points outside the continental limits of the United States). If the proposed amendments are adopted, Special Civil Air Regulation Serial No. SR-323 will be rescinded.

For some years emphasis has been placed on that part of the qualifying procedures requiring the pilot to make a number of flights over a route prior to serving as first pilot thereover. With the advent of modern radio directional facilities and the incorporation into the regulations of higher en route minimum altitudes, en route terrain familiarity has lost much of its original importance. This is particularly true since a great many air carrier operations are conducted under instrument flight rules when the ground is not visible from shortly after take-off to final approach. It appears evident that such operations no longer require en route qualification but rather airport and approach facility familiarity. The amendments hereafter proposed embody this concept. Provision is made, however, to require actual flight over any particular route or segment thereof where operations are to be conducted in mountainous areas at or below the level of adjacent terrain within specified distances.

The route qualifications previously required of dispatchers are deleted since it is believed unnecessary to require this trip of the dispatcher when it is not required of the pilot.

The provision of the regulations placing a maximum altitude of 17,000 feet on scheduled air carrier operations is recommended for deletion. This rule, a wartime measure, now serves no further useful purpose and unduly restricts high-altitude long-range operations.

It is proposed to amend Parts 40, 41, and 61 as follows:

1. By amending § 40.2611 and §§ 41.302 through 41.3020 to read as follows:

Requirements for pilot route and airport qualification. Prior to serving as first pilot over a route in scheduled operations a pilot shall be thoroughly qualified and certified as competent thereto by an authorized check pilot of the air carrier. The qualifying procedures shall include at least the following:

(a) A written or practical examination on the route to be flown covering the following subjects, appropriate portions of which may be accomplished in a synthetic-type trainer:

(1) Weather characteristics,
(2) Navigational facilities,
(3) Communication procedures,
(4) The type of terrain and obstructional hazards,
(5) Minimum safe flight levels,
(6) Position reporting points,
(7) Holding procedures,
(8) Pertinent traffic control procedures, and
(9) Congested areas, obstructions, physical layout, and instrument approach procedures for each regular, provisional, refueling, and alternate airport approved for the route.

(b) Each pilot shall fly through all letdown procedures for the facilities to be used at each regular, provisional, and refueling airport for the trip to which he is to be assigned.

(c) When flight in mountainous areas is to be conducted at or below the level of the adjacent terrain within a horizontal distance of 25 miles on either side of the center line of the route to be flown, the pilot shall be familiarized with such terrain by actual flight.

(d) During the flight(s) required by paragraphs (b) and (c) of this section the qualifying pilot must be accompanied by a qualified first pilot of the air carrier, and, unless impracticable, such flight shall be conducted under day VFR conditions.

(e) Where an airport on a regularly assigned route is to be used into which the pilot has not flown within the preceding 12 months, he shall comply with the provisions of § 40.2611 (b) with respect to such airport.

2. By amending §§ 41.3021 and 61.514 to read as follows:

Maintenance of pilot route and airport qualifications. To maintain qualifications for a particular trip, a pilot must have made, within the preceding 12 calendar months, at least one entry into each regular, provisional, and refueling airport authorized for use on such trip. Additionally, where the trip is to be conducted in the type of terrain considered in § 40.2611 (c), the pilot shall have made, within the preceding 12 calendar months, at least one trip over such terrain.

3. By rescinding § 61.742.

4. By amending §§ 41.342 and 61.553 to read as follows:

Route qualification. Prior to dispatching aircraft over any route or part thereof a dispatcher shall be familiar with the following items:

(a) The contents of the air carrier operating certificate and the operations manual,
(b) The peculiarities of aircraft to be operated,
(c) The cruise control data and cruising speeds for such aircraft,
(d) The maximum authorized loads for the aircraft for the routes and airports to be used,
(e) The company radio facilities,
(f) The peculiarities and limitations of each radio and navigational facility to be used,
(g) The effect of weather conditions on aircraft radio reception,
(h) The airports to be used and general terrain,
(i) The prevailing weather phenomena,
(j) The sources of weather information available,
(k) The pertinent traffic control procedures,
(l) And any other pertinent phases of the air carrier operation.

5. By rescinding §§ 41.343, 41.344, 61.554, and 61.556.

6. It is also proposed to rescind Special Civil Air Regulation Serial Number SR-323.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601-610, 52 Stat. 984, 1007-1012; 49 U. S. C. 425 (a), 551-560)

Dated: October 12, 1948, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 48-9136; Filed, Oct. 15, 1948; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[T. D. 39]

TAXING OF MARIHUANA

Order of the Secretary of the Treasury relating to enforcement of subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code (marihuana taxing provisions) revised and republished.

The order of the Secretary of the Treasury relating to the enforcement of the Marihuana Tax Act of 1937, issued September 1, 1937 (2 F. R. 2115), is hereby revised and republished, as follows:

Section 2600 of the Internal Revenue Code provides:

> The Secretary is authorized to confer or impose any of the rights, privileges, powers, and duties conferred or imposed upon him by this subchapter or part VI of subchapter A of chapter 27 upon such officers or employees of the Treasury Department as he shall designate or appoint.

In pursuance of the authority thus conferred upon the Secretary of the Treasury, it is hereby ordered:

I. *Rights, privileges, powers and duties conferred and imposed upon the Commissioner of Narcotics.* 1. There are hereby conferred and imposed upon the Commissioner of Narcotics, subject to the general supervision and direction of the Secretary of the Treasury, all the rights, privileges, powers and duties conferred or imposed upon said Secretary by subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, so far as such rights, privileges, powers and duties relate to:

(a) Prescribing regulations, with the approval of the Secretary, as to the manner in which the right of public officers to exemption from registration and payment of special tax may be evidenced, in accordance with section 3232 (b) of the Internal Revenue Code.

(b) Prescribing the form of written order required by section 2591 (a) of the Internal Revenue Code, said form to be prepared and issued in blank by the Commissioner of Internal Revenue as hereinafter provided.

(c) Prescribing regulations, with the approval of the Secretary, giving effect to the exceptions, specified in subsection (b), from the operation of subsection (a), of section 2591 of the Internal Revenue Code.

(d) The destruction of marihuana confiscated by and forfeited to the United States, or delivery of such marihuana to any department, bureau, or other agency of the United States Government, and prescribing regulations, with the approval of the Secretary, governing the manner of application for, and delivery of such marihuana.

(e) Prescribing rules and regulations, with the approval of the Secretary, as to books and records to be kept, and statements and information returns to be rendered under oath, as required by section 2594 (a) of the Internal Revenue Code.

(f) The compromise of any criminal liability (except as relates to delinquency in registration and delinquency in payment of tax) arising under subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, in accordance with section 3761 of said Code, and the recommendation for assessment of civil liability for internal revenue taxes and ad valorem penalties, under the respective subchapter and part of subchapter of the Internal Revenue Code previously cited.

(g) The determination of the qualification of an applicant for registration as a miller, as set forth in section 3231 (b) of the Internal Revenue Code; the authority to refuse to permit the registration of any such applicant deemed by said Commissioner of Narcotics not to be so qualified; the authority to cancel or to refuse to renew, after notice and opportunity for a hearing, the registration of any person registered under section 3230 (a) (6) of the Internal Revenue Code if he finds that such person has not complied or is not complying with the requirements of section 3231 (b) of the Internal Revenue Code, or if he finds that grounds exist which would justify the refusal to permit the original registration of such person under section 3231 (b) of the Internal Revenue Code. The Commissioner of Narcotics is further authorized to prescribe rules and regulations, with the approval of the Secretary, relative to issuance of any notice and the conduct of any hearing, (including designation of a hearing officer) which may be required under section 3231 (b) of the Internal Revenue Code.

II. *Rights, privileges, powers and duties conferred and imposed upon the Commissioner of Internal Revenue.* 1. There are hereby conferred and imposed upon the Commissioner of Internal Revenue, subject to the general supervision and direction of the Secretary of the Treasury, the rights, privileges, powers and duties conferred or imposed upon said Secretary by subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, not otherwise assigned herein, so far as such rights, privileges, powers and duties relate to:

(a) Preparation and issuance in blank to collectors of internal revenue of the written orders, in the form prescribed by the Commissioner of Narcotics, required by section 2591 (a) of the Internal Revenue Code. The price of the order form, as sold by the collector under section 2591 (c) of the Internal Revenue Code shall be two cents for the original and one copy.

(b) Providing appropriate stamps to represent payment of transfer tax levied by section 2590 of the Internal Revenue Code, and prescribing and providing appropriate stamps for issuance to special taxpayers registering under section 3230 of said Code.

(c) The compromise of any civil liability involving delinquency in registration, delinquency in payment of tax, and ad valorem penalties, and of any criminal liabliity incurred through delinquency in registration and delinquency in payment of tax, in connection with subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, and in accordance with section 3761 of said Code; the determination of liability for and the assessment and collection of special and transfer taxes imposed by the respective subchapter and part of subchapter of the Internal Revenue Code previously cited; the determination of liability for and the assessment and collection of the ad valorem penalties imposed by section 3612 of the Internal Revenue Code, for delinquency in registration; and the determination of liability for and the assertion of the specific penalty imposed by section 2596 of the Internal Revenue Code, for delinquency in registration and payment of tax.

General provisions. The investigation and the detection, and presentation to prosecuting officers of evidence, of violations of subchapter C of chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, shall be the duty of the Commissioner of Narcotics and the assistants, agents, inspectors or employees under his direction. Except as specifically inconsistent with the terms of said subchapter and part of subchapter and of this order, the Commissioner of Narcotics and the Commissioner of Internal Revenue and the assistants, agents, inspectors or employees of the Bureau of Narcotics and the Bureau of Internal Revenue, respectively, shall have the same powers and duties in safeguarding the revenue thereunder as they now have with respect to the enforcement of and collection of the revenue under, subchapter A of chapter 23, and part V of subchapter A of chapter 27, of the Internal Revenue Code.

In any case where a general offer is made in compromise of civil and criminal liability ordinarily compromisable hereunder by the Commissioner of Internal Revenue and of criminal liability ordinarily compromisable hereunder by the Commissioner of Narcotics, the case may be jointly compromisable by those officers, in accordance with section 3761 of the Internal Revenue Code.

Power is hereby conferred upon the Commissioner of Narcotics to prescribe such regulations as he may deem necessary for the execution of the functions imposed upon him or upon the officers or employees of the Bureau of Narcotics, but all regulations and changes in regulations shall be subject to the approval of the Secretary of the Treasury.

The Commissioner of Internal Revenue and the Commissioner of Narcotics may, if they are of the opinion that the good of the service will be promoted thereby, prescribe regulations relating to internal revenue taxes where no violation of subchapter C of Chapter 23, and part VI of subchapter A of chapter 27, of the Internal Revenue Code, is involved, jointly, subject to the approval of the Secretary of the Treasury.

The right to amend or supplement this order or any provision thereof from time to time, or to revoke this order or any provision thereof at any time, is hereby reserved.

The effective date of this order shall be October 9, 1948.

(Sec. 14, 53 Stat. 282; 26 U. S. C. 2600; applies 53 Stat. 279–283, 385–387; 26 U. S. C. 2590–2601, 3230–3239)

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-9128; Filed, Oct. 15, 1948; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8509, 9156]

WEST ALLIS BROADCASTING CO. AND WATERTOWN RADIO, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of West Allis Broadcasting Company, West Allis, Wisconsin, Docket No. 8509, File No. BP-5809; Watertown Radio, Inc., Watertown, Wisconsin, Docket No. 9156, File No. BP-6426; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of October 1948;

The Commission having under consideration the above-entitled application of Watertown Radio, Inc. for permit to construct a new standard broadcast station in Watertown, Wisconsin, to operate on the frequency 1580 with 250 w. power, daytime only; and

It appearing, that the Commission on April 14, 1948, designated for hearing the above-entitled application of West Allis Broadcasting Company for permit to construct a new standard broadcast station in West Allis, Wisconsin, to operate on the frequency 1570 kc, with 250 watts power, daytime only;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Watertown Radio, Inc., be, and it is hereby, designated for hearing in a consolidated proceeding with the above-entitled application of West Allis Broadcasting Company at the Commission

offices in Washington, D. C., on March 24, 1949, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. 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.

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 station 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 of the proposed station would involve objectionable interference with the other application in this proceeding 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.

6. 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.

7. 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 order of the Commission dated April 14, 1948, designating the application of West Allis Broadcasting Company for hearing be, and it is hereby, amended to include the above-entitled application of Watertown Radio, Inc., and Issues Nos. 3 and 7 as set forth above.

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

[F. R. Doc. 48-9132; Filed, Oct. 15, 1948; 8:50 a. m.]

[Docket No. 9077]

ALL NATIONS BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of All Nations Broadcasting Company, Boston, Massachusetts, Docket No. 9077, File No. BP-6326; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 5th day of October 1948;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on the frequency 1390 kc, with 5 kw power, daytime only in Boston, Massachusetts

It is ordered, That, pursuant to section 309 (a) of the Communication Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, 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 whether the operaton of the proposed station would involve objectionable interference with any existing broadcast station 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.

3. To determine whether the operation of the proposed station would involve objectionable interference 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.

4. 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, with particular reference to the sufficiency of coverage of the City of Boston, Massachusetts and the coverage of the Boston Metropolitan District.

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

[F. R. Doc. 48-9131; Filed, Oct. 15, 1948; 8:50 a. m.]

[Docket No. 9080]

REPRESENTATION OF AFFILIATED BROADCAST STATIONS BY NATIONAL NETWORKS FOR SALE OF NATIONAL SPOT ADVERTISING AND OTHER COMMERCIAL TIME

ORDER POSTPONING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 11th day of October 1948;

The Commission, having under consideration its order of July 21, 1948, herein, designating the above-entitled matter for hearing, and specifying various issues;

It appearing, that present indications are that the hearing will take from three to five days for its completion, and that present schedule commitments of the Commission are such that it would not be possible to allocate sufficient time to the hearing to enable it to be concluded in one continuous session if the present date for the commencement of the hearing is adhered to, and

It further appearing, that the persons made party to the hearing by the Commissions order of June 21, 1948 are agreeable to the postponement of the date for commencement of the hearing, set forth in this order,

It is ordered, That the hearing presently scheduled herein to begin October 25, 1948, is postponed upon the Commissions own motion until November 29, 1948 at the same time and place as heretofore designated.

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

[F. R. Doc. 48-9134; Filed, Oct. 15, 1948; 8:50 a. m.]

[Docket No. 9149]

WTVJ

ORDER SCHEDULING HEARING

In the matter of revocation of construction permit of television station WTVJ, Miami, Florida.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 4th day of October 1948;

The Commission having under consideration its order of September 8, 1948, designating the above-entitled matter for hearing and a request filed August 13, 1948, by Southern Radio and Television Equipment Company for special temporary authorization to operate TV station WTVJ, Miami, Florida, pending conclusion of the proceedings in the above-entitled matter; and

It appearing, that on the basis of the facts now before it, the Commission is unable to determine that Southern Radio and Television Equipment Company is qualified to construct and operate a TV broadcast station in the public interest; and

It further appearing, that early expeditious consideration and disposal of the issues involved in the above-entitled proceeding would serve public interest, convenience and necessity; and

It is ordered, That the said request of Southern Radio and Television Equipment Company for special temporary authorization be, and it is hereby, denied;

It is further ordered, That the hearing in the above-entitled matter be, and it is hereby, scheduled to be heard, before Commissioner Paul A. Walker, commencing October 25, 1948, at 10:00 a. m. at Miami, Florida.

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

[F. R. Doc. 48-9135; Filed, Oct. 15, 1948; 8:50 a. m.]

[Docket No. 9160]

SILVERGATE BROADCASTING CO. AND SAN DIEGO BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Albert E. Furlow, Frank G. Forward, Roy M. Ledford, Fred

H. Rohr and Mary Hetzler, d/b as Silver Gate Broadcasting Company, (Assignor), San Diego Broadcasting Company (Assignee). Docket No. 9160, File No. BAPL-37; for assignment of construction permit and license of station KYOR, San Diego, California.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of October 1948;

The Commission having under consideration the above-entitled application for assignment of the license of and construction permit for station KYOR, San Diego, California, from Albert E. Furlow, Frank G. Forward, Roy M. Ledford, Fred H. Rohr and Mary Hetzler, d b as Silver Gate Broadcasting Company, to San Diego Broadcasting Company; together with a complaint filed by George W. Berger, alleging, among other things, that (a) Berger has always and has now an undivided 25% interest in said Silver Gate Broadcasting Company and (b) that individuals Virgil W. Wyatt and Ralph E. Oversmith have held interests in the aforesaid Silver Gate Broadcasting Company; and

It appearing, that, the alleged interests of Berger, Wyatt, and Oversmith in Silver Gate Broadcasting Company have not been reported to the Commission as is required by its rules and regulations and that, further, the Commission is not satisfied that it is in possession of full information as is required by the Communications Act of 1934, as amended,

It is ordered, That pursuant to sections 310 (b) and 319 (b) of the Communications Act of 1934, as amended, that the above-entitled application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine whether the license and construction permit granted to Albert E. Furlow, Frank G. Forward, Roy M. Ledford, Fred H. Rohr and Mary Hetzler, d b as Silver Gate Broadcasting Company, for station KYOR, or the rights and responsibilities incident thereto, have been transferred, assigned, or disposed of, directly or indirectly, without the consent of the Commission, and in contravention of the provisions of the Communications Act of 1934, as amended, and more particularly sections 310 (b) and 319 (b) thereof.

2. To determine whether the representations made by Silver Gate Broadcasting Company in its original application for construction permit (BP-4669) and modification of construction permit for 5 kw power (BP-5438) for KYOR fully and accurately reflected the facts as to the ownership, operation and control of that station and to further determine whether all contracts, obligations, undertakings and agreements which have been entered into with respect to the ownership, operation, financing and control of Silver Gate Broadcasting Company, have been reported to the Commission as required by its rules and regulations.

3. To determine whether the proposed transfer of the license and construction permit for station KYOR would be in the public interest.

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

[F. R. Doc. 48-9133; Filed, Oct. 15, 1948; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1104]

TEXAS GAS TRANSMISSION CORP.

ORDER FIXING DATE OF HEARING

OCTOBER 12, 1948.

Upon consideration of the application filed August 19, 1948, by Texas Gas Transmission Corporation (Applicant) a Delaware corporation with its principal office at Owensboro, Kentucky, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appearing to the Commission that:

(1) Temporary authorization to construct and operate the requested facilities was granted by the Commission on October 6, 1948; and

(2) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protests or petitions having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on September 24, 1948 (13 F. R. 5574-5).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on October 28, 1948, at 9:30 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: October 12, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9122; Filed, Oct. 15, 1948; 8:46 a. m.]

[Docket No. G-1141]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

ORDER TO SHOW CAUSE

OCTOBER 12, 1948.

It appearing to the Commission that:

(a) By its order issued November 25, 1947, and accompanying Opinion No. 161, at Docket Nos. G-200 and G-207, the Commission prescribed certain emergency service rules and regulations to govern the deliveries and sales of natural gas by Panhandle Eastern Pipe Line Company (Panhandle) during periods between November 25, 1947, and June 1, 1948, when the demands of Panhandle's customers exceeded the capacity of its system.

(b) By its order issued July 17, 1948, and accompanying Opinion No. 166, at Docket Nos. G-1023, G-1029, G-1031 and G-1013, the Commission, among other things, issued certain directives concerning deliveries by Panhandle to Michigan Consolidated Gas Company and Michigan Gas Storage Company during a period ending October 31, 1948.

(c) The record of the proceedings at Docket Nos. G-1023, et al. disclosed that the designed sales capacity of the pipeline facilities of Panhandle was estimated by Panhandle at 425,000 Mcf of natural gas per day, and that no increases in such sales capacity can be expected until February 1, 1949, at the earliest, at which time Panhandle hopes to have installed additional facilities which will increase its system sales capacity by approximately 40,000 Mcf per day.

(d) By its order issued July 17, 1948, at Docket No. G-880, the Commission continued in force and effect until April 30, 1949, the provisions of its order of October 10, 1947, requiring Texas Eastern Transmission Corporation to deliver not in excess of 20,000 Mcf of natural gas per day for the account of Panhandle or its customers.

(e) Estimates of firm requirements (based on zero degree temperature) to meet the consumer demands of distributing companies supplied from the Panhandle system, as compiled by the staff of the Commission from data submitted by Panhandle and by such distributing companies, show that peak day requirements for the winter season of 1948-1949 will approximate 526,000 Mcf, and that in so estimating firm requirements for the 1948-1949 winter season there was not included any amount whatsoever for interruptible sales.

(f) Considering estimates of requirements of distributing companies dependent upon Panhandle for their supply of natural gas, the estimate of delivery capacity from the Panhandle system during the winter season of 1948-1949 (giving due consideration to the continuing deliveries by Texas Eastern Transmission Corporation to the Panhandle area and the possible increase of such delivery capacity as a result of the completion of construction of additional facilities during the winter season of 1948-1949) and the deficiency in delivery capacity when compared with estimates of firm requirements of its attached customers, it is clearly indicated that the Panhandle system cannot meet such requirements during the coming winter season.

(g) Representatives of Panhandle and members of a committee representing the distributing companies served by Panhandle, through the Committee's Chairman, were invited by letter of August 25, 1948, to confer with representatives of this Commission for the purpose of formulating satisfactory emergency service rules and regulations to be established to govern the service from the pipe-line system when curtailment of deliveries of natural gas by Panhandle becomes necessary during the winter season of 1948–1949. However, such conference has not been held because of requests of Panhandle for postponement thereof and Panhandle has filed no proposed emergency service rules and regulations to govern deliveries of natural gas by Panhandle during the winter season of 1948–1949.

The Commission finds that:

(1) Consumer demands upon distributing companies dependent upon the Panhandle system for their supply of natural gas will exceed the available pipe-line capacity of the Panhandle system for the coming winter and the establishment of emergency service rules and regulations is necessary and required in the public interest.

(2) Unless reasonable and nondiscriminatory emergency rules and regulations are filed by Panhandle as supplements to existing and presently effective rate schedules, such reasonable and nondiscriminatory service rules and regulations must be established by order of this Commission.

The Commission, therefore, orders that:

(A) At a public hearing to be held commencing at 10:00 a. m. (e. s. t.) on October 21, 1948, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.:

(i) Panhandle Eastern Pipe Line Company, if it has not filed with this Commission on or before October 18, 1948, supplements to its existing and presently effective rate schedules providing emergency service rules and regulations to govern the service from its pipeline system when curtailment of deliveries of natural gas by Panhandle becomes necessary during the winter season of 1948–1949, shall show cause, if any there be, why it has failed so to do.

(ii) In the event Panhandle does file the supplements referred to in paragraph (i) above, the companies dependent upon Panhandle Eastern for their supply of natural gas will be afforded opportunity at said hearing to show why such supplements should not be allowed to become effective as proposed.

(iii) In the event Panhandle does not file the supplements referred to in paragraph (i) above on or before October 18, 1948, or in the event such filings are made and found by the Commission to be unjust, unreasonable, unduly discriminatory, or preferential, Panhandle and the companies depending upon the Panhandle system for their supply of natural gas shall show cause, if any there be, why the Commission should not by order establish for the coming winter the same emergency service rules and regulations which were in effect during the winter season of 1947–1948, with such modifications if any, as are required in the public interest.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the rules of practice and procedure.

Date of issuance: October 12, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9123; Filed, Oct. 15, 1948; 8:47 a. m.]

[Docket No. E-6169]

BUFFALO NIAGARA ELECTRIC CORP.

ORDER SUSPENDING RATE SCHEDULE AND FIXING DATE OF HEARING

OCTOBER 12, 1948.

It appears to the Commission that:

(a) Buffalo Niagara Electric Corporation (Buffalo Niagara) submitted for filing on September 20, 1948, a supplemental agreement dated June 21, 1948, proposed to become effective May 24, 1948, with New York State Electric and Gas Corporation (New York Company). The supplemental agreement has been tentatively designated as Supplement No. 5 to Buffalo Niagara's Rate Schedule FPC No. 2, formerly Rate Schedule FPC No. 4, as amended, of Niagara, Lockport and Ontario Power Company.[1]

(b) Buffalo Niagara's proposed Supplement No. 5 to Rate Schedule FPC No. 2 provides for an increase in rates and charges estimated at $152,344 for the year ending May 1949. Substantially all energy sold to New York Company under the agreement is resold by it to Pennsylvania Electric Company for the supply of its Bradford District in Pennsylvania.

(c) Unless suspended by order of the Commission, the rate schedule of Buffalo Niagara, tentatively designated Supplement No. 5 to Rate Schedule FPC No. 2, will become effective as of October 21, 1948, pursuant to the provisions of the Federal Power Act and the General Rules and Regulations promulgated thereunder.

(d) The change is rates or charges provided by Buffalo Niagara's tentatively designated Supplement No. 5 to Rate Schedule FPC No. 2, may result in excessive rates or charges to New York Company; may be discriminatory; and may result in increased rates or charges which have not been shown to be justified.

The Commission finds that: It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed rates or charges and that said proposed rates or charges be suspended pending such hearing and decision thereon.

The Commission orders that:

(A) A public hearing be held commencing November 29, 1948, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the rates or charges provded for in Buffalo Niagara's Rate Schedule FPC No. 2, as amended.

(B) Pending such hearing and decision thereon, the supplemental rate schedule referred to in paragraph (a) above be and the same hereby is suspended and the use of such rates or charges deferred until March 21, 1949, and thereafter such rate schedule shall go into effect in the manner prescribed by the Commission in accordance with the Federal Power Act.

(C) During the period of suspension the rates or charges heretofore in effect under the rate schedule on file with the Commission for service to New York Company by Buffalo Niagara shall remain and continue in effect.

(D) At such hearing, the burden of proof to show that the proposed rates or charges are just and reasonable shall be upon Buffalo Niagara.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's general rules and regulations, including rules of practice and procedure dated January 1, 1948 (18 CFR 1.8 and 1.37 (f)).

Date of issuance: October 12, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9124; Filed, Oct. 15, 1948; 8:47 a. m.]

[1] Notice of Succession was filed by Buffalo Niagara on September 20, 1948.

FEDERAL TRADE COMMISSION

[Docket No. 5465]

UNITED-REXALL DRUG CO. ET AL.

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

In the matter of United-Rexall Drug Company, a corporation, Liggett Drug Company, Inc., a corporation, and Owl Drug Company, a corporation.

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 11th day of October A. D. 1948.

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

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

It is further ordered, That the taking of testimony and the receipt of evidence begin on Friday, October 29, 1948, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking

of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-9119; Filed, Oct. 15, 1948; 8:46 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 12107]

BANKGESCHAFT BERGER & CO.

In re: Securities owned by Bankgeschaft Berger & Co., also known as Bankgeschaft Berger Company. F-28-761-A-3.

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

1. That Bankgeschaft Berger & Co., also known as Bankgeschaft Berger Company, the last known address of which is Behrenstrasse 33, Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with all declared and unpaid dividends thereon,

b. Those certain bonds described in Exhibit B, attached hereto and by reference made a part hereof, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

c. Twelve (12) Konversionskasse Reichmarks scrip certificates, Series A, numbered 0454508 to 0454519, inclusive, for ten (10) each, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

d. One (1) American Business Shares, Inc., subscription warrant, bearing the number 38552, registered in the name of Egger & Co., and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

e. One (1) deposit certificate for (1) Rudolph Karstadt 1st Mortgage Collateral 6% Sinking Fund Bond, bearing the number 12511, and registered in the name of Egger & Co., said deposit certificate presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

f. One (1) certificate of deposit for two (2) Consolidated Series A 4½% Bonds of St. Louis-San Francisco Railroad Company, numbered AM 15970 and AM 15971 of $1,000.00 face value each, said certificate in bearer form and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

g. Three (3) coupons detached from German Government External Loan 7% Gold Bond, numbered C 100971, each in the amount of $3.50, having become due April 15, 1940, October 15, 1940 and April 15, 1941, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

h. Three (3) coupons detached from German Government External Loan 7% Gold Bond numbered C 100972, each in the amount of $3.50, having become due April 15, 1940, October 15, 1940 and April 15, 1941, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

i. Three (3) coupons detached from German Government External Loan 7% Gold Bond numbered A4317, each in the amount of $35.00, having become due, April 15, 1940, October 15, 1940 and April 15, 1941, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

j. Three (3) coupons detached from German Government External Loan 7% Gold Bond numbered A4318, each in the amount of $35.00, having become due April 15, 1940, October 15, 1941, and April 15, 1941, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

k. Three (3) coupons detached from German Government External Loan 7% Gold Bond numbered CO 65326, each in the amount of $35.00, having become due April 15, 1940, October 15, 1940, and April 15, 1941, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto, and

l. Two (2) trustee certificates each for one-fifth (⅕th) of one share of $100.00 par value capital stock of the Metals Coating Company of America, bearing the numbers 020 and 021, respectively, registered in the name of Heinrich Freudenthal, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto, and

m. One (1) Receipt of the Committee for Consolidated Mortgage Bonds of St. Louis-San Francisco Railway Company bearing the number 1676, registered in the name of Bruno Stark, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered F86033, entitled Bankgeschaft Berger Company, Berlin, Germany, Customers Account for Custody, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bankgeschaft Berger & Co., also known as Bankgeschaft Berger Company, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on September 30, 1948.

For the Attorney General.

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

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Par value	Certificate No.	Number of shares	Registered owner
American Bemberg Corp., 261 5th Ave., New York, N. Y.	Delaware	Common	No par value	C 5707	15	Lee & Co.
American Radiator & Standard Sanitary Corp., 40 West 40th St., New York, N. Y.	do	do	do	CO 400818	44	Egger & Co.
Associated Gas & Electric Co., 61 Broadway, New York, N. Y.	New York	do	$1.00	HO 110864	10	Lee & Co.
				HO 110865	5	
				HO 110866	1	
				HO 110867	1	
The Baltimore & Ohio R. R. Co., B&O Bldg., Baltimore, Md.	Maryland	do	$100.00	A 532204	5	Do.
Gripsby-Grunow Co.		do		NO 71116	13	Do.
Guanajuato Reduction & Mines Co.		Capital		1049	150	Karl Kallman.
International Telephone & Telegraph Co., 67 Broad St., New York 4, N. Y.	Maryland	do	No par value	NN/AF67775	16	Egger & Co.
Pittston Co., 6417 Empire State Bldg., 5th Ave., New York, N. Y.	Delaware and Virginia	Common	$1.00	CO 2343	7	Eugen Von Wolf.
Quarterly Income Shares, Inc., 15 Exchange Pl., Jersey City, N. J.	Maryland	do	$0.10	CL 34510	21	Egger & Co.

EXHIBIT B

Description of issue	Certificate No.	Face value	Description of issue	Certificate No.	Face value
The Baltimore & Ohio R. R. Co. refunding and general 4½% mortgage bond, series C	M 14593	$1,000	German Government external loan 7% gold bonds—Con.	C 100971	$1,000
				C 100972	1,000
The Western Pacific R. R. Co. 1st mortgage 5% gold bond, series A	M 11655	1,000		C 065326	1,000
German Government external loan 7% gold bonds	A 4317	100	Rheinelbe Union Gelsenkirchen, 20-year 7% sinking fund mortgage gold bond.	M 8187	1,000
	A 4318	100		M 8188	1,000

[F. R. Doc. 48-9137; Filed, Oct. 15, 1948; 8:50 a. m.]

[Vesting Order 12120]

FRANCIS MORAN BRAMBEER

In re: Estate of Francis Moran Brambeer, deceased. File No. D-28-12185; E. T. sec. 16390.

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

1. That Ilse Brambeer, also known as Ursula Brambeer, Ada Ursula Brambeer Fechner, Gerhild Stephanie Fechner and Francis Moran Brambeer, Jr., whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of and the trust created under the will of Francis Moran Brambeer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Bank of New York and Fifth Avenue Bank, as Executor and Trustee, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9138; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12122]

RICHARD GRAESER ET AL.

In re: Rights of the domiciliary personal representatives, heirs, next of kin, legatee and distributees, names unknown, of Richard Graeser, deceased, under insurance contract. File No. F-28-23834-H-1.

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

1. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Richard Graeser, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1396899, issued by the Travelers Insurance Company, Hartford, Connecticut, to Carl F. Graeser, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Richard Graeser, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany),

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9139; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12123]

CHARLOTTE H. GRIEF

In re: Rights of Charlotte H. Grief under annuity contract. File No. F-28-114-H-1.

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

1. That Charlotte H. Grief, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under an Annuity Contract, evidenced by Policy No. 47058, issued by the New York Life Insurance Company, New York, New York, to Ernestine Schumann Heink, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9140; Filed, Oct. 15, 1948; 8:51 a.m.]

[Vesting Order 12127]

GEORGE KLEIN

In re: Rights of George Klein under insurance contract. File No. D-28-12091-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. M-653861, issued by the John Hancock Mutual Life Insurance Company, Boston, Masachusetts, to Anna M. Klein, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9141; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12135]

EDMUND LEOPOLD PAWELLEK

In re: Estate of Edmund Leopold Pawellek, deceased. File No. 017-23974.

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

1. That Mary Martha Pawellek Helmke, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Edmund Leopold Pawellek, deceased, and in and to the trust created under the will of Edmund Leopold Pawellek, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by M. A. Ogg, as administrator c. t. a. d. b. n., acting under the judicial supervision of the Corporation Court of Portsmouth, Virginia;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9142; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12137]

ANNA M. SACHSIMMEIER

In re: Rights of Anna M. Sachsimmeier under insurance contract. File No. D-28-12267-H-1.

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

1. That Anna M. Sachsimmeier, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 5690700, issued by The Mutual Life Insurance Company of New York, New York, to William Reihsle, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9143; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12139]

RUDOLF SCHMID

In re: Rights of Rudolf Schmid under insurance contract. File No. F-28-28253-H-2.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 71137390, issued by the Prudential Insurance Company of America, Newark, New Jersey, to Rudolph Schmid, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9144; Filed, Oct. 15., 1948; 8:51 a. m.]

[Vesting Order 12141]

MARY AND HENRY TILLMAN

In re: Rights of Mary Tillman and Henry Tillman under insurance contract. File No. D-28-10765-H-1.

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

1. That Mary Tillman and Henry Tillman, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 150118, issued by the United States Life Insurance Company in the City of New York, New York, New York, to John Henry Tillman, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9145; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12146]

THERESA BECK

In re: Rights of Theresa Beck under annuity contracts. Files No. D-28-9491-H-1, H-2, and H-3.

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

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

2. That the net proceeds due or to become due under contracts of insurance evidenced by annuity policies Nos. 1231536, 1236084, and 1283993, issued by the Union Central Life Insurance Company, Cincinnati, Ohio, to Theresa Steiner, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9146; Filed, Oct. 15, 1948; 8:51 a. m.]

[Vesting Order 12149]

CAROLINE FLECK

In re: Rights of Caroline Fleck under insurance contract. File No. F-28-28858-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 92600893, issued by the Prudential Insurance Company of America, Newark, New Jersey, to Caroline Fleck, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9147; Filed, Oct. 15, 1948; 8:52 a. m.]

[Vesting Order 12151]

TOKUTARO SAKAI

In re: Rights of Tokutaro Sakai under insurance contract. File No. F-39-6321-H-1.

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

1. That Tokutaro Sakai, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. P4177, issued by the Prudential Insurance Company of America, Newark, New Jersey, to Tokutaro Sakai, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9148; Filed, Oct. 15, 1948; 8:52 a. m.]

[Vesting Order 12153]

BERTHOLD SCHROEDER

In re: Rights of Berthold Schroeder under insurance contract. File No. F-28-135-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 8250875, issued by the New York Life Insurance Company, New York, New York, to Berthold Schroeder, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9149; Filed, Oct. 15, 1948; 8:52 a. m.]

[Vesting Order 12154]

GINSAKU YAMADA

In re: Rights of Ginsaku Yamada under insurance contract. File No. F-39-6135-H-1.

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

1. That Ginsaku Yamada, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7991876, issued by the New York Life Insurance Company, New York, New York, to Ginsaku Yamada, together with the right to demand, receive and collect said net proceeds,

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

dence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9150; Filed, Oct. 15, 1948; 8:52 a. m.]

[Vesting Order 12171]

ALEX RUNGE AND PAULA WEYMANN

In re: Stock owned by Alex Runge and Paula Weymann. F-28-11859-D-1, F-28-12724-D-1.

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

1. That Alex Runge, whose last known address is 23 Melle AM-Kleft 2, Prov. Hannover, Germany, and Paula Weymann, whose last known address is Diepholz, Prov. Hannover, Bahnhofstrasse, 28, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: One hundred sixty (160) shares of no par value capital stock of the Henry Weymann Investment Co., 402 Main Street, Joplin, Misouri, evidenced by a certificate numbered 18, registered in the name of Alex Runge, together with all declared and unpaid dividends thereon,

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

3. That the property described as follows: Forty (40) shares of no par value capital stock of the Henry Weymann Investment Co., 402 Main Street, Joplin, Missouri, evidenced by a certificate numbered 19, registered in the name of Paula Weymann, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9151; Filed, Oct. 15, 1948; 8:52 a. m.]

[Vesting Order 12176]

OTTO KUEHNHOLZ

In re: Interest in real property, property insurance policy and claim owned by Otto Kuehnholz.

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

1. That Otto Kuehnholz, whose last known address is Hueckhausen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided one-half interest in real property situated in the City of Detroit, County of Wayne, State of Michigan, particularly described as Lot number Seven Hundred Fifty-Four (754) of Young's Gratiot View Subdivision Annex of the East Five-eighths (5/8ths) of the Northeast Quarter of Section 12, Town 1 South, Range 12 East, according to Liber 41 of Plats, Page 72, of the records of Wayne County, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Otto Kuenhnholz in and to Fire Insurance Policy No. 231293, in the amount of $4,000.00, issued by the Travelers Insurance Company, 700 Main Street, Hartford, Connecticut, insuring the real property described in subparagraph 2-a hereof, together with any and all extensions or renewals thereof, and

c. That certain debt or other obligation owing to Otto Kuehnholz by Cecil F. Boyle and Emilie Boyle, arising out of rentals due and unpaid from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Executed at Washington, D. C., on October 11, 1948.

For the Attorney General.

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

[F. R. Doc. 48-9152; Filed, Oct. 15, 1948; 8:52 a. m.]

[Vesting Order 12177]

HANS WUNDERLICH

In re: Real property, property insurance policies and claim owned by Hans Wunderlich.

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

1. That Hans Wunderlich, whose last known address is 2 Thomasiusstr., Berlin N. W. 40, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property, situated in the City of Cincinnati, County of Hamilton, State of Ohio, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. All right, title and interest of Hans Wunderlich, in and to the following property insurance policies:

1. Fire Insurance Policy No. 59120, in the amount of $3,000.00, issued by Hamilton County Mutual Insurance Company, 1127 Walnut Street, Cincinnati, Ohio, which policy expires June 10, 1952 and insures the real property described in subparagraph 2-a hereof,

2. Public Liability Policy No. SL 94650, in the amounts of $5,000/10,000, issued by Shelby Mutual Casualty Company, 33 E. 12th Street, Cincinnati, Ohio, which policy expires August 1, 1950, and insures the real property described in subparagraph 2-a hereof, and

c. That certain debt or other obligation owing to Hans Wunderlich by Mrs. Mildred Schneider, 2976 Linwood Road, Cincinnati 8, Ohio, arising out of rentals collected from the property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Executed at Washington, D. C., on October 11, 1948.

For the Attorney General.

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

EXHIBIT A

All that tract or parcel of land situate in the City of Cincinnati, County of Hamilton, State of Ohio. Beginning at a point on the East Side of Walnut Street one hundred and seventy and fifty one-hundredths (170.50) feet, north of Allison Street; thence eastwardly parallel with Allison Street ninety-one and twenty one-hundredths (91.20) feet; thence northwardly parallel with Walnut Street forty-two and two one-hundredths (42.02) feet; thence westwardly parallel with the first described line ninety-one and twenty one-hundredths (91.20) feet to the east line of Walnut Street; thence southwardly with the east line of Walnut Street forty-two and two one-hundredths (42.02) feet to the place of beginning.

[F. R. Doc. 48-9153; Filed, Oct. 15, 1948; 8:52 a. m.]