APR 18 '49

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934
LITTERA SCRIPTA MANET

FEDERAL REGISTER

VOLUME 14 NUMBER 72

Washington, Friday, April 15, 1949

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

NATIONAL MILITARY ESTABLISHMENT; OFFICE OF SECRETARY OF DEFENSE

Under authority of § 6.1 (a) of Executive Order 9830, and at the request of the Secretary of Defense, the Commission has determined that 25 positions of Scientific Warfare Advisor in the Weapons Systems Evaluation Group should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.104 (a) is amended by the addition of a subparagraph, as follows:

§ 6.104 *National Military Establishment*—(a) *Office of the Secretary of Defense.* * * *

(6) Twenty-five positions of Scientific Warfare Advisor in the Weapons Systems Evaluation Group.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR 1947 Supp., E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 49-2926; Filed, Apr. 14, 1949; 8:56 a. m.]

TITLE 7—AGRICULTURE

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

[S. D. 861.2, Amdt. 1, 1949]

PART 861—DETERMINATION OF WAGE RATES; SUGAR BEETS; CALIFORNIA

WAGE RATES

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, the determination of "Fair and Reasonable Wage Rates for Persons Employed in the Production, Cultivation, or Harvesting of the 1949 Crop of Sugar Beets in California," issued January 12, 1949, as Part 802, § 802.13a (14 F. R. 217), and redesignated as § 861.2 on February 3, 1949 (14 F. R. 466), is hereby amended by deleting paragraph (a) and substituting in lieu thereof the following:

(a) *Wage rates.* All persons employed on the farm, or part of the farm covered by a separate labor agreement, in the production, cultivation, or harvesting of the 1949 crop of sugar beets in California shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and laborer: *Provided,* That such rates during the period January 12, 1949, to the date of issuance of this amendment shall be not less than those set forth in the determination of "Fair and Reasonable Wage Rates for Persons Employed in the Production, Cultivation, or Harvesting of the 1949 Crop of Sugar Beets in California," issued January 12, 1949: *And provided further,* That after the date of issuance of this amendment such wages shall be not less than the following:

(1) *For work performed on a time basis.* (i) Thinning, hoeing or weeding: 60 cents per hour.

(ii) Pulling, topping or loading: 65 cents per hour.

(iii) For workers between 14 and 16 years of age the above rates may be reduced by not more than one-third. (Maximum employment for such workers, without deduction from Sugar Act payments to the producer, is 8 hours per day.)

(2) *For work performed on a piecework basis.* (i) 1949 basic piecework rates per acre for thinning, hoeing and weeding by wage districts:

Operations	Wage district	
	California (other than Imperial Valley)	California (Imperial Valley)
Thinning:		
Hoe and finger thinning fields planted with segmented seed:	*Per acre*	*Per acre*
Without machine blocking	$13.00	$12.00
With machine blocking	11.00	10.00
Hoeing and weeding:		
First hoeing	4.00	4.00
Second and each subsequent hoeing or weeding	3.00	3.00

Wide row planting: The above thinning, hoeing and weeding rates may be reduced by not more than the indicated percentages for the following row spacings: 28 inches or more but less than 31 inches, 20 percent;

(Continued on next page)

CONTENTS

	Page
Agriculture Department	
Proposed rule making:	
Milk handling in Philadelphia, Pa., area	1825
Rules and regulations:	
Beets, sugar, California; determination of wage rates	1819
Grapefruit in Arizona and California; 1948-49 rate of assessment	1821
Alien Property, Office of	
Notices:	
Vesting orders, etc.:	
Bank of Der Deutschen Arbeit-A. G	1836
Bihler, Charles S	1837
Emmerling, Christine	1842
Kawashima, Kingoro	1838
Krause, Charles L	1841
La Croix, Agnes	1841
Lueckhoff, Louise	1838
Martin, Paul	1842
Morishita, Ko	1841
Murakami, Fusako, and Saburo Tanisako	1838
Nakayama, Yemiko	1839
Nishimura, Kisaku	1842
Ohse, C. Hermann, and Flora Ohse	1839
Singer, Rosa	1840
Yamamoto, Seizo	1837
Army Department	
Notices:	
Military government for Germany (U. S.); export-import information	1828
Civil Aeronautics Board	
Notices:	
Braniff Airways et al.; hearing	1829
Rules and regulations:	
Tariffs; filing, posting and publishing by air carriers and foreign air carriers	1821
Civil Service Commission	
Rules and regulations:	
Exceptions from competitive service; National Military Establishment	1819
Defense Transportation, Office of	
Notices:	
Merchandise traffic:	
St. Louis-San Francisco Railway Co. et al	1833
Wabash Railroad Co. et al	1833

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

1949 Edition

CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations, 1949 Edition, contains a codification of Federal administrative rules and regulations issued on or before December 31, 1948, and in effect as to facts arising on or after January 1, 1949.

The following books are now available:

***Title 3, 1948 Supplement* ($2.75).**
***Titles 4–5* ($2.25).**
***Title 6* ($3.00).**
***Title 7, Parts 1–201* ($4.25).**

These books may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., at the prices indicated above.

CONTENTS—Continued

Federal Communications Commission — Page
Notices:
Hearings, etc.:
Afro American Broadcasting System, Inc., et al 1830
Bermuda Telecommunications Agreement of 1945 1829
Del Rio Broadcasting Co 1831
KXXL 1831
Rules and regulations:
Frequency allocations and radio treaty matters; service allocation of frequency bands 1823

Federal Power Commission — Page
Notices:
Hearings, etc.:
Minnesota Power & Light Co 1832
Mountain States Power Co 1832
Potomac Gas Co 1832
West Texas Gas Co 1832

Housing Expediter, Office of
Rules and regulations:
Housing 1823

Interior Department
See Land Management, Bureau of.

Internal Revenue Bureau
Proposed rule making:
Estate tax; transfer intended to take effect at or after death 1824

Interstate Commerce Commission
Rules and regulations:
Agreements, forwarders-motor common carriers; postponement of effective date 1824

Justice Department
See Alien Property, Office of.

Land Management, Bureau of
Notices:
Alaska; filing objections to withdrawal of public lands for use of Alaska Railroad 1829
Nevada; classification order 1828
Rules and regulations:
Alaska; withdrawal of public lands for use of Alaska Railroad 1823

National Military Establishment
See Army Department.

Securities and Exchange Commission
Notices:
Hearings, etc.:
American General Corp. et al 1836
Cincinnati Gas & Electric Co 1835
Gulf Oil Corp 1833
Michigan Gas Storage Co 1836
New York State Electric & Gas Corp. et al 1834
Rochester Gas and Electric Corp 1833

Treasury Department
See Internal Revenue Bureau.

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.

Title 3 — Page
Chapter II (Executive orders):
9830 (see T. 5, Part 6) 1819
Title 5
Chapter I:
Part 6 1819
Title 7
Chapter VIII:
Part 861 1819
Chapter IX:
Part 955 1821
Part 961 (proposed) 1825
Title 14
Chapter I:
Part 224 1821

CODIFICATION GUIDE—Con.

Title 24 — Page
Chapter VIII:
Part 825 1823
Title 26
Chapter I:
Part 81 (proposed) 1824
Title 43
Chapter I:
Appendix (Public land orders):
95 (revoked in part by PLO 582) 1823
582 1823
Title 47
Chapter I:
Part 2 1823
Title 49
Chapter I:
Part 400 1824

31 inches or more but less than 34 inches, 25 percent; 34 inches or more, 30 percent.

Combined operations: Where a written agreement provides for a combined rate for "summer work" the rate for such work, regardless of the number of hoeings or weedings required, shall be the sum of the applicable thinning, first hoeing and second hoeing or weeding rates specified above.

Explanations

Hoe and finger thinning: Consists of removing excess beet plants from rows by use of a hoe in combination with finger work.

Segmented seed: Includes all processed seed whether sheared, decorticated or otherwise processed, containing less than 15 percent multiple germ seeds (3 or more seedlings). Such seed shall be no larger than will pass through a $\frac{12}{64}$ inch screen and the size variations in any lot of seed shall be within $\frac{3}{64}$ of an inch.

Machine blocking: The above rate for machine blocked fields is applicable where the thinning can be done shortly after the machine blocking is performed and while the plants are of normal size for thinning.

(ii) 1949 piecework rates for pulling, topping and loading: The piecework rate for pulling, topping and loading shall be as agreed upon between the producer and laborer: *Provided*, That the average earnings for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than the applicable hourly rate provided under subparagraph (1) of this paragraph.

(iii) Other piecework rates. In instances in which the use of mechanical equipment for planting or cultivating (other than cases for which rates are specified or reductions otherwise provided) reduces the amount of labor required as compared with the amount required without the use of such mechanical equipment, or where the planting of seed other than processed seed, increases the amount of work required, the piecework rate for the operation involved shall be as agreed upon between the producer and laborer: *Provided, however*, That the average earnings for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than the applicable hourly rate provided under subparagraph (1) of this paragraph.

(3) *Work not covered by specific provision.* For any other operations in the production, cultivation or harvesting of sugar beets for which a time or a piecework rate is not provided for in this paragraph, such as fertilizing, plowing, preparing seed bed, irrigating, or work in connection with mechanical harvesting.

the rate shall be as agreed upon between the producer and the laborer.

Statement of Bases and Considerations

The 1949 wage determination issued January 12, 1949, was changed from previous wage determinations for California in that specific piecework rates were not provided for the so-called "contract labor" operations. Instead, piecework rates were to be as agreed upon between the producer and the laborer with the provisions that the hourly earnings of laborers were to be not less than the minimum hourly rates provided in the determination. The primary reason for eliminating specific piecework rates in the 1949 wage determination was to provide for greater flexibility in the setting of piecework rates under the varying field conditions which are typical of California. Recent information indicates that the provisions of the 1949 wage determination have not accomplished, in some localities, the desired results with respect to the operations of thinning and hoeing, and that the determination is proving to be impractical of operation in those localities. For this reason, this amendment reinstates the customary piecework rates for the operations of thinning, hoeing, and weeding sugar beets in California and eliminates the guarantee of hourly earnings for workers employed to perform such operations. The piecework rates for the specific operations are unchanged from those which were established in 1948.

This amendment continues the provisions of the 1949 wage determination issued on January 12, 1949, with respect to piecework rates for harvesting. Such rates are to be as agreed upon between the producer and the laborer but the hourly earnings of individual workers are to be not less than the applicable hourly rate specified for work performed on a time basis.

Accordingly, I hereby find and conclude that the foregoing amendment to the 1949 wage determination will effecuate the wage provisions of the Sugar Act of 1948.

(Secs. 301, 403, 61 Stat. 929, 932; 7 U. S. C. Sup. 1131, 1153)

Issued this 12th day of April 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2927; Filed, Apr. 14, 1949; 8:57 a. m.]

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

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF., AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF SAN GORGONIO PASS

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948-49 FISCAL PERIOD

On November 19, 1948 (13 F. R. 6904), the Acting Secretary of Agriculture approved the rate of assessment for the 1948-49 fiscal period under Marketing Agreement No. 96 and Order No. 55 (7 CFR, Cum. Supp., Part 955), 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. Such approval was given after consideration of all relevant matters presented. One of the factors considered as a basis for the approved rate of assessment was that interstate shipments of grapefruit for the 1948-49 fiscal period would, according to the estimate of the Administrative Committee (established pursuant to the provisions of the aforesaid marketing agreement and order), aggregate 1,085,000 standard boxes of grapefruit. It has become necessary, since that time, to revise such estimate to 650,000 standard boxes due to the heavy loss of grapefruit during the freeze in early January.

Order No. 55 provides, in § 955.3 thereof, that at any time during or after a fiscal period the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the aforesaid committee; and such increase shall be applicable to all grapefruit handled during the fiscal period.

Pursuant to the provisions of such order and on the basis of available information, it is hereby found that the necessary expenses to be incurred by the Administrative Committee for its maintenance and functioning during the fiscal period beginning on August 1, 1948, and ending on July 31, 1949, both dates inclusive, will amount to $13,000.00.

It is, therefore, ordered, That the provisions in paragraph (a) of § 955.203 *Budget of expenses and rate of assessment for the 1948-1949 fiscal period* (13 F. R. 6904) be, and the same are hereby, amended to read as follows:

(a) The expenses necessary to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, for the maintenance and functioning, during the fiscal period beginning August 1, 1948, and ending July 31, 1949, both dates inclusive, of the Administrative Committee, established under the aforesaid marketing agreement and order, will amount to $13,000, and the rate of assessment to be paid by each handler who first ships fruit shall be two cents ($0.02) 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; and such rate of assessment is hereby approved as each such handler's pro rata share of the aforesaid expenses.

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 amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the extent of the damage to grapefruit by freezing has just been ascertained and: (a) The rate of assessment is applicable, pursuant to the marketing agreement and order, to all grapefruit handled during the fiscal period beginning on August 1, 1948, and ending on July 31, 1949, both dates inclusive; (b) the expenses of operating this regulatory program since August 1, 1948, have been paid, in accordance with the applicable provisions of the marketing agreement and order, with funds representing assessments collected on the basis of the rate of assessment approved on November 19, 1948 (13 F. R. 6904); (c) a substantial operating deficit now exists which must be liquidated at the earliest possible date so that current operations may be carried on satisfactorily; (d) sufficient funds also must be provided, as soon as possible, to cover all current expenses and assure a reserve for contingencies; (e) inasmuch as the shipping season for desert grapefruit is rapidly approaching the end and assessments are much easier to collect at the time of shipment than at some future date, it is essential that the specification of the amended assessment rate be issued immediately, effective upon publication in the FEDERAL REGISTER, in order for the amended regulatory assessments to be collected so as to enable the Administrative Committee to perform its duties and functions under the aforesaid marketing agreement and order; and (f) no additional time is needed, by the persons affected hereby, to prepare for such effective date.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., Part 955)

Done at Washington, D. C., this 12th day of April 1949.

[SEAL] Charles F. Brannan
Secretary of Agriculture.

[F. R. Doc. 49-2928; Filed, Apr. 14, 1949; 8:57 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Regs., Serial No. ER-141]

PART 224—TARIFFS

FILING, POSTING AND PUBLISHING OF TARIFFS BY AIR CARRIERS AND FOREIGN AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 11th day of April 1949.

Section 224.1 (n) authorizes the filing of rates or rules for application from and to points on new routes, and from and to new points on existing routes on not less than one day's notice. The Board's staff has found that more time is required to discharge its responsibilities in connection with the review of tariffs under section 403 (a) of the act. By notice of proposed rule making (Draft Release No. 36—14 F. R. 383) the Board recently proposed that a filing of initial tariffs be made 30 days prior to their effective date instead of one day. The wording of the amendment of paragraph (n) herein is identical to the revision heretofore proposed in 14 F. R. 383.

After receiving and reviewing comments on the proposed rule it has been determined that in addition to a 30-day filing requirement for initial tariffs, a provision in the regulations is desirable to authorize requests for special permission to file initial tariffs on shorter notice in special cases. Such authority would be comparable to the existing authorization to apply for special short notice filing permission with respect to changes in tariffs on less than 30 days' notice. Accordingly, paragraph (p) has also been amended to permit application for special short notice filing permission with respect to initial tariffs as well as revised tariffs. This amendment has not been proposed heretofore.

Interested persons have been afforded an opportunity to participate in the making of the amendment of paragraph (n) and due consideration has been given to all relevant matter submitted. Since the amendment of paragraph (p) imposes no additional burden but makes the existing provisions easier to comply with, and is made in response to public comment, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends § 224.1 of the Economic Regulations (14 CFR 224.1, *Filing, posting and publishing of tariffs by air carriers and foreign air carriers*) as follows, effective May 15, 1949:

1. By amending paragraph (n) to read as follows:

(n) *Filing of initial tariffs.* Initial tariffs shall be filed with the Board at least 30 days prior to their effective date.

2. By amending paragraph (p) to read as follows:

(p) *Application for special tariff permission.* (1) The Civil Aeronautics Act of 1938, authorizes the Board in its discretion and for good cause shown to permit changes in rates on less than statutory notice, and also to permit departure from the Board's regulations. The Board will exercise the power only in cases where actual emergency and real merit are shown. Desire to meet the rates of a competing carrier that has given statutory notice of change in rates will not of itself be regarded as good cause for permitting change in rates or other provisions on less than statutory notice. Clerical or typographical errors in tariffs constitute good cause for the exercise of this authority, but every application based thereon must plainly specify the error together with a full statement of the attending circumstances, and must be presented with reasonable promptness after discovery of the error.

(2) Applications for permission to make changes or additions in tariffs on less than statutory notice, or to establish rates, fares, charges, rules and regulations in an initial tariff on less than 30 days' notice, or for waiver of the provisions of this section, must be made by the carrier or agent that holds authority to file the proposed publication.

(3) If the application requests permission to make changes in joint tariffs it must be filed for and on behalf of all carriers parties to the proposed change, and must so state.

(4) Two copies of applications (including amendments thereto and exhibits made a part thereof) shall be sent to the Civil Aeronautics Board, Bureau of Economic Regulation, Tariffs and Service Division, Washington 25, D. C.

(5) Applications for permission to publish on less than statutory or 30 days' notice shall be made on paper 8½ by 11 inches, shall be in substantially the form shown herein below, and shall give all the information required by this rule, together with any other pertinent facts. They shall be numbered consecutively and must bear the signature of the carrier's agent or officer, specifying his title. When the application is made by an agent, appropriate change should be made in the introductory and closing paragraphs of this form.

(Address)

(Date)

To the CIVIL AERONAUTICS BOARD
Bureau of Economic Regulation
Tariffs and Service Division
Washington 25, D. C.

Special Tariff Permission Application No. --

--,
(Name of carrier)

By ---------------------------------------
(Name of officer, specifying title)

for and on behalf of all carriers parties to its tariff C. A. B. No.[1] ------ applies to the Civil Aeronautics Board for permission under section 403 of the Civil Aeronautics Act of 1938 and the Economic Regulations adopted pursuant thereto, to put in force the following tariff provisions to become effective ------ days after the filing thereof with the Civil Aeronautics Board:

(Here show matter as directed by par. (p) (6) (i))

Your applicant further represents that the said:

(Here state in numbered paragraphs the data required by par. (p) (6))

(Name of carrier)

By ------------------------
(Name and title)

(6) Applications for permission to publish on less than statutory or 30 days' notice shall show the following information:

(i) The proposed tariff provisions, clearly and completely. For that purpose, an accompanying exhibit may be used if properly identified and referred to in the application. If the proposed provisions consist of rates, all points of origin and destination must be shown or definitely indicated; if permission is sought to establish or change a rule, the exact wording of the proposed rule must be given.

(ii) The C. A. B. numbers of the tariffs in which the proposed rates or rules will be published. If publication is to be made in supplements or revised pages, this fact shall be shown.

(iii) The rates or rules which it is desired to initiate or change, and the C. A. B. numbers of the tariffs (showing supplement and looseleaf page numbers) in which they are currently effective. Where the matter to be shown is voluminous, or for other reasons is difficult of presentation, it may be included in an accompanying exhibit properly identified and referred to in the application. The extent to which cancellations will be made must be definitely indicated.

(iv) The names of all air carriers and agents advised of the proposed rates or rules and whether they have been advised that it is proposed to establish such rates or rules on less than statutory or 30 days' notice. If such carriers or agents have expressed their views in regard to the proposed provisions, a brief statement of their views shall be given.

(v) The special circumstances or unusual conditions which are relied upon as justifying the requested permission, together with any related facts or circumstances which may aid the Board in determining whether the requested permission is justified. (See subparagraph (1) of this paragraph.)

(7) Application seeking waiver of the provisions of this tariff regulation must conform to the requirements of this paragraph insofar as appropriate, and such waiver may be permitted by the Bureau of Economic Regulation of the Board.

(8) A Special Tariff Permission must be used in its entirety and in the manner set forth therein. If it is not desired to use the permission as granted, and less or more extensive or different permission is desired, a new application complying with the provisions of this paragraph in all respects and referring to the previous permission must be filed.

(9) Any air carrier or foreign air carrier is hereby authorized to file initial tariffs upon less than 30 days' notice or to make tariff changes upon less than statutory notice without further action by the Board upon the following conditions having been fulfilled:

(i) An application for permission to make tariff changes upon less than statutory notice or file an initial tariff upon less than 30 days' notice has been duly filed in the form, and setting forth the information, required by this paragraph;

(ii) Such application has been approved in writing by the Director of the Bureau of Economic Regulation of the Board; and

(iii) The initial tariffs shall be filed, and changes in tariffs shall be made, upon such notice as is approved by the Director of the Bureau of Economic Regulation, and shall be only those specifically approved.

In all other cases, initial tariffs shall be filed, and tariff changes shall be made, upon less than 30 days' notice only when and to the extent that a particular application therefor has been approved by the Board.

The Director of the Bureau of Economic Regulation will approve or disapprove in writing (*a*) any application which has as its only purpose the correction of mechanical, clerical or administrative errors, or (*b*) any application the disposition of which does not

[1] The form may be modified to the extent necessary to describe tariffs or name carriers but both shall be specifically set forth in application.

involve new and substantial questions of policy, but in acting upon any such application the Director will be governed by and act in accordance with the provisions of this paragraph. The Director can refer any application to the Board for disposition, and will so refer any application which he is not authorized to approve or disapprove.

Any application disapproved by the Director pursuant to this subparagraph is thereby denied, subject to review by the Board as hereinafter provided. In the event of such disapproval, an applicant may within 5 days after it has received written notice thereof file a written request for review of the denial resulting from such disapproval. The Board will thereupon review the matter and enter an order finally disposing of the application.

(Secs. 205 (a), 403; 52 Stat. 984, 992; 49 U. S. C. 425, 483)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-2906; Filed, Apr. 14, 1949; 8:52 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg.,[1] Amdt. 84]

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

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

Schedule B is amended by incorporating Item 47 as follows:

47. Provisions relating to certain municipalities in the Eastern Massachusetts Defense-Rental Area, State of Massachusetts.

Increase in maximum rents based upon the recommendation of the Local Advisory Board. (a) Effective April 13, 1949, an increase in maximum rents is hereby authorized for housing accommodations located in each municipality listed below (in the Eastern Massachusetts Defense-Rental Area, State of Massachusetts) in the amount listed with respect to such municipality, said increase to apply only to housing accommodations for which (1) the maximum rent was first determined under section 4 (a) or 4 (b) of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended, or (2) the maximum rent was fixed by an order entered under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942: *Provided, however,* That where any adjustment was heretofore ordered on or after August 22, 1947, under § 825.5 (a) (12) or 825.5 (a) (16) the amount of such adjustment shall be excluded in determining the increased maximum rent: *And provided further,* That where housing accommodations are or were covered by a statutory lease, as defined in § 825.4 (b), the increase hereby authorized shall not apply until after the termination of such lease, and after such termination the maximum rent shall be determined by the provisions of § 825.4 (b) (2).

MASSACHUSETTS

Municipality:	*Percentage increase*	Municipality:	*Percentage increase*
Acton	10	Medford	12
Arlington	6	Medway	10
Ashland	12	Melrose	8
Avon	5	Millis	5
Ayer	5	Milton	7
Bedford	10	Natick	9
Bellingham	2	Needham	8
Belmont	4	Newton	5
Billerica	14	Norwood	3
Boston	8	Pepperell	4
Braintree	6	Plainville	6
Brookline	6	Quincy	6
Burlington	10	Randolph	14
Canton	8	Reading	9
Carlisle	6	Revere	4
Chelmsford	12	Sharon	13
Chelsea	7	Somerville	11
Cohasset	14	Stoneham	9
Concord	11	Stoughton	11
Dedham	5	Stowe	14
Dracut	3	Sudbury	14
Everett	2	Tewksbury	11
Foxboro	9	Townsend	14
Framingham	9	Tyngsboro	9
Franklin	12	Wakefield	7
Groton	4	Walpole	9
Holbrook	3	Waltham	10
Holliston	9	Watertown	6
Hopkinton	10	Wayland	10
Hudson	9	Wellesley	14
Lexington	14	Westford	5
Lincoln	9	Weston	10
Littleton	4	Westwood	11
Lowell	5	Weymouth	8
Malden	3	Wilmington	17
Marlborough	5	Winchester	10
Maynard	13	Winthrop	8
Medfield	13	Wrantham	13

(b) Any maximum rent for housing accommodations in any municipality listed above which is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942, plus the percentage of increase listed above for said municipality, shall be eligible for adjustment on the basis of such generally prevailing rent plus said percentage, on the filing of an individual petition for adjustment under § 825.5 (a) (11).

(c) The provisions of this Schedule B, Item 47, shall not apply to housing accommodations located in any structure or premises which, on April 13, 1949, contained more than four dwelling units. For purposes of this paragraph, the term "dwelling unit" shall include any room or group of rooms rented or offered for rent for living or dwelling purposes at a single rent, and any room or group of rooms occupied for such purposes by an owner or lessee.

(d) All provisions of §§ 825.1 to 825.12 insofar as they are applicable to the municipalities listed above are hereby amended to the extent necessary to carry these provisions into effect.

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

This amendment shall become effective April 13, 1949.

Issued this 12th day of April 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-2905; Filed, Apr. 14, 1949; 8:52 a. m.]

[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 632, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 582]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF ALASKA RAILROAD FOR EXPLOSIVES STORAGE PURPOSES; REVOKING IN PART PUBLIC LAND ORDER NO. 95 OF MARCH 12, 1943

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights and existing withdrawals for power purposes, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of The Alaska Railroad, Department of the Interior, for the storage of explosives:

SEWARD MERIDIAN

T. 15 N., R. 1 W., (partly unsurveyed)
Sec. 17, W½;
Sec. 18;
Sec. 19, lots 1, 2, E½NW¼, NE¼;
Sec. 20, NW¼.

The areas described aggregate 1,399 acres.

Public Land Order No. 95 of March 12, 1943, withdrawing certain public lands for the use of the War Department for military purposes, is hereby revoked so far as it affects the above-described lands.

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

APRIL 11, 1949.

[F. R. Doc. 49-2891; Filed, Apr. 14, 1949; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

SERVICE ALLOCATION OF FREQUENCY BANDS

In the matter of amendment of Part 2 of the Commission's rules in regard to the service allocation of the frequency bands 1750–1800 kc and 1800–2000 kc.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of April, 1949;

The Commission having under consideration § 2.104 of Part 2 of its rules and regulations; and

It appearing, that the Commission on February 17, 1949 adopted United States service allocations with respect to the frequency bands 1750–1800 kc and 1800–2000 kc; and

It further appearing, that it is desirable to codify these allocations; and

It further appearing, that, in view of the nature of this codification, notice and procedure required by section 4 of the Administrative Procedure Act are unnecessary;

Now, therefore, it is ordered, That effective immediately paragraph (a) of § 2.104 *Frequency allocations,* be amended to read as follows:

United States		Federal Communications Commission				
Band kc.	Allocation	Band kc.	Service	Class of station	Frequency kc.	Nature of service / of station
5	6	7	8	9	10	11
1750-1800		1750-1800	a. Fixed.[1] b. Mobile.[1] c. Radiolocation.[2]			
1800-2000		1800-2000	a. Amateur.[3, 4] b. Radionavigation.[5]	Loran.		LORAN.

[1] This allocation shall terminate not later than the date when the Atlantic City Table of Frequency Allocations becomes effective as provided by Article 47 of the Atlantic City Radio Regulations. Pending further action by the Commission, this band is not available for the fixed or mobile services. As soon as necessary rules and regulations are provided by rule making proceedings, frequencies in this band will be made available for a disaster communications service comprised of amateurs and other non-government and government groups operating fixed, land and mobile stations, and consisting of a single integrated service for the handling of emergency communications in times of disaster.

[2] This band is temporarily allocated to the radiolocation service for a period of six months from the effective date of this order (Order, FCC 49-190, adopted February 17, 1949), subject to possible temporary continuance beyond that time for such additional period or periods as the Commission may find necessary; *Provided, however,* That this temporary allocation, or any temporary continuation thereof, shall be subject to the use-in-derogation provisions of Article 7 of the Cairo General Radio Regulations and Chapter III of the Atlantic City Radio Regulations; *And provided further,* That this temporary allocation, or any temporary continuation thereof, shall terminate not later than the date on which the Atlantic City Table of Frequency Allocations becomes effective as provided by Article 47 of the Atlantic City Radio Regulations; and provided still further, that this temporary allocation, or any temporary continuation thereof, shall be subject to earlier cancellation or modification by the Commission, without the necessity of a hearing, if during any period when such allocation is in effect the Commission shall, in the course of proceedings undertaken by it to determine whether a radiolocation service should be provided on a permanent basis, reach conclusions which, in the opinion of the Commission, require such cancellation or modification. This temporary allocation, or any temporary continuation thereof, is strictly limited to a radiolocation service for the location of petroleum deposits in the Gulf of Mexico. Stations in this service shall be located within 150 miles of the shoreline of the Gulf of Mexico.

[3] The amateur service may use in any area whichever bands, 1800-1825 and 1875-1900 kc, or 1900-1925 and 1975-200 kc, are not required for Loran in that area, in accordance with the following conditions:

(a) The use of these frequencies by the amateur service shall not be a bar to expansion of the radionavigation (Loran) service.

(b) The amateur service shall not cause harmful interference to the radionavigation (Loran) service.

(c) Only classes A1 and A3 emission shall be employed.

(d) Amateur operation shall be limited to:

Area	Band kc.	Day power	Night power
Mississippi River to East Coast U. S. (except Florida and States bordering Gulf of Mexico)	1800-1825 1875-1900	500 watts	200 watts.
Mississippi River to West Coast U. S. (except States bordering Gulf of Mexico)	1900-1925 1975-2000	500 watts*	200 watts.*
Florida and States bordering Gulf of Mexico	1800-1825 1875-1900	200 watts	No operation.
Hawaiian Islands	1900-1925 1975-2000	500 watts	200 watts.
Puerto Rico and Virgin Islands	1900-1925 1975-2000	500 watts	50 watts.

*Except in State of Washington where daytime power limited to 200 watts and night time power to 50 watts.

The provisions of this footnote shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

[4] The frequency band 1800-2000 kc shall, as presently provided by §12.111 (a) (1) of Part 12 of the Commission's rules governing Amateur Radio Service, remain unavilable for use by the amateur service until such time as Part 12 has been appropriately amended to reflect the conditions and limitations imposed upon the use of that band by the amateur service as provided by the service allocation herein set forth, and to insure that all possible precautions will be taken to observe and enforce these conditions and limitations and to prevent any harmful interference to the Loran system of radionavigation.

[5] In any particular area the Loran system of radionavigation operates either on 1850 or 1950 kc, the band occupied being 1800-1900 or 1900-2000 kc.

(Sec. 6 (b), 50 Stat. 191; 47 U. S. C. 303 (r))

Released: April 8, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-2896; Filed, Apr. 14, 1949; 8:51 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter D—Freight Forwarders

[No. 29493]

PART 400—AGREEMENTS, FORWARDERS—MOTOR COMMON CARRIERS

FREIGHT FORWARDERS; POSTPONEMENT OF EFFECTIVE DATE

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 11th day of April A. D. 1949.

Upon further consideration of the record in the above-entitled proceeding, and upon consideration of petitions of respondent motor common carriers, members of Central States Motor Freight Bureau, Inc., and respondent freight forwarders, members of Freight Forwarders Institute, to postpone effective date of order; and for good cause appearing:

It is ordered, That the order entered herein on September 24, 1948 (13 F. R. 5861), which, by its terms was to have become effective January 22, 1949, upon notice provided therein, as modified by order entered December 22, 1948 (13 F. R. 8713), to become effective April 22, 1949, upon notice provided in the order of September 24, 1948, is hereby further modified to become effective August 1, 1949, upon like notice.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(60 Stat. 21; 49 U. S. C. 1009 (a) (2))

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-2893; Filed, Apr. 14, 1949; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 81]

ESTATE TAX; TRANSFERS INTENDED TO TAKE EFFECT AT OR AFTER DEATH

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. The proposed regulations contain such amendments to existing regulations as are considered to be required to conform the regulations to the decision of the United States Supreme Court in "Commissioner v. Estate of Francois L. Church," 335 U. S. 632. No amendments are required as a result of the decision in "Estate of Sidney M. Spiegel v. Commissioner," 335 U. S. 701. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority

of section 3791 of the Internal Revenue Code (53 Stat. 467, 26 U. S. C. 3791).

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

Regulations 105 (26 CFR, Part 81) are amended as follows:

PARAGRAPH 1. Section 81.17, as amended by Treasury Decision 5512, approved May 1, 1946, is further amended as follows:

(A) By striking from the first paragraph thereof the sentence reading "The decedent shall not be deemed to possess a right or interest in the property if his right or interest consists solely of an estate for his life." and inserting in lieu thereof the following: "A right to the possession or enjoyment of the property or a right to the income therefrom constitutes a right or interest in the property."

(B) By striking from the fourth sentence in example (5) the word "also", and by inserting immediately preceding the period at the end of such sentence the following: ", and is also satisfied by reason of the decedent's life estate".

(C) By striking out example (6) in its entirety and inserting in lieu thereof the following example:

Example (6). The decedent, during his life, transferred property in trust, providing that the income be accumulated and added to corpus until his death, and that the corpus be paid at decedent's death in equal shares to his surviving children. The share of any child who should predecease the decedent was to be paid to his issue, or, if no issue survived the decedent, to other children of the decedent or their issue. If no children and no issue of any child should survive the decedent, the corpus was to be paid to the next of kin of the decedent. In this case, the decedent has parted with every right and interest in the property and hence requirement (2) is not satisfied. Accordingly, no part of the property is includible in the decedent's gross estate under this section.

(D) By inserting at the end of such section the following: "In the case of a decedent who died on or before January 17, 1949, the date of the decision of the United States Supreme Court in 'Commissioner v. Estate of Francois L. Church,' 335 U. S. 632, property transferred before 10:30 p. m., eastern standard time, March 3, 1931, shall not be included in the gross estate under this section if the Commissioner, whose determination shall be conclusive, shall determine that the decedent's only right or interest in the property consisted of an estate for his life."

PAR. 2. Section 81.18 is amended by inserting immediately before the sentence beginning "The use, possession, right to the income" the following: "For regulations concerning the separate provision of the statute relating to inter vivos transfers of the decedent intended to take effect in possession or enjoyment at or after his death, as applicable to a case in which the decedent retained possession or enjoyment, see § 81.17."

[F. R. Doc. 49-2954; Filed, Apr. 14, 1949; 9:00 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 961]

MILK IN PHILADELPHIA, PA., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND TO PROPOSED AMENDMENT TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps., 900.1 et seq.), a public hearing was held at Philadelphia, Pennsylvania, March 9, 1949, pursuant to a notice published in the FEDERAL REGISTER on March 2, 1949 (14 F. R. 1011), upon certain proposed amendments to the tentatively approved marketing agreement and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area.

A recommended decision, based on the record of such hearing, was issued by the Assistant Administrator, Production and Marketing Administration, on March 25, 1949 (14 F. R. 1442). Exceptions have been filed to that recommended decision and were considered in arriving at the findings and conclusions contained herein. The material exceptions are discussed specifically in the findings and conclusions with respect to the points to which such exceptions refer. However, to the extent that the findings and conclusions contained herein are at variance with any exception pertaining thereto, such exception is overruled.

The material issues presented on the record were concerned with the following:

1. The consideration of appropriate cream prices to be used as a basis for establishing the value of Class II milk and the butterfat differential.
2. The use of midpoints of daily price ranges in butter prices in lieu of the high of the range in computing Class II prices.
3. An increase in the factor representing the difference in the value of Class II milk at various distances from market.
4. The elimination of an optional allowance of 3 cents on Class II milk.
5. The amount to be subtracted from cream prices and prices for nonfat dry milk solids to determine the price to be paid producers for Class II milk.
6. Establishing a price for certain Class II milk during April, May and June somewhat lower than the regular Class II price.
7. A proposed increase in the butterfat differential relative to cream prices.
8. The amount to be subtracted from butter prices in determining a floor price for the value of Class II milk.
9. The extension of the prohibition against substituting nonproducer milk for producer milk in Class I uses to the months of July, August and September.
10. Revision of producer plant list.
11. General.

Findings and conclusions. The following findings and conclusions on material issues are based upon evidence introduced at the hearing and the record thereof.

1. *Cream prices to be used in establishing Class II prices.* It was proposed at the hearing that Class II prices be computed on the basis of prices reported for cream sold in the Philadelphia market exclusive of the sales of cream which is approved for Newark and Lower Merion Township. The provision of the order for establishing the Class II price requires that an average price for cream in the Philadelphia market be computed by a simple average of the prices reported weekly for sales of cream which is approved for Pennsylvania and for sales of cream approved for Newark and Lower Merion Township as well as Pennsylvania. The prices reported for cream approved for Newark and Lower Merion Township as well as Pennsylvania range from $1.00 to as much as $3.40 higher per can than prices for cream approved for Pennsylvania. The record indicates that nearly two-thirds of the milk received from producers by handlers is approved for sale in milk control district No. 1 of which Lower Merion Township is a part. This district designates an area in which milk, cream, and ice cream inspection standards are similar to the Lower Merion Township requirements. In addition to the cream made from milk received at producer plants, substantial quantities of cream approved for Lower Merion Township are received by handlers as cream at their producer milk plants.

In view of the large quantity of cream actually priced at the reported prices for cream approved for Newark and Lower Merion Township, any determination of Class II prices in relation to the market value for fluid cream must take into account the prices at which such cream is sold. The record indicates that at least the 50 percent weight given to Newark and Lower Merion approved cream prices by the simple average is necessary to reflect the average value of cream sold in the Philadelphia market.

A determination by the Secretary dated August 4, 1945, has nullified the effect of the word "only" as a part of the designation of the "Approved for Pennsylvania" cream for which prices are reported. This term should be deleted from the order. The prices reported for cream approved for Pennsylvania and approved for Pennsylvania, Newark and Lower Merion Township should be retained in the Class II price formula.

2. *Use of midpoint or high of the range of daily butter prices.* The use of the midpoint instead of the high of any range reported daily for butter sold wholesale at New York for the purpose of computing an average butter price was proposed at the hearing. Since all other average price computations require the use of midpoints, it is advisable to use the average of midpoints in the case of butter. The amount by which such a change would affect the price for certain Class II milk is small.

3. *Transportation factor in Class II price.* The record indicates that transportation rates have increased since the rates were established in the order for adjusting the price of Class II milk received at plants various distances from Philadelphia. The record shows that the cost of transporting Class II milk in the form of cream and nonfat dry milk solids is about 9½ cents per hundredweight for a distance of about 150 miles. The present allowance for that distance is 6 cents. The record also shows costs of transporting Class II milk in the form of condensed products and cheese but since no data is available in this record to indicate the comparative prices of these products and nonfat dry milk solids it is impossible to evaluate the importance of such rates in terms of a price for nonfat dry milk solids.

Since the record fails to show the representativeness of the transportation costs reported, a precise computation of the cost of moving Class II milk in the form of cream and nonfat solids, the basic formula factors in the Class II price, cannot be made on the evidence on hand. However, since the requested increase in the transportation allowance would establish a rate substantially lower than the meager cost data would support, the proposed increase of one cent per hundredweight should be granted.

4. *Optional allowance on Class II milk.* The record indicates that an optional allowance is a confusing part of a minimum price regulation. However, the proposal at this hearing dealt with the elimination of this factor only with respect to Class II milk received at plants 31 miles or more from Philadelphia. The elimination of this factor on Class II milk would complicate the order unnecessarily. Recognition is given to the fact that handlers are taking the optional allowance in establishing the allowances under Issue No. 5. No change should be made in this provision at this time.

5. *Allowance deducted from cream and nonfat dry milk solids prices.* The order contains several factors which are deducted from the combined prices of cream and nonfat dry milk solids to arrive at the Class II price to be paid producers. The deductions of 28 cents per can of cream, 23½ cents per hundredweight of milk and 4½ cents per pound of nonfat dry milk solids totals 60.595 cents per hundredweight of milk which is subtracted in computing the price at city plants.

Handlers excepted to the seeming loss of 0.345 cent in the total allowance which results from the division of the allowance into two factors. The major part of the 3.345 cents per hundredweight of milk containing 4 percent butterfat represented by 28 cents per 40-quart can of cream containing 40 percent butterfat is added to the 23½-cent factor to make it 26½ cents. The consideration of allowances has been directed toward the sum of all the deductions made in computing the price. The precise sum of the three factors mentioned above is 60.595 cents. The sum of the comparable factors 26½ cents and 44 cents in this decision is 70½ cents, 10 cents of which is identified as the adjustment factor for eliminating the use of prices of nonfat dry milk solids for animal feed products in the Class II price formula.

The net difference of less than one-tenth of one cent is more than offset by other changes made by this decision. Adjustments made in amounts less than one-half cent would impart an exactness of calculation in the allowance which is greater than the evidence supports. The exception on this point is therefore denied.

In computation of prices at plants 31–70 miles from the Philadelphia market 7 cents more is deducted. This factor is increased 1 cent for each additional 70 miles. With the increase in the transportation factor in Issue No. 3, the deduction at plants 141–210 miles from Philadelphia would be 10 cents more than the deduction at city plants or a total of about 70½ cents.

In addition to the above allowances which are set forth specifically in the order, the effect of averaging nonfat dry milk solids prices for animal feed products equally with the prices of such products for human food products results in an additional allowance on all milk which is utilized in human food products. Only about one-ninth of the nonfat dry milk solids manufactured in Pennsylvania in 1948 was for animal feed use. Nonfat dry milk solids represented only about 13 percent of the Class II use during May 1948, the month in which the greatest quantity of Class II milk was used in nonfat dry milk solids. The effect of the animal feed factor on the basis of this data should be about 1 percent instead of 50 percent.

Since the effect of including the animal feed price at a 1 percent weight would be so small, it is more reasonable to let the small effect of that factor be included in the allowance factor to be established. The amount by which the inclusion of the animal feed prices increased the allowance on Class II milk in February 1949 was approximately 10 cents per hundredweight. This 10-cent factor should be added to the other allowances and set forth in its proper form in the order. The total allowances would then become 70½ cents at city plants and inclusive of the increase in transportation allowances, 80½ cents at plants 141–210 miles from Philadelphia.

The handlers' representative at the hearing stated that he had summarized data showing that costs of receiving and manufacturing Class II milk were 73.4 cents per hundredweight. The data were not adjusted to reflect any difference between the average prices received for the products manufactured and the price of nonfat dry milk solids. The allowance at country plants established by this decision amounts to 73½ cents exclusive of the transportation allowance of 7 cents.

No change should be made in the amount of the allowance other than the change based on transportation costs and a special seasonal allowance described in connection with Issue No. 6.

6. *Lower Class II price for certain Class II milk.* Handlers proposed two alternative methods of pricing certain Class II milk during April, May and June. Either of these proposed price plans according to the handlers would facilitate the movement of the seasonally greater quantity of Class II milk in these months. The plans differed substantially and could be expected to affect individual handlers very differently. One plan proposed to price nearly all milk used in Class II products other than cream and ice cream during April, May and June at a price about 5 cents lower than the present Class II formula. This lower price was to be based on butter value instead of cream value. Although the proposed price was intended to result in a somewhat lower price for milk used in certain Class II products, the proposed formula would not result in a price lower than regular Class II by any constant amount. Since the real problem appears to be the larger volume of Class II milk available during these three months and the inability of handlers to utilize the entire amount in those Class II uses which they find most profitable, an additional allowance on regular Class II milk during these months would tend to compensate handlers for the costs of assembling Class II milk and manufacturing and storing Class II products during the flush milk production season.

The alternative formula proposed by handlers for pricing certain Class II milk would have resulted in a 5-cent reduction according to February butter and cream prices. A seasonal adjustment of 5 cents per hundredweight should apply to all Class II milk. This adjustment should be set forth in the allowance deducted from the skim milk factor for the months of April, May and June.

A part of the seasonal excess of Class II milk is utilized in evaporated milk, milk chocolate, butter and cheese. The prices paid for milk by manufacturers of these products are generally in line with the special Class II formula price based on market prices of butter and nonfat dry milk solids although there is some indication that most recent prices are somewhat lower. During the months of April, May and June 1949 Class II milk utilized in such products should be priced at this "butter plus nonfat solids" value less a 10-cent adjustment.

Exceptions were filed by handlers to the failure to include sweetened condensed skim milk in the special lower price established for certain products in April, May and June 1949. The basis in the record for establishing a 5-cent higher allowance on all Class II milk during the months of April, May and June is the larger volume of milk used in such products as sweetened condensed skim milk during those months. The exceptors pointed out that representatives of producers said they would not object to the inclusion of products such as sweetened condensed skim milk in the special lower price. The same producer representatives indicated that no adjustment should be made in the regular Class II price. Most handlers would find their total charges for Class II milk higher if we were to eliminate the 5-cent seasonal reduction on all Class II milk and add sweetened condensed skim milk to the list of special Class II products. This result is probably not contemplated by handlers. The exception is therefore denied.

Handlers excepted to the level of the formula price established for milk utilized in butter, cheese other than cottage cheese, evaporated milk and milk chocolate. In this exception, too, handlers point out that a producers' witness suggested a lower price. The suggestion of that lower price on a limited quantity of Class II milk must be considered in the light of the producers' contention that no price concession should be granted on regular Class II milk. The exception is denied.

Handlers excepted to the elimination of a special Class II price for butterfat used to make butter during the months July to March, inclusive. A review of the record in the light of this exception indicates that the special pricing of such butterfat should be retained during those months.

7. *Change in butterfat.* The elimination of the factor "minus 0.67 cent" in the butterfat differential provision is not supported by the evidence in the record. No change should be made in that provision.

8. *Class II floor price.* It was proposed that the make allowance factor in the butter value floor for the Class II price be revised from 4 cents to 5 cents. This floor price was adopted to make the Class II price provision comparable to a similar provision applicable to the pricing of milk under the New York marketing order. Recent amendments to the New York order have revised the pricing under that order substantially. Since this floor provision has never been used and it is no longer useful in relating prices to those established by the New York order, the provision should be deleted.

9. *Classification of nonproducer milk in July, August and September.* During recent years in which regular milk supplies have been insufficient to meet the fluid milk requirements of the Philadelphia market, the order has provided that receipts of milk from nonproducer sources may be classified in Class I and Class II pro rata with milk received from regular producers, except that in April, May and June such nonproducer milk must first be classified in Class II up to the amount of Class II milk handled. Producers maintained at this hearing that supplies of producer milk are now sufficient to fill Class I requirements of the market except for a very limited period in the fall short producton season. During the months of July, August and September the indicated supplies will be ample to meet Class I requirements and also a good margin of Class II for reserve.

The order should be amended at this time to provide for classification of nonproducer milk in Class II during those months, and further appraisal of the supply situation should be made to determine the possible need for emergency nonproducer milk for Class I use in the months October through March.

10. *Producer plant list.* A handler proposed that his plant at Pottstown, Pennsylvania be deleted from the list of producer milk plants named in the Order. This plant does not receive milk from producers nor ship fluid milk to the marketing area. Since no milk is received at this plant from producers and no milk is received at this plant from other plants for sale as Class I in the marketing area, the plant name should be removed from the list of producer plants.

11. *General.* (a) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, regulates the handling of milk in the same manner and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (e) of the act are not reasonable in view of the price of feed, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, are such as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Determination of representative period. The month of December 1948 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who during such representative period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Order Amending the Order, As Amended, Regulating the Handling of Milk in the Philadelphia, Pennsylvania, Marketing Area" and "Marketing Agreement Regulating the Handling of Milk in the Philadelphia, Pennsylvania, Marketing Area" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby further amended by the atached order which will be published with this decision.

This decision filed at Washington, D. C. this 12th day of April 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order [1] *Amending the Order, as Amended, Regulating the Handling of Milk in the Philadelphia, Pennsylvania, Marketing Area*

§ 961.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq.), a public hearing was held on March 9, 1949 upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. Upon the basis of the evidence introduced at such hearings and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered that on and after the effec-

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders have been met.

tive date hereof, the handling of milk in the Philadelphia, Pennsylvania, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. In § 961.1 (a) (6) (i) delete from the list the plant designation: "Philadelphia Dairy Products Company, Inc., Pottstown, Pennsylvania."

2. In § 961.3 (e) (1) delete the word "July" and substitute the word "October."

3. In § 961.3 (e) (2) delete the word "June" and substitute the word "September."

4. Delete § 961.4 (a) (2) and substitute:

(2) *Class II milk.* The price per hundredweight during each month shall be the sum of the values calculated as follows by the market administrator:

(i) *Butterfat.* Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved either for Pennsylvania, or for Pennsylvania, Newark, and Lower Merion Township, in the Philadelphia, Pennsylvania, market, reported for each week ending within the month by the United States Department of Agriculture (or such other Federal agency as is authorized to perform this price reporting function), divide by the number of quotations, divide by 33.48, multiply by 4 and subtract 26½ cents: *Provided,* That for butterfat established as used in butter, cheese other than cottage cheese, evaporated milk, and milk chocolate, in April, May and June, and for butterfat established as used in butter during the months July to March, inclusive, the price shall be 4 times 120 percent of the average of the prices reported daily by the United States Department of Agriculture for U. S. Grade A (92-score) butter for the month for which payment is to be made, but in no event shall this butter-value be greater than the butterfat value established otherwise by this subdivision.

(ii) *Skim milk.* Multiply by 7.5 the average of all the prices per pound quoted for nonfat dry milk solids under the designation "other brands, human consumption," carlots, bags, or barrels (using midpoint of any range as one quotation) as published for such month in the "Producers' Price Current", and subtract 49 cents in the computation of prices for the months of April, May and June and 44 cents in other months: *Provided,* That for milk or skim milk established as used in evaporated milk, milk chocolate, or cheese other than cottage cheese, the prices for April, May and June 1949 shall be reduced by 10 cents per hundredweight of such milk or skim milk.

5. In § 961.4 (c) (2) delete the number "4" and substitute the number "5."

[F. R. Doc. 49-2943; Filed, Apr. 14, 1949; 8:48 a. m.]

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Department of the Army

UNITED STATES MILITARY GOVERNMENT FOR GERMANY

EXPORT-IMPORT INFORMATION

Instructions and Memoranda controlling exports from Germany and imports into Germany, published in 14 F. R. 244, January 18, 1949, amended in 14 F. R. 660, February 15, 1949, 14 F. R. 1066, March 9, 1949, and 14 F. R. 1302, March 23, 1949, are further amended by the addition of Amendments A and B to JEIA Instruction No. 24, as follows:

JEIA INSTRUCTION No. 24

[Amdt. A]

(Effective date, January 6, 1949)

SUBJECT: Procedure for Filing Applications for Patents and Registration of Trade-marks, Designs and Copyrights.

Paragraph 3 of JEIA Instruction No. 24 is amended to read:

3. The following countries have amended their war time regulations to permit filing of applications for patents, designs and trade-marks and to assure such protection:

Austria.
Belgium.
Canada.
Ecuador.
France.
Honduras.
New Zealand.
Panama.
Peru.
Portugal.
Sweden.
Switzerland.
United Kingdom.
United States.

Notification will be given as information is received regarding the regulations in other countries.

JEIA INSTRUCTION No. 24

[Amdt. B]

(Effective date, March 21, 1949)

SUBJECT: Procedure for Filing Applications for Patents and Registration of Trade-marks, Designs and Copyrights.

Paragraph 3 of JEIA Instruction No. 24 as amended is hereby further amended to read as follows:

3. The following countries have amended their wartime regulations to permit filing of applications for patents, designs, and trademarks and to assure such protections:

Australia.
Austria.
Belgium.
Canada.
Denmark.
Ecuador.
El Salvador.
France.
Haiti.
Honduras.
Hungary.
Japan.
Luxemburg.
New Zeland.
Norway.
Panama.
Peru.
Portugal.
Sweden.
Syria.
Switzerland.
Turkey.
United Kingdom.
United States.
Venezuela.

Notification will be given as information is received regarding the regulations in other countries.

In addition, German nationals may apply for international registration of designs and models to the International Bureau for the Protection of Industrial Property, Berne, Switzerland.

Date of issuance: March 21, 1949.

For the Director General.

C. E. BINGHAM,
Director,
Foreign Trade Division.

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

[F. R. Doc. 49-2901; Filed, Apr. 14, 1949; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

CLASSIFICATION ORDER

APRIL 6, 1949.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3) 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682 a), as hereinafter indicated, the following described land in the Carson City, Nevada, land district, embracing 70 acres,

NEVADA SMALL TRACT CLASSIFICATION No. 23

For lease and sale for homesites only:

T. 21 S., R. 61 E., M. D. M.
Sec. 35, NW¼SW¼, N½SW¼SW¼, N½S½SW¼SW¼.

This land is situated along a county highway 2 miles from the main highway leading from Las Vegas, Nevada, to Los Angeles, California, and is within approximately 6 miles from the center of the town of Las Vegas.

2. As to applications regularly filed prior to 8:30 a. m., March 18, 1946, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., June 8, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., June 8, 1949, to the close of business on September 6, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., March 18, 1946, to the close of business on June 8, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., September 7, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., March 18, 1946, to the close of business on September 7, 1949.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 2½ acres, each being approximately 165 by 330 feet, the longer dimensions to extend east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Leases will be for a period of five years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $100.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

9. Tracts will be subject to rights-of-way for road purposes and public utilities as follows:

33 feet along the east and west sides of the tract,

16½ feet along the east side of the E½W½NW¼SW¼, E½NW¼SW¼SW¼ and N½SW¼SW¼SW¼.

16½ feet along the west side of the W½E½NW¼SW¼, W½NE¼SW¼SW¼ and N½SE¼SW¼SW¼.

16½ feet along south side of the NW¼ SW¼.

16½ feet along the north side of the SW¼ SW¼.

Such rights-of-way may be utilized by the Federal Government, or the State, county, or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

The right is reserved to M. R. McCann to use the well located on approximately the W½NW¼SW¼SW¼ Sec. 35, T. 21 S., R. 61 E., M. D. M., and to transport water from said well to adjoining lands in the E½SE¼ Sec. 34, T. 21 S., R. 61 E., M. D. M.

10. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-2902; Filed, Apr. 14, 1949; 8:52 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LANDS FOR USE OF ALASKA RAILROAD FOR EXPLOSIVES STORAGE PURPOSES; REVOKING IN PART PUBLIC LAND ORDER NO. 95 OF MARCH 12, 1943.[1]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

APRIL 11, 1949.

[F. R. Doc. 49-2892; Filed, Apr. 14, 1949; 8:48 a. m.]

[1] See F. R. Doc. 49-2891, Title 43, Chapter I, Appendix, *supra*.

CIVIL AERONAUTICS BOARD

[Docket No. 1102 et al.]

BRANIFF AIRWAYS ET AL.

SOUTHERN SERVICE TO THE WEST CASE; NOTICE OF HEARING

In the matter of (a) the application of Braniff Airways, Inc., and other applicants for certificates of public convenience and necessity or amendments thereof under section 401 of the Civil Aeronautics Act of 1938, as amended, (b) the proceeding instituted by the Civil Aeronautics Board to determine whether the public convenience and necessity require the establishment of through air transportation service by means of interchange arrangements or otherwise between certain carriers, and (c) the joint application of Delta Air Lines, Inc., and American Airlines, Inc., for permanent approval under section 412 and, if such approval is necessary, under section 408 of the Civil Aeronautics Act of an agreement relating to the interchange of equipment.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that the above-entitled proceeding is assigned for hearing on May 2, 1949, at 10:00 a. m. (e. d. s. t.) in Conference Room "A", Departmental Auditorium, Constitution Avenue between Twelfth and Fourteenth Streets NW., Washington, D. C., before Examiner J. Earl Cox.

Without limiting the scope of the issues presented by the pleadings in this consolidated proceeding, particular attention will be directed to (a) whether the public convenience and necessity require in whole or in part amendments of present certificates or the issuance of new certificates of public convenience and necessity as requested by (1) Braniff Airways, Inc., in Docket No. 1102, (2) Delta Air Lines, Inc., in Docket No. 1716, (3) Continental Air Lines, Inc., in Docket No. 2086, (4) Eastern Air Lines, Inc., in Docket No. 2148, (5) Chicago and Southern Air Lines, Inc., in Docket No. 2452, (6) National Airlines, Inc., in Docket No. 2758, (7) Peninsular Air Transport in Docket No. 2819, (8) American Airlines, Inc., in Docket No. 2923, (9) Pacific International Airways in Docket Nos. 3348 and 3349; (b) the investigation of whether the public convenience and necessity require the establishment of through air transportation service by means of interchange arrangements or otherwise between certain carriers; and, if required, the terms and conditions under which such through service shall be operated and whether the Civil Aeronautics Board shall order or direct, pursuant to section 1002 (i) of the Act the establishment of any such service so required, as more specifically set forth in the Board's orders incorporated in Docket No. 3505, and (c) whether the agreement for interchange of equipment between Delta Air Lines, Inc., and American Airlines, Inc., approval of which is requested in Docket No. 3562, meets the public interest and other tests of sections 408 and 412 of the Civil Aeronautics Act of 1938, as amended.

For further details of the services proposed, the route modifications requested, and the interchange operations to be investigated or proposed by the carriers, interested parties are referred to the prehearing conference reports of the examiners, the Board's orders, the applications and other pleadings which are on file with the Civil Aeronautics Board and to be found in the dockets hereinabove listed.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding must file with the Civil Aeronautics Board on or before May 2, 1949 a statement setting forth the issues of fact or law he desires to controvert.

Dated at Washington, D. C., April 11, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-2907; Filed, Apr. 14, 1949; 8:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

BERMUDA TELECOMMUNICATIONS AGREEMENT OF 1945

PUBLIC NOTICE REGARDING CONSIDERATION OF PROPOSALS FOR REVISION

APRIL 6, 1949.

The United States has proposed to the various British Commonwealth countries that a conference be held to revise the Bermuda Telecommunications Agreement[1] of 1945, so as to remove the rate limitations contained therein. It is expected that such a conference will be held sometime this year.

In the Commission's Report of January 26, 1949, in Docket No. 8230, involving

[1] Department of State Publication 2648, for sale by Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C.; price 5 cents.

international telegraph rates, the Commission stated:

Because of the demonstrated revenue needs of the carriers, the Commission is now authorizing rates in excess of 30c per full rate word and 6½c per ordinary press word to certain places in the world, excluding, however, points in the British Commonwealth. The reason for this exception is the Bermuda Telecommunications Agreement of December 4, 1945, between the United States and certain British Commonwealth governments. The Commission is of the opinion the international telegraph communications situation has changed so substantially since December 1945, that steps should be taken as soon as possible to remove the rate limitations of the Bermuda Agreement. Accordingly, the Commission is now instituting procedures to that end.

Thereafter, this Government made its proposal to the British Commonwealth countries for a conference to revise the Bermuda Agreement.

In cooperation with the Department of State, the Federal Communications Commission is inviting all interested Government agencies, telegraph users and telegraph carriers to submit, in writing to the Commission, any proposals they desire to make for revision of the rate provisions of the Bermuda Agreement. Twenty (20) copies of the proposals should be submitted no later than April 18, 1949.

A meeting of the interested parties to discuss the proposals and related questions will be held on April 25, 1949, at 10:00 a. m. at the offices of the Commission, in Washington, D. C.

Any person, organization or Government agency intending to participate in the meeting should notify the Commission, at the time the written proposals are filed, of the names of the persons who will represent them at the meeting.

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

[F. R. Doc. 49-2897; Filed, Apr. 14, 1949; 8:51 a. m.]

AFRO AMERICAN BROADCASTING SYSTEM, INC., ET AL.

SCHEDULE OF HEARINGS FOR MAY, JUNE AND JULY, 1949

APRIL 8, 1949.

The Commission released today a hearing schedule for all standard and FM broadcast applications designated for hearing subsequent to September 1, 1948, and prior to March 25, 1949. The Schedule is composed of two parts. Part I contains an alphabetical list of all the applications scheduled for hearing. In Part I the applications that are to be heard in the field are marked with an "(F)" after the date, all others are to be heard in Washington. Part II is a chronological list of hearings containing first the list of hearings to be held in the field and second the hearings to be held in Washington, D. C.

In accordance with established practice, the field hearings will be held in the cities where operation is proposed. If a field hearing is upon applications for stations in two or more cities, the hearings will be held in the various cities in the order listed on the date scheduled. The hearings in the District of Columbia will be heard in order of docket numbers, the lowest docket number being heard first. Certain hearings which have heretofore been continued to dates in May, June and July have not been included in this calendar.

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

PART I

Name	Docket No.	Frequency	Date
Afro American Broadcasting System, Inc., Hopkins Park, Ill.	9194	610	June 13.
Helen Ruth Allen, executrix of estate (KGIL), San Fernando, Calif.	9250	TC	June 22 (F).
All Nations Broadcasting Co., Boston, Mass.	9077	1390	June 22.
L. W. Andrews, Inc., Davenport, Iowa.	8599	1580	June 23.
Angelus Broadcasting Co., Temple City, Calif.	9115	760	May 23.
Anthony Wayne Radio Co., Inc. (WGL), Fort Wayne, Ind.	9238-39	AL	May 16 (F).
Associates Broadcasting Corp., New Bedford, Mass.	9220	1270	July 18.
Bakersfield Broadcasting Co., (KAFY), Bakersfield, Calif.	9232	550	May 24.
Bamberger Broadcasting Service, Inc. (WOR), New York, N. Y.	9275	710	June 22.
Baranof Enterprises, Inc., Sitka, Alaska.	9259	1400	June 27 (F).
Beachview Broadcasting Corp., Norfolk, Va.	9200	1350	June 6.
Bluff City Broadcasting Co., (WDIA), Memphis, Tenn.	8879	1240	June 16.
John A. Bohn, Martinez, Calif.	8961	1330	June 20.
Haygood S. Bowden (WACA), Camden, S. C.	9247-48	L-AP	June 13 (F).
Bowling Green State University, Bowling Green, Ohio.	9256	730	May 18.
Bruce Johnson Co., Anderson, S. C.	9180	1490	June 7 (F).
Camden Broadcasting Corp. (WACA), Camden, S. C.	9248	AP	June 13 (F).
Cavalier Broadcasting Corp. (WCAV), Norfolk, Va.	9199	1350	June 6.
Central Broadcasting, Inc. (KIND), Independence, Kans.	9272	1450	June 27.
Chanute Broadcasting Co., Chanute, Kans.	8909	1460	Do.
Charles River Broadcasting Co. (WCRB), Waltham, Mass.	9185	1330	Do.
Coston-Tompkins Broadcasting Co., Ironton, Ohio.	9230	1230	July 6.
Cushing Broadcasting Co., Cushing, Okla.	9102	1600	June 6.
Custer County Broadcasting Co., Broken Bow, Nebr.	9252	1400	July 21.
Delta Broadcasters, Inc., Thibodaux, La.	8602	800	June 20.
William M. Drace, Greer, S. C.	9271	1490	June 9 (F).
Easley Broadcast Co., Easley, S. C.	9270	1490	June 8 (F).
The Everett Broadcasting Co., Inc. (KRKO), Everett, Wash.	8398	1380	June 9.
Farnsworth Television & Radio Corp. (WGL), Fort Wayne, Ind.	9238-39	AL	May 16 (F).
The Fort Industry Co. (WLOK), Lima, Ohio.	9224	1240	July 11.
Glens Falls Publicity Corp. (WGLN), Glens Falls, N. Y.	8404	1280	Do.
Harbenito Broadcasting Co. (KGBS), Harlingen, Tex.	8836	850	May 16.
Carl E. Haymond (KIT), Yakima, Wash.	9171	1280	June 17.

PART I—Continued

Name	Docket No.	Frequency	Date
Highlands Broadcasting Co., Sebring, Fla.	9070	1340	June 2.
Jackson Associates, Inc., Attleboro, Mass.	9184	1320	June 27.
Kankee Daily Journal Co. (WKAN), Kankakee, Ill.	9195	610	June 13.
James L. Killiam, Fort Payne, Ala.	9177	1290	June 27.
Lake Broadcasting Co., Inc., Gary, Ind.	7185	1270	June 2.
Lake County Broadcasting Corp., Chicago, Ill.	9245	FM	June 13 (F).
Lamar County Broadcasting Co., Paris, Tex.	9255	1250	June 20.
Abe Lapides, Pontiac, Mich.	7942	730	May 18.
Lemoyne College, Memphis, Tenn.	9196	1400	June 29 (F).
Dr. Francisco A. Marquez, Aquadilla, P. R.	8138	550	June 10.
Massasoit Broadcasting Corp., Taunton, Mass.	9169	1320	June 27.
Midwest Broadcasting Co. (WMAW), Milwaukee, Wis.	9263-64	L-TC	May 18 (F).
The Mobile Press Register, Inc. (WABB), Mobile, Ala.	9269	1320	July 18.
Morrisville Broadcasting Co. (WBUD), Morrisville, Pa.	9254	1260	July 11.
Mosley Bros., Picayune, Miss.	9268	1320	July 18.
National Broadcasting Co. (KOA), Denver, Colo.	9267	850	June 9.
New Bedford Broadcasting Corp., New Bedford, Mass.	9221	1270	July 18.
News-Sentinel Broadcasting Co., Inc. (WGL), Fort Wayne, Ind.	9238-39	AL	May 16 (F).
Richard O'Connor, Saratoga Springs, N. Y.	9179	1280	July 11.
Overlook Hills Development Co., Steubenville, Ohio.	9182	1430	July 6.
J. G. Paltridge (KGIL), San Fernando, Calif.	9251	TC	June 22 (F).
Pasadena Presbyterian Church (KPPC), Pasadena, Calif.	9135	1240	June 6.
S. H. Patterson (KJAY), Topeka, Kans.	8886	MP	May 23.
Payne County Broadcasters, Cushing, Okla.	9103	1600	June 6.
Peninsula Broadcasting Corp., Pontiac, Mich.	9005	1380	May 25.
Piedmont Broadcasting Co., Greenville, S. C.	7924	1490	June 6 (F).
Pontiac Broadcasting Corp., Pontiac, Ill.	9060	1430	June 29.
Port Frere Broadcasting Co., Inc. (WTUX), Wilmington, Del.	9236	R	May 23 (F).
Portsmouth Radio Corp. (WSAP), Portsmouth, Va.	9201	1350	June 6.
Radio Corporation of Arizona, Inc., Phoenix, Ariz.	9164	1450	June 13.
Radio Fitchburg, Inc., Fitchburg, Mass.	9198	1280	Do.
Radio St. Clair, Inc., Marine City, Mich.	9145	1590	June 1.
Radio Station KTBS, Inc. (KTBS), Shreveport, La.	9273	MP	July 21.
Radio Station KWBW (KWBW), Hutchinson, Kans.	9212	1450	Do.
Mrs. Jane Rascoe, Corpus Christi, Tex.	9186	1580	July 14.
Ridson, Inc., Superior, Wis.	8301	710	June 22.
Ripley Broadcasting Co., Ripley, Tenn.	9197 9265	1400	June 31 (F).
Roanoke Broadcasting Co., Roanoke, Ala.		930	June 30.
Robstown Broadcasting Co., Robstown, Tex.	9266	1480	Do.
San Fernando Valley Broadcasting Co. (KGIL) San Fernando, Calif.	9249	R	June 22 (F)
Silver City Crystal Co. (WMMV), Meriden, Conn.	8832	1470	May 18.
Fayette J. Smalley, Jr. (KGIL) San Fernando, Calif.	9250	TC	June 22 (F).
Patrick G. Smith, Bishop, Calif.	8702	550	May 24.
Southland Broadcasting Co., Long Beach, Calif.	9117	740	May 23.

PART I—Continued

Name	Docket No.	Frequency	Date
Spartanburg Radio Co., Spartanburg, S. C.	8135	1220	July 20.
Suburban Broadcasting Corp., New Rochelle, N. Y.	9123	1460	May 23.
Suffolk Broadcasting Corp., Patchogue, N.Y.	8921	1370	June 2.
Surety Broadcasting Co., Charlotte, N. C.	8459	930	May 25.
Susquehanna Broadcasting Co. (WSBA), York, Pa.	8606	910	June 8.
Tarheel Broadcasting System, Inc. (WRRF), Washington, N. C.	9059	930	May 25.
Taunton Radio Corp., Taunton, Mass.	9183	1320	June 27.
The Times Herald Co. (WTTH), Port Huron, Mich.	9006	1380	May 25.
Valley Broadcasting Co. (KPMO), Pomona, Calif.	9205–06	R-AL	June 27 (F).
Wachusette Broadcasting Co., Fitchburg, Mass.	9172	1280	June 13.
William J. Wagner, Sitka, Alaska.	9258	1400	June 27 (F).
Weirton Broadcasting Co., Weirton, W. Va.	9181	1430	July 6.
Glenn West, Portland, Ind.	9151	1440	July 14.
Western Massachusetts Broadcasting Co., Great Barrington, Mass.	9226	1240	July 18.
Wheeling Broadcasting Co., Wheeling, W. Va.	9147	1600	July 13.
Whittier Broadcasting Associates, Whittier, Calif.	8720	1360	May 25.
Whittier Broadcasting Co., Whittier, Calif.	8721	1360	Do.
WOAX, Inc. (WTNJ), Trenton, N. J.	9253	1260	July 11.
Wooster Republican Printing Co. (WWST) Wooster, Ohio.	9173	960	May 16.

PART II

FIELD HEARINGS

Date	Docket No.	Place	Frequency
1949			
May 16	9338	Fort Wayne, Ind. (WGL)	AL
	9239	do	AL
May 18	9263	Milwaukee, Ind. (WMAW)	L
	9264	do	TC
May 23	9236	Wilmington, Del. (WTUX)	R
June 6	7924	Greenville, S. C	1490
June 7	9180	Anderson, S. C	1490
June 8	9270	Easley, S. C	1490
June 9	9271	Greer, S. C	1490
June 13	9247	Camden, S. C. (WACA)	L
	9248	do	AP
Do	9245	Chicago, Ill	FM
June 22	9249	San Fernando, Calif. (KGIL)	R
	9250	do	TC
	9251	do	TC
June 27	9205	Pomona, Calif. (KPMO)	R
	9206	do	AL
Do	9258	Sitka, Alaska	1400
	9259	do	1400
June 29	9196	Memphis, Tenn	1400
June 31	9197	Ripley, Tenn	1400

WASHINGTON HEARINGS

Date	DC-1			DC-2		
	Docket No.	Place	Frequency	Docket No.	Place	Frequency
1949						
May 16	8836	Harlingen, Tex	850			
Do	9173	Wooster, Ohio (WWST)	ML			
May 18	8832	Meriden, Conn. (WMMW)	1470			
Do	7942	Pontiac, Mich	730			
	9256	Bowling Green, Ohio	730			
May 23	8886	Topeka, Kans. (KJAY)	MP	9115	Temple City, Calif	760
				9117	Long Beach, Calif	740
Do	9123	New Rochelle, N. Y	1460			
May 24	8702	Bishop, Calif	550			
	9232	Bakersfield, Calif. (KAFY)	550			
May 25	9005	Pontiac, Mich	1380	8720	Whittier, Calif	1360
	9006	Port Huron, Mich. (WITH)	1380	8721	do	1360
Do	8459	Charlotte, N. C	930			
	9059	Washington, N. C. (WRRF)	930			
June 1	9145	Marine City, Mich	1590			
June 2	8921	Patchogue, N. Y	1370			
Do	7185	Gary, Ind	1270			
Do	9070	Sebring, Fla	1340			
June 6	9135	Pasadena, Calif. (KPPC)	1240	9199	Norfolk, Va. (WCAV)	1350
				9200	Norfolk, Va	1350
Do	9102	Cushing, Okla	1600	9201	Portsmouth, Va. (WSAP)	1350
	9103	do	1600			
June 8	8606	N. of York, Pa. (WSBA)	910			
June 9	8398	Everett, Wash. (KRKO)	1380	9267	Denver, Colo. (KOA)	850
June 10	8138	Aquadilla, P. R	550			
June 13	9172	Fitchburg, Mass	1280	9194	Hopkins, Park, Ill	610
	9198	do	1280	9195	Kankakee, Ill. (WKAN)	610
Do	9164	Phoenix, Ariz	1450			
June 16	8879	Memphis, Tenn. (WDIA)	1240			
June 17	9171	Yakima, Wash. (KIT)	1280			
June 20	9255	Paris, Tex	1250	8602	Thibodaux, La	800
Do	8961	Martinez, Calif	1330			
June 22	8301	Superior, Wis. (WDSM)	710	9077	Boston, Mass	1390
	9275	New York, N. Y	710			
June 23	8599	Davenport, Iowa	1580			
June 27	8909	Chanute, Kans	1460	9169	Taunton, Mass	1320
	9272	Independence, Kans. (KIND)	1450	9183	do	1320
				9184	Attleboro, Mass	1320
				9185	Waltham, Mass	1330
Do	9177	Fort Payne, Ala	1290			
June 29	9060	Pontiac, Ill	1430			
June 30	9265	Roanoke, Ala	930	9266	Robstown, Tex	1480
July 6	9181	Weirton, W. Va	1430	9230	Ironton, Ohio	1230
	9182	Steubenville, Ohio	1430			
July 11	8404	Glens Falls, N. Y. (WGLN)	ML	9224	Lima, Ohio (WLOK)	1240
	9179	Saratoga Springs, N. Y	1280			
Do	9253	Trenton, N. J	1260			
	9254	Morrisville, Pa. (WBUD)	1260			
July 13	9147	Wheeling, W. Va	1600			
July 14	9186	Corpus Christi, Tex	1580	9151	Portland, Ind	1440
July 18	9220	New Bedford, Mass	1270	9268	Picayune, Miss	1320
Do	9221	do	1270	9269	Mobile, Ala. (WABB)	1320
Do	9226	Great Barrington, Mass	1240			
July 20	8135	Spartanburg, S. C	1220			
July 21	9212	Hutchinson, Kans. (KWBW)	1450	9252	Broken Bow, Nebr	1400
Do	9273	Shreveport, La	MP			

[F. R. Doc. 49–2898; Filed, Apr. 14, 1949; 8:51 a. m.]

KXXL

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE [1]

The Commission hereby gives notice that on March 28, 1949 there was filed with it an application (BAL–852) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of station KXXL, Reno, Nevada from Edward Margolis, F. W. Kirske and B. J. Samuel to Chet L. Gonce. The proposal to assign the license arises out of two contracts of October 23, 1947 and June 17, 1948 pursuant to which the station assets and properties will be transferred and the station license assigned to Chet L. Gonce for the cancellation of an overdue $10,000 note with accrued interest owed by the Sellers to the Purchaser, and the assumption by the Purchaser of all accounts and loans payable, the total of said note, accrued interest, accounts payable and loans payable, being, as of September 30, 1948, the sum of $16,911.36. Further information as to the arrangement may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on March 28, 1949 that starting on March 30, 1949 notice of the filing of the application would be inserted in a newspaper of general circulation at Reno, Nevada in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from March 30, 1949 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–2899; Filed, Apr. 14, 1949; 8:51 a. m.]

[1] Section 1.321, Part 1, Rules of Practice and Procedure.

DEL RIO BROADCASTING CO.

PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE [1]

The commission hereby gives notice that on March 17, 1949 there was filed with it an application (BAL–828) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of Del Rio Broadcasting Co., licensee of KDLK, Del Rio, Texas, from James A. Clements, Richard J. Higgins, Thomas O. Mathews and Joe H. Torbett, d/b as Del Rio Broadcasting Co., to Martin Rose, Jr. and E. M. Haigler, d/b as Del Rio Broadcasting Co. The proposal to assign the license arises

out of a contract of February 18, 1949 pursuant to which the sellers agree to convey all the assets of said station KDLK for $32,000. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on March 17, 1949 that starting on February 27, 1949 notice of the filing of the application would be inserted in the Del Rio News-Herald, a newspaper of general circulation at Del Rio, Texas in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from February 27, 1949 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

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

[F. R. Doc. 49-2900; Filed, Apr. 14, 1949; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6200]

MOUNTAIN STATES POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF SECURITIES

APRIL 11, 1949.

Notice is hereby given that, on April 6, 1949, the Federal Power Commission issued its order entered April 6, 1949, supplementing order dated March 30, 1949 (published in the FEDERAL REGISTER on April 8, 1949, Vol. 14, No. 67, P. 1694) authorizing and approving issuance of securities in the above designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2882; Filed, Apr. 14, 1949; 8:45 a. m.]

[Docket No. G-1169]

POTOMAC GAS CO.

ORDER FIXING DATE OF HEARING

On February 11, 1949, Potomac Gas Company (Applicant) filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission.

The facilities are more particularly described in the application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on March 18, 1949 (14 F. R. 1232).

The Commission finds: This proceeding is a proper one for disposition under the provisions of §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(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 April 22, 1949, at 9:45 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 noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 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: April 8, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2883; Filed, Apr. 14, 1949; 8:45 a. m.]

[Docket No. G-1186]

WEST TEXAS GAS CO.

NOTICE OF APPLICATION

APRIL 11, 1949.

Notice is hereby given that on March 30, 1949, West Texas Gas Company (Applicant), a Delaware corporation having its principal place of business at Lubbock, Texas, filed an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the installation of two additional 400 horsepower compressor units at Applicant's Turkey Creek Compressor Station in Potter County, Texas, and the replacement of approximately 10.75 miles of 6⅝ inch OD transmission pipe line with 10¾ inch OD pipe between Littlefield, Lamb County, Texas, and Anton, Shockley County, Texas.

Applicant states that in order to receive peak-day deliveries of 55,300 Mcf of natural gas at a pressure base of 16.4 pounds from the Red River Gas Company, two additional 400 horsepower compressor units are required at its Turkey Creek Compressor Station. It is intended to operate this station with a suction pressure not in excess of 215 pounds per square inch gauge. Applicant states that this method of operation will be necessary to allow Red River Gas Company's weak or low pressure wells to participate on peak days. With the installation of the additional 800 horsepower the capacity of the Turkey Creek Station will aggregate 3,150 horsepower.

Applicant further states that with the replacement of 10.75 miles of 6⅝ inch OD pipe by a 10¾ inch OD line between Littlefield and Anton, Texas, a total of 18,000 Mcf of natural gas at a 16.4 pound pressure base can be taken from El Paso Natural Gas Company's pipe line into its system near Amherst, Lamb County, Texas.

The total overall cost of the facilities proposed is estimated in the application to approximate the sum of $291,480.00 which will be financed from the sale of stock or notes resulting from negotiations presently being carried on between Applicant and Southwestern Development Company, its parent organization.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of West Texas Gas Company is on file with the Commission, and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2895; Filed, Apr. 14, 1949; 8:49 a. m.]

[Project No. 346]

MINNESOTA POWER & LIGHT CO.

ORDER FURTHER POSTPONING DATE OF REHEARING

APRIL 11, 1949.

By its opinion and order dated September 2, 1948, the Commission determined the actual legitimate original cost of Project No. 346, Minnesota Power & Light Company, Licensee, to be $2,664,-674.68 as of May 31, 1927, and disallowed claimed amounts aggregating $786,500.57. Pursuant to application for rehearing seasonably filed, rehearing was granted by order dated October 28, 1948, as to two of the disallowed items, i. e., $201,883.64, claimed as land cost, and $41,539.69,

claimed as cost of reinforcing bridge piers, said rehearing being originally set for January 17, 1949, but postponed by order of December 1, 1948, to April 18, 1949.

Representatives of Minnesota Power & Light Company and the staff have determined, as a result of a prehearing conference held on April 8, 1949, that a further field investigation by the staff will be required before disposition can be made of the two claimed cost items on which rehearing has been granted. Such investigation, which is about to be undertaken, will require a further postponement of the rehearing now set for April 18, 1949.

The Commission orders: The rehearing on the items of $201,883.64 and $41,-539.69 now set for April 18, 1949, be and the same is hereby postponed subject to further order of the Commission.

Date of issuance: April 12, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2894; Filed, Apr. 14, 1949; 8:49 a. m.]

OFFICE OF DEFENSE TRANSPORTATION

[Supplementary Order ODT 1-2, Revocation]

WABASH RAILROAD CO. ET AL.

MERCHANDISE TRAFFIC

Upon further consideration of the application for authority to pool merchandise traffic, filed with this Office by Wabash Railroad Company, The Atchison, Topeka and Santa Fe Railway Company, Union Pacific Railroad Company, and Southern Pacific Company, as contemplated by General Order ODT 1, as amended (7 F. R. 3046, 3213, 3753, 9744), and good cause appearing therefor, *It is hereby ordered*, That Supplementary Order ODT 1-2 (9 F. R. 952) be, and it is hereby, revoked effective at 11:59 o'clock p. m. April 16, 1949.

Issued at Washington, D. C., this 12th day of April 1949.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 49-2904; Filed, Apr. 14, 1949; 8:52 a. m.]

[Supplementary Order ODT 1-1, Revocation]

ST. LOUIS-SAN FRANCISCO RAILWAY CO. ET AL.

MERCHANDISE TRAFFIC

Upon further consideration of the application for authority to pool merchandise traffic, filed with this Office by St. Louis-San Francisco Railway Company (J. M. Kurn and John G. Lonsdale, Trustees), Atlantic Coast Line Railroad Company, Seaboard Air Line Railway Company (L. R. Powell, Jr., and Henry W. Anderson, Receivers), and Central of Georgia Railway Company (M. P. Callaway, Trustee), as contemplated by General Order ODT 1, as amended (7 F. R. 3046, 3213, 3753, 9744), and good cause appearing therefor, *It is hereby ordered*, That Supplementary Order ODT 1-1 (7 F. R. 9441) be, and it is hereby, revoked effective at 11:59 o'clock p. m. April 16, 1949.

Issued at Washington, D. C., this 12th day of April 1949.

J. M. JOHNSON,
Director, Office of Defense Transportation.

[F. R. Doc. 49-2903; Filed, Apr. 14, 1949; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1092]

GULF OIL CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of April A. D. 1949.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Capital Stock, $25 Par Value, of Gulf Oil Corporation, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 11, 1949, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-2888; Filed, Apr. 14, 1949; 8:47 a. m.]

[File No. 70-1529]

ROCHESTER GAS AND ELECTRIC CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of April 1949.

Rochester Gas and Electric Corporation ("Rochester"), a subsidiary of General Public Utilities Corporation ("GPU"), a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to the provisions of sections 6 (a) (2), 6 (b), and 7 of the Public Utility Holding Company Act of 1935 ("act"), and Rule U-50 promulgated thereunder regarding the following proposed transactions:

1. Rochester will transfer $1,100,000 (being a sum received from its parent, GPU) from a deferred credit account to the stated value of its common stock and $3,346,792 (being the sum of cash capital contributions received from its parent, GPU) from capital surplus to the stated value of its common stock.
2. Rochester will issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $16,677,000 principal amount of --%, Series L first mortgage bonds due 1979, and 50,000 shares of its $100 par value --%, Series G, cumulative preferred stock.
3. The proceeds from the sale of the bonds and the preferred stock will be employed (a) to repay $19,350,000 of outstanding short-term notes (as of April 4, 1949) issued to banks for construction purposes, and (b) to repay such additional outstanding short-term notes issued to banks as may be issued for construction purposes between April 4, 1949 and the issue and sale of the bonds and preferred stock. The balance, if any, of the proceeds will be deposited in a special account to be applied to the payment of new construction.

Rochester having been authorized by the Public Service Commission of the State of New York to invite proposals for the purchase of the first mortgage bonds and, subsequent thereto, to invite proposals for the purchase of the preferred stock; and

Applicant-declarant having requested that the ten day period for inviting bids on the new bonds, as provided by Rule U-50, be shortened so as to permit the opening of bids on April 19, 1949; and

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

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith subject to certain conditions, and deeming it appropriate to grant the request of applicant-declarant to shorten the period for inviting bids on the new bonds so as to permit the opening of bids on April 19, 1949:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the application-declaration, as amended, be granted and permitted to

become effective forthwith, subject to the following conditions:

1. The terms and conditions prescribed by Rule U-24 of the general rules and regulations under the act.

2. The proposed issue and sale of the first mortgage bonds and preferred stock shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose.

3. That so long as any shares of the --% Preferred Stock, Series G (the series permitted to be issued pursuant to this order) are outstanding, Rochester Gas and Electric Corporation shall not, without the consent (given in writing or by vote at a meeting called for that purpose) of the holders of two-thirds of the total number of shares of the --% Preferred Stock, Series G (the series permitted to be issued pursuant to this order), then outstanding, issue, sell, or otherwise dispose of any shares of the Preferred Stock, in addition to the 120,000 shares of Preferred Stock now outstanding and the 50,000 shares of Preferred Stock permitted to be issued pursuant to this order, or of any other class of stock ranking prior to, or on a parity with, the series of Preferred Stock permitted to be issued pursuant to this order, as to dividends or distributions, unless the Common Stock Equity of the Company shall be not less than the aggregate amount payable on the involuntary dissolution, liquidation or winding up of the Company, in respect of all shares of the Preferred Stock and all shares of stock, if any, ranking prior thereto, or on a parity therewith, as to dividends or distributions, which will be outstanding after the issue of the shares proposed to be issued; provided that if, for the purposes of meeting the requirements of this condition, it becomes necessary to take into consideration any surplus of the Company, the Company shall not thereafter pay any dividends on shares of the Common Stock which would result in reducing the Company's Common Stock Equity to an amount less than the aggregate amount payable, on involuntary dissolution, liquidation or winding up of the Company, on all shares of the Preferred Stock and of any stock ranking prior to, or on a parity with, the Preferred Stock, as to dividends or other distributions, at the time outstanding. The term "Common Stock Equity" shall mean the sum, as shown by the books of the Company, of the par or stated value of the issued and outstanding shares of Common Stock and the surplus (including capital or paid-in surplus of any kind however designated) and premimum on Common Stock of the Company.

4. That so long as any shares of the --% Preferred Stock, Series G (the series permitted to be issued pursuant to this order), are outstanding:

(A) If and so long as the Common Stock Equity, as hereinafter defined, at the end of the calendar month immediately preceding the date on which a dividend on Common Stock is proposed to be declared is, or as a result of such dividend would become, less than twenty per centum (20%) of Total Capitalization, as hereinafter defined, the Company shall not declare dividends on the Common Stock in an amount which, together with all other dividends on Common Stock declared within the year ending with (and including) the date of such dividend declaration, exceeds fifty per centum (50%) of the Net Income of the Company Available for Dividends on the Common Stock, as hereinafter defined, for the twelve full calendar months immediately preceding the month in which such dividend is declared; and

(B) If and so long as the Common Stock Equity at the end of the calendar month immediately preceding the date on which a dividend on Common Stock is proposed to be declared is, or as a result of such dividend would become, less than twenty-five per centum (25%) but not less than twenty per centum (20%) of Total Capitalization, the Company shall not declare dividends on the Common Stock in an amount which, together with all other dividends on Common Stock declared within the year ending with (and including) the date of such dividend declaration, exceeds seventy-five per centum (75%) of Net Income of the Company Available for Dividends on the Common Stock for the twelve full calendar months immediately preceding the month in which such dividend is declared; and

(C) At any time when the Common Stock Equity at the end of the calendar month immediately preceding the date on which a dividend on Common Stock is declared is twenty-five per centum (25%) or more of Total Capitalization, the Company shall not declare dividends on the Common Stock in an amount which would reduce the Common Stock Equity below 25% of Total Capitalization unless the dividends so declared shall meet the requirements set forth in paragraphs (A) and (B) above, whichever may be applicable.

For the purpose of this condition:

(a) The words "dividend" and "dividends" when used with reference to the Common Stock shall include dividends or other distributions on or the purchase or other acquisition for value of shares of Common Stock, but shall not include any portion of dividends payable in shares of the Common Stock;

(b) The term "Common Stock Equity" shall mean the sum, as shown by the books of the Company, of the par or stated value of the issued and outstanding shares of common stock and the surplus (including capital or paid-in surplus and surplus of any kind however designated) and premium on Common Stock of the Company;

(c) The term "Total Capitalization" shall mean the aggregate of the par value or stated value of the issued and outstanding shares of stock of all classes of the company and the surplus (including capital or paid-in surplus and surplus of any kind however designated) and premium on capital stock of the Company as shown by the books of the Company, plus the principal amount of all outstanding debt maturing more than twelve months from the date of the determination of Total Capitalization;

(d) The term "Net Income of the Company Available for Dividends on the Common Stock" shall mean for any twelve-month period an amount equal to the sum of the operating revenues and income from investments and other miscellaneous income for such period, less all deductions (including accruals) for operating expenses for such period, including maintenance and provision for reserves for retirements, renewals, replacements, and for any depreciation (which, with reference to any period of time, shall mean an amount equal to the provisions for depreciation as recorded on the books of the Company, but not less than an amount equal to two and one-quarter per centum (2¼%) of depreciable utility property as shown by the books of the Company at the beginning of such period), income and excess profits and other taxes, interest charges, other amortization charges and other income deductions, all as shall be determined in accordance with sound accounting practice, and less also current and accrued dividends on all outstanding shares of stock of the Company ranking prior to the Common Stock as to dividends or assets;

(e) If, at the time when any calculation of Common Stock Equity, Total Capitalization or Net Income of the Company Available for Dividends on the Common Stock is required to be made, the Company shall have one or more subsidiaries whose accounts may, in accordance with sound accounting practice, properly be consolidated with the accounts of the Company, such calculation shall, in accordance with sound accounting practice, be made for the Company with such subsidiaries on a consolidated basis.

It is further ordered, That the ten-day period for inviting bids on the new bonds as provided by Rule U-50, be, and the same hereby is, shortened so as to permit the opening of bids on the new bonds on April 19, 1949.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of the fees and expenses of all counsel.

By the Commission.

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

[F. R. Doc. 49-2885; Filed, Apr. 14, 1949; 8:46 a. m.]

[File No. 70-2029]

NEW YORK STATE ELECTRIC AND GAS CORP. ET AL.

SUPPLEMENTAL ORDER GRANTING AND PERMITTING AMENDMENT TO BECOME EFFECTIVE AND EXCEPTING SALE OF STOCK FROM COMPETITIVE BIDDING REQUIREMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of April 1949.

In the matter of New York State Electric & Gas Corporation, Associated Elec-

tric Company, General Public Utilities Corporation; File No. 70-2029.

General Public Utilities Corporation ("GPU"), a registered holding company, having filed a post-effective amendment to its application-declaration, pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-44 and U-50 promulgated thereunder, with respect to the following transaction:

Pursuant to an order of this Commission entered March 11, 1949, transferable warrants evidencing rights to subscribe to an aggregate of 787,644 shares of the common stock of New York State Electric & Gas Corporation ("New York State") were issued to GPU's stockholders, giving them until 3:00 p. m. on April 11, 1949, to exercise their rights at a price of $41 per share. The sale was not underwritten but GPU entered into an agreement with a dealer-manager group which agreed to use its best efforts to form and manage a group of securities dealers to enable GPU to dispose of the shares of New York State common stock covered by the warrants. GPU agreed to pay each participating dealer a fee of $1.25 per share for each share sold through such participating dealer and to pay the dealer-manager group a fee of 12½ cents for each share sold. Some of the rights were not exercised so that GPU now holds shares of the common stock of New York State (which shares are hereafter referred to as "balance shares"). GPU proposes to sell the balance shares during the period commencing 3:00 p. m. on April 11, 1949, and terminating at the close of business on April 20, 1949, by employing the same machinery, and upon the same terms, as it employed to dispose of the shares of common stock of New York State covered by the rights, and requests an exception from the provisions of Rule U-50, if it be applicable, for the purpose of effecting the contemplated transaction. From time to time GPU will advise the dealer-manager group as to the number of balance shares which it wishes to sell to participating dealers. The price at which such balance shares will be sold by GPU to participating dealers will be the price applicable to such sales as determined and announced by GPU on the date of such sale, but will not be in excess of the closing asked price of such shares on the preceding business day plus 30¢ per share and will not be less than the higher of the closing bid price for such shares on such preceding business day or the subscription price of $41 per share; and

GPU having requested that the Commission find that the carrying out of the proposed sale of the balance shares of the common stock of New York State is necessary and appropriate to effectuate the provisions of section 11 (b) of the act and that the order of the Commission entered herein contain appropriate recitals conforming to sections 371-373, inclusive, and 1808 (f) of the Internal Revenue Code, as amended; and

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

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said post-effective amendment be granted and permitted to become effective forthwith, and that the requests of GPU be granted that (a) the sale of the balance shares be excepted from the competitive bidding requirements of Rule U-50, and (b) the order contain appropriate recitals conforming to the requirements of the Internal Revenue Code, as amended:

It is hereby ordered, Pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, that the post-effective amendment be, and the same hereby is, granted and permitted to become effective forthwith, subject to the conditions prescribed in Rule U-24.

It is further ordered, That the sale of the balance shares of the common stock of New York State is excepted from the competitive bidding requirements of Rule U-50.

It is further ordered and recited, That the transfer, sale and delivery by GPU, during the period beginning at 3:00 p. m. on April 11, 1949 and expiring at the close of business on April 20, 1949, to any person (including the dealer-managers and the participating dealers under the terms of the Agreement with dealer-managers, dated March 10, 1949, and the participating dealers' Agreement, dated March 11, 1949, as supplemented by the Supplemental Agreement with dealer-managers, dated March 15, 1949) of the balance of the 787,644 shares of common stock of New York State offered for sale by GPU under the Subscription Offer issued pursuant to the order of the Commission, dated March 11, 1949, which remain unsold at the expiration of such offer, are necessary or appropriate to the integration or simplification of the GPU system, of which GPU and New York State are a part, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

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

[F. R. Doc. 49-2886; Filed, Apr. 14, 1949; 8:46 a. m.]

[File No. 70-2103]

CINCINNATI GAS & ELECTRIC CO.

NOTICE REGARDING FILING

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

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Cincinnati Gas & Electric Company ("Cincinnati"), a subsidiary of The United Corporation, a registered holding company. Applicant has designated section 6 (b) of the act, or in the alternative, sections 6 (a) (1) and 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 27, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 27, 1949, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Cincinnati has presently outstanding 2,244,000 shares of common stock having a par value of $8.50 per share. Cincinnati proposes to offer an additional 249,334 shares of common stock to its own common stockholders at the rate of one share of such common stock for each nine shares of common stock held by them. The price at which Cincinnati proposes to offer such shares will be supplied by amendment to the present application. The proceeds from the sale of such additional shares of common stock will be used by Cincinnati to finance, in part, its construction program.

The rights of the common stockholders of Cincinnati will be evidenced by transferable warrants entitling them to purchase one full share of the common stock of Cincinnati for each nine shares of common stock held. Fractional warrants will be issued, but no subscription will be accepted for fractional shares of common stock, and the fractional warrants may be exercised only when combined with other fractions which, in the aggregate, entitle the holder to purchase not less than one full share of common stock. The application states that the disposition of such shares of the common stock as are not sold through the exercising of such warrants will be made at a time and in a manner to be determined at a later date, with the consent of the regulatory bodies having jurisdiction.

It is stated that the proposed transaction is subject to the jurisdiction of the Public Utilities Commission of Ohio, and that the order of that Commission approving such transaction will be filed by amendment.

By the Commission.

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

[F. R. Doc. 49-2884; Filed, Apr. 14, 1949; 8:45 a. m.]

[File No. 70-2107]

MICHIGAN GAS STORAGE CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 11th day of April A. D. 1949.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the "act") by Michigan Gas Storage Company ("Storage Company"), a subsidiary of Consumers Power Company ("Consumers"), a public utility subsidiary of The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company. The applicant has designated section 6 (b) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 25, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 25, 1949, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Storage Company, a Michigan Corporation, is engaged in the operation of facilities for the transmission and underground storage of natural gas. It buys natural gas from Panhandle Eastern Pipe Line Company and supplies most of the gas requirements of Consumers. Storage Company proposes to issue privately to banks during 1949 its notes, each maturing not more than nine months after the date of issue, up to an aggregate amount of $2,200,000. The issuance of the notes is for the stated purpose of financing the purchase of gas for storage during the off-peak months from April until November. The company states that it prefers the use of temporary capital because of the seasonal nature of the operation and because there is some doubt whether, under orders of the Federal Power Commission, Storage Company is entitled to include in its rates for gas any return on money required for the purchase of gas for storage except during the time such moneys are actually so invested.

The application indicates that the capital structure of Storage Company presently consists entirely of 150,000 shares of common stock of a par value of $100 per share of which 112,500 shares, or 75% thereof, are owned by Consumers and 37,500 shares, or 25% thereof, are owned by Panhandle Eastern Pipe Line Company. The aggregate principal amount of such shares is $15,000,000. The sum of $2,200,000 representing the notes proposed to be issued, represents 14.7% of said $15,000,000. The company requests authorization, pursuant to the first sentence of section 6 (b) of the act, to issue its notes as above-stated. The application states that no State Commission has jurisdiction over the proposed transaction.

By the Commission.

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

[F. R. Doc. 49-2887; Filed, Apr. 14, 1949; 8:47 a. m.]

[File No. 812-584]

AMERICAN GENERAL CORP. ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 11th day of April A. D. 1949.

In the matter of American General Corporation, Hawkeye Casualty Company, Seventh and Grand Company, and George Olmsted; File No. 812-584.

Notice is hereby given that Hawkeye Casualty Company (Hawkeye), 1017 Walnut Street, Des Moines, Iowa, has filed an amended application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of the act the proposed purchase by Hawkeye from Seventh and Grand Company (Company), 1017 Walnut Street, Des Moines, Iowa, of certain real estate located at 1020 Locust Street, Des Moines, Iowa, for the sum of $131,000.

Section 17 (a) of the act, among other things, makes it unlawful for an affiliated person of a registered investment company, acting as principal, knowingly to sell any security or other property to any company controlled by such registered investment company, with certain exceptions not here pertinent.

American General Corporation, 103 Park Avenue, New York City, New York, is a closed-end, non-diversified management investment company registered under the act. American General Corporation owns approximately 61% of the common stock of The Morris Plan Corporation of America, the only class of stock of The Morris Plan Corporation of America entitled to vote. The Morris Plan Corporation of America, 103 Park Avenue, New York City, New York, owns all of the voting stock of National Industrial Credit Corporation. National Industrial Credit Corporation, 103 Park Avenue, New York City, New York, owns all of the voting stock of Industrial Insurance Company. Industrial Insurance Company, 103 Park Avenue, New York City, New York, owns approximately 26.6% of the voting common stock of Hawkeye and approximately 78.6% of the $10 preferred stock of Hawkeye which is not presently possessed of voting rights.

George Olmsted, 139 37th Street, Des Moines, Iowa, owns either directly or indirectly 23.5% of the voting stock of Hawkeye and all of the voting stock of Company. He is Chairman of the Board and a Director of Hawkeye, President and Director of Company, a Director of American General Corporation and The Morris Plan Corporation of America and President and a Director of National Industrial Credit Corporation and Industrial Insurance Company.

The proposed sale of property by Company to Hawkeye involves the sale by an affiliated person of an affiliated person of a registered investment company of property to a company controlled by such registered investment company. The amended application, therefore, requests an order of the Commission exempting the proposed transaction from the provisions of section 17 (a) of the act.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said amended application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the amended application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after April 29, 1949, unless prior thereto a hearing upon the amended application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than April 27, 1949, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this amended application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the amended application which he desires to controvert.

By the Commission.

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

[F. R. Doc. 49-2889; Filed, Apr. 14, 1949; 8:48 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 12989]

BANK OF DER DEUTSCHEN ARBEIT A. G.

In re: Bonds and stock owned by and debt owing to Bank of Der Deutschen Arbeit-A. G., also known as Bank Der Deutschen Arbeit A. G. F-28-1118-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Bank of Der Deutschen Arbeit-A. G., also known as Bank Der Deutschen Arbeit A. G., the last known address of which is 26-34 Markisches Ufer-61-65, Wallstrasse-Berlin C. 2, 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 Berlin, Germany, and is a national of a designated enemy country, (Germany);

2. That the property described as follows:

a. One Atlantic City Ambassador Hotel Corporation, 20 Year Income Bond of $200 face value bearing the number A14586, registered in the name of Lena Pirner and presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, for the account of Bank Der Deutschen Arbeit-A. G., Berlin, Germany, together with any and all rights thereunder and thereto,

b. One New York Ambassador Incorporated, 20 Year Income Bond of $200 face value bearing the number A14641, registered in the name of Lena Pirner, and presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, for the account of Bank Der Deutschen Arbeit A. G., Berlin, Germany, together with any and all rights thereunder and thereto,

c. Those certain debts or other obligations evidenced by checks drawn on The Central Hanover Bank & Trust Company of New York, payable to the order of Lena Pirner, numbered 69972 and 69969, for $28 and $60, respectively, representing payments on the bonds described in subparagraphs (a) and (b) hereof, and presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, for the account of Bank Der Deutschen Arbeit-A. G., Berlin, Germany, and any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under the aforesaid checks, including the right to presentation and collection for payment thereof,

d. Ten (10) shares of $0.10 par value common capital stock of Atlantic City Ambassador Hotel Corporation, 2 West 55th Street, New York 19, New York, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered AF5279, registered in the name of Lena Pirner, and presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, for the account of Bank Der Deutschen Arbeit-A. G., Berlin, Germany, together with all declared and unpaid dividends thereon, and

e. Ten (10) shares of $0.10 par value common capital stock of New York Ambassador, Incorporated, Suite 2310, 14 Wall Street, New York 5, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered NF5231, registered in the name of Lena Pirner and presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, for the account of Bank Der Deutschen Arbeit-A. G., Berlin, Germany, 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 Bank of Der Deutschen Arbeit-A. G., also known as Bank Der Deutschen Arbeit A. G., 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 March 24, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2908; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 12997]

SEIZO YAMAMOTO

In re: Bank account owned by Seizo Yamamoto. F-39-2076-C-1, F-39-2076-E-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 Seizo Yamamoto, whose last known address is Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: An undivided one-half interest in and to that certain debt or other obligation of Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, account number 169410, entitled Daizo Sumida and Seizo Yamamoto, Trustees, maintained at the aforesaid bank, 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, Seizo Yamamoto, 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 March 24, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2909; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13000]

CHARLES S. BIHLER

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Charles S. Bihler also known as Karl Bihler, deceased. F-28-29553-A-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 personal representatives, heirs, next of kin, legatees and distributees of Charles S. Bihler also known as Karl Bihler, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Two hundred (200) shares of $1 par value common capital stock of Goldfield Consolidated Mines Company, Reno, Nevada, a corporation organized under the laws of the State of Wyoming, evidenced by a certificate numbered S-723, registered in the name of Charles S. Bihler, and presently in the custody of Rhode Island Hospital Trust Company, 15 Westminster Street, Providence, Rhode Island, together with all declared and unpaid dividends thereon, and

b. Two hundred thirty (230) shares of $0.05 par value common capital stock of Goldfield Deep Mines Company of Nevada, Goldfield, Nevada, a corporation organized under the laws of the State of Nevada, evidenced by certificates numbered 48111 and 48112 for thirty (30)

and two hundred (200) shares respectively, registered in the name of Charles S. Bihler, and presently in the custody of Rhode Island Hospital Trust Company, 15 Westminster Street, Providence, Rhode Island, 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, the personal representatives, heirs, next of kin, legatees and distributees of Charles S. Bihler also known as Karl Bihler, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Charles S. Bihler also known as Karl Bihler, deceased, referred to 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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2910; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13006]

KINGORO KAWASHIMA

In re: Debts owing to Kingoro Kawashima, also known as K. Kawashima. F-39-1851-C-1, F-39-1851-C-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 Kingoro Kawashima, also known as K. Kawashima, whose last known address is Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation evidenced by a check number 9620, dated March 1, 1948, payable to K. Kawashima, by Sumio Kawashima and drawn on the Bishop National Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., which check is presently in the custody of the Trustees of Pacific Bank in Dissolution, and any and all rights to demand, enforce and collect the aforesaid debt, and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of the aforesaid check, and

b. That certain debt or other obligation of the Bishop National Bank of Hawaii at Honolulu, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, account number 37775, entitled Sumio Kawashima, Trustee for Kingoro Kawashima, maintained at the aforesaid bank, together with 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, Kingoro Kawashima, also known as K. Kawashima, 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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2911; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13009]

LOUISE LUECKHOFF

In re: Claim owned by the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Lueckhoff, deceased. F-28-12874 A-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 personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Lueckhoff, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Lueckhoff, deceased, by Lawyers Mortgage Corporation, 115 Broadway, New York 6, New York, arising out of interest and principal payments heretofore collected on account of mortgages covering real property situated at 7 and 15 Filbert Street, Valley Stream, Long Island, New York, 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 nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Lueckhoff, 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 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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2912; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13010]

FUSAKO MURAKAMI AND SABURO TANISAKO

In re: Bank accounts owned by Fusako Murakami and Saburo Tanisako. F-39-6100-E-1, D-39-17709-E-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 Fusako Murakami and Saburo Tanisako, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation of Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a

savings account, account number 163793, entitled Fusako Murakami, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, account number 158450, entitled Saburo Tanisako, maintained at the aforesaid bank, 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, Fusako Murakami and Saburo Tanisako, the aforesaid nationals of a designated enemy country (Japan);

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 (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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2913; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13011]

YEMIKO NAKAYAMA

In re: Debts owing to Yemiko Nakayama. D-39-840-C-1.

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

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

2. That the property described as follows: Those certain debts or other obligations evidenced by two checks payable to Yemiko Nakayama and drawn on the Bishop National Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., numbered, dated and in the amounts set forth below:

Check No. and date:	*Amount*
4042 Oct. 28, 1942	$501.53
11292 Mar. 1, 1948	23.53

and presently in the custody of the Trustees for the Creditors and Stockholders of the Pacific Bank in Dissolution, P. O. Box 1200, Honolulu, T. H., and any and all rights to demand, enforce and collect the aforesaid debts, and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2914; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13012]

C. HERMANN OHSE AND FLORA OHSE

In re: Bank account owned by C. Hermann Ohse, also known as Herman Ohse, and stock, bonds and coupons owned by and debts owing to C. Hermann Ohse, also known as Herman Ohse, and the personal representatives, heirs, next of kin, legatees and distributees of Flora Ohse, deceased, also known as Flora Jahn Ohse. F-28-11884-E-1, F-28-11884-C-1.

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

1. That C. Hermann Ohse, also known as Herman Ohse, whose last known address is Postschliessfach 18, Kelheim, Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Flora Ohse, deceased, also known as Flora Jahn Ohse, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of The First National Bank and Trust Co., Woodbury, New Jersey, arising out of a savings account, entitled Amos J. Peaslee, Special Attorney Account No. 2, maintained at the aforesaid bank, 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, C. Hermann Ohse, also known as Herman Ohse, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows:

(a) Sixty (60) shares of $20.00 par value common capital stock of Inspiration Consolidated Copper Company, 25 Broadway, New York 4, New York, a corporation organized under the laws of the State of Maine, presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an omnibus stock account entitled Swiss Bank Corporation, Geneva, together with all declared and unpaid dividends thereon,

(b) Forty (40) shares of No par value capital stock of Holeproof Hosiery Co., Milwaukee, Wisconsin, a corporation organized under the laws of the State of Wisconsin, presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an omnibus stock account entitled Swiss Bank Corporation, Geneva, together with all declared and unpaid dividends thereon,

(c) Twenty-five (25) shares of $10.00 par value Class B Common capital stock of R. J. Reynolds Tobacco Company, Winston-Salem 1, North Carolina, a corporation organized under the laws of the State of New Jersey, presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an omnibus stock account entitled Swiss Bank Corporation, Geneva together with all declared and unpaid dividends thereon,

(d) These certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an account entitled Swiss Bank Corporation, Geneva, S/D 600/41071, together with any and all rights thereunder and thereto,

(e) One (1) Fractional Certificate for Konversionskasse fuer Deutsche Auslandsschulden 1946 3% Bonds, said certificate of the face value of $62.50, and presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an account entitled Swiss Bank Corporation, Geneva S/D 600/41071, together

with any and all rights thereunder and thereto,

(f) Four (4) Coupons detached from 5½% American I. G. Chemical Corp., 1949 Guaranteed Convertible Debenture Bonds, said coupons presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in an account entitled Swiss Bank Corporation, Geneva, S/D 600/41071, together with any and all rights thereunder and thereto,

(g) That certain debt or other obligation of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in the amount of $7,329.00 as of February 28, 1949, on deposit in an account, entitled "Ordinary Account, Swiss Bank Corporation, Geneva, Switzerland", together with any and all accruals thereto, representing in whole or in part any accretions from or allocable to the securities set forth in subparagraphs 4 (a), (b), (c), (d), (e), and (f), and any and all rights to demand, enforce and collect the same,

(h) That certain debt or other obligation of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in the amount of $435.70, as of February 28, 1949, on deposit in a Principal Account, entitled "Geneva S/A 600/41071", together with any and all accurals thereto, representing in whole or in part any accretions from or allocable to the securities set forth in subparagraphs 4 (a), (b), (c), (d), (e), and (f), and any and all rights to demand, enforce and collect the same,

(i) That certain debt or other obligation of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, in the amount of $4,509.99, as of February 28, 1949, on deposit in an income account entitled "Geneva S/A 600/41071," together with any and all accruals thereto, representing in whole or in part any accretions from or allocable to the securities set forth in subparagraphs 4 (a), (b), (c), (d), (e), and (f), and any and all right 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 personal representatives, heirs, next of kin, legatees and distributees of Flora Ohse, deceased, also known as Flora Jahn Ohse, the aforesaid nationals of a designated enemy country (Germany);

5. That the property described as follows:

(a) Those certain bonds described in Exhibit B, attached hereto, and by reference made a part hereof, presently in the custody of Irving Trust Company, One Wall Street, New York 15, New York, in a blocked omnibus security account entitled Union Bank of Switzerland, Zurich, Switzerland, together with any and all rights thereunder and thereto,

(b) Those certain Hungarian 4½% (7½%) Bonds of 1924 of the aggregate face value of $2,000.00, said Bonds presently in the custody of The Chase National Bank of the City of New York, in an omnibus security account entitled Union Bank of Switzerland, Zurich, Switzerland, together with any and all rights thereunder and thereto,

(c) That certain debt or other obligation of Irving Trust Company, One Wall Street, New York 15, New York, in the amount of $291.65, as of November 30, 1947, on deposit in an Omnibus Dollar Account entitled "Union Bank of Switzerland, Zurich, Switzerland," together with any and all accruals thereto, representing in whole or in part any accretions from or allocable to the securities set forth in subparagraph 5 (a), and any and all rights to demand, enforce and collect the same,

(d) That certain debt or other obligation of Irving Trust Company, One Wall Street, New York 15, New York, in the amount of $2,956.64, as of November 30, 1947, on deposit in a Dollar General Ruling 6 Account entitled "Union Bank of Switzerland, Zurich, Switzerland," together with any and all accruals thereto, representing in whole or in part any accretions from or allocable to the securities set forth in subparagraph 5 (a), 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, C. Hermann Ohse, also known as Herman Ohse, and the personal representatives, heirs, next of kin, legatees and distributees of Flora Ohse, deceased, also known as Flora Jahn Ohse, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. 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);

7. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Flora Ohse, deceased, also known as Flora Jahn Ohse, referred to in subparagraph 2 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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

EXHIBIT A

Description of issue	*Aggregate face value*
Konversionskasse fuer Deutsche Auslandsschulden 1946, 8%	$100.00
Kingdom of Norway 1965, 4¼%	5,000.00
Republic of Bolivia 1947 Ext. 25 yr. Sec. Refunding Loan 8% red	2,000.00
Chile 1942 Ext. S/F Assented rep. 7%	4,000.00
Republic of Peru 1959 Ext. S/F 7%	1,000.00
Republic of Uruguay 1978 Ext. Readjusted Sinking Fund 4¼%-4½%	2,000.00
Siemens Halske A. G., Siemens-Schuckertwerke G. m. b. H. 1951 S/F Deb. 3¼%	1,000.00

EXHIBIT B

Description of issue	*Aggregate face value*
City of Budapest 1927/1962, 6%	$2,000.00
Republic of Bolivia 8%	1,000.00
Republic of Bolivia 1928/1969, 7%	1,000.00
Republic of Chile of 1922, 7%	3,000.00
Republic of Columbia 6%	4,000.00

[F. R. Doc. 49-2915; Filed, Apr. 14, 1949; 8:54 a. m.]

[Vesting Order 13016]

ROSA SINGER

In re: Bank account and bonds owned by Rosa Singer. F-28-6044-A-1, F-28-6044-E-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 Rosa Singer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of State Bank and Trust Company, 1603 Orrington Avenue, Evanston, Illinois, arising out of a safekeeping account, entitled Elizabeth Gerst, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. Receipt #4517 for four (4) Evanston Real Estate Board First Mortgage, 6% Bonds, dated August 21, 1923, due August 21, 1933, of $500.00 face value each, bearing the numbers 29, 30, 31 and 32, registered in the name of Mrs. Herman Gerst, Privatiere, Pfaffenhofen/Ilm, Horlstrasse 4, Bavaria, Germany, said receipt presently in the custody of State Bank and Trust Company, 1603 Orrington Avenue, Evanston, Illinois, 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, Rosa Singer, 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 March 25, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2916; Filed, Apr. 14, 1949; 8:56 a. m.]

[Vesting Order 13032]

CHARLES L. KRAUSE

In re: Estate of Charles L. Krause, deceased. File No. D-28-9559; E. T. sec. No. 13136.

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 Agnas Grond, Merle Grond, Tishlarin Anna Exner, Franz Grond, Robert Grond, Maria Simon, Martha Kastl and Klemens Grond, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Pius Grond and Joseph Grond, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsover of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Charles L. Krause, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Louisa O'Hanlon and Mississippi Valley Trust Company, as executors, acting under the judicial supervision of the Probate Court City of St. Louis, Missouri;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and Pius Grond and Joseph Grond, 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 March 29, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2917; Filed, Apr. 14, 1949; 8:56 a. m.]

[Vesting Order 13105]

KO MORISHITA

In re: Bank account owned by Ko Morishita, also known as Koo Morishita. D-39-9234-E-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 Ko Morishita, also known as Koo Morishita, whose last known address is Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a commercial checking account, entitled Koo Morishita, maintained at the Vacaville Branch Office Number 51 of the aforesaid bank located at Vacaville, California, 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, Ko Morishita, also known as Koo Morishita, 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 March 30, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2920; Filed, Apr. 14, 1949; 8:56 a. m.]

[Vesting Order 13078]

AGNES LA CROIX

In re: Trust under the Will of Agnes La Croix, deceased. File No. D-28-2232; E. T. sec. 2973.

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 Ida Hackenmuller, 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 Trust created under the Will of Agnes La Croix, 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 The National Bank of New Jersey, New Brunswick, New Jersey, as Trustee, acting under the judicial supervision of the Orphans' Court, Middlesex County, New Brunswick, New Jersey;

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 March 30, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2918; Filed, Apr. 14, 1949; 8:56 a. m.]

[Vesting Order 13104]

PAUL MARTIN

In re: Bank account owned by Paul Martin. D-28-8461-E-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 Paul Martin, whose last known address is Tuttlingen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Paul Martin by Mellon National Bank and Trust Company, Philadelphia, Pennsylvania, arising out of a savings account, Account Number 4540, entitled Paul Martin, maintained at the branch office of the aforesaid bank located at 6112 Penn Avenue, Pittsburgh 6, Pennsylvania, 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 mentioned 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 March 30, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2919; Filed, Apr. 14, 1949; 8:56 a. m.]

[Vesting Order 13106]

KISAKU NISHIMURA

In re: Bank accounts owned by Kisaku Nishimura. D-39-19192-E-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 Kisaku Nishimura, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Kisaku Nishimura, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, entitled Kisaku Nishimura, maintained at Sanger Branch Office Number 78 of the aforesaid bank located at Sanger, California, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Kisaku Nishimura, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, entitled Kisaku Nishimura, maintained at West Fresno Branch Office Number 80 of the aforesaid bank located at Fresno, California, 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, Kisaku Nishimura, 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 March 30, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2921; Filed, Apr. 14, 1949; 8:56 a. m.]

[Vesting Order 10979, Amdt.]

CHRISTINE EMMERLING

In re: Estate of Christine Emmerling, deceased. File No. D-28-1936; E. T. sec. 1872.

Vesting Order 10979 dated March 31, 1948; is hereby amended to read as follows:

1. That Lilli (a/k/a Lilly, Elizabeth) Beidermuehle, Bernhardine Elisabeth Helene (Hella) Ciegfeld, Theodor Anton Eugen Dorfmueller, August Adolph Hubert Dorfmueller, Wilhelm Herman Heinrich (Heinz) Dorfmueller, Caspar Emmerling, Gustav Eduard Emmerling, Arthur Franz Johann Emmerling, Johannes Boese, Anna Elisabeth Boese, Bernhard Boese, Albert Boese, Anna Klueter, Therese (Theresia) Neuhaus, Bernhardine (Dina) Dahl (Dohl), Hermann Christian Bernhard (a/k/a Christoph Bernhard (Hermann)) Schroeder, Anton Luig, Hildegard Brueser, Maria Hartmann, Franziska Quast, Elisabeth Tump, Johanna Kayser, Friedrich Wilhelm Emmerling, Toni (Antonia) Panne, Franz Hermann Emmerling, Agnes Herziger, Joseph (Josef) Emmerling, Maria Martha Neuhaus, Maria Theresia Plassman, Maria Schuetz, Christina Schmilnik, Johanna Knust, Wilhelm Wix, Rudolf Schroeder, Klara Sophia Maria Emmerling, Karl Willi Friedrich Emmerling, Franz Friedrich (a/k/a Friedrich Franz) Emmerling, Rolf Georg (a/k/a George Rolf) Emmerling, Agnes Steinberg, Franz Emmerling, Wilhelm Emmerling, Anna Maria Emmerling, Paul Emmerling, Hedwig Hensen, Walter Wrocklage, Werner Wrocklage, Else Wrocklage, Willie (Willy) Wrocklage, Heinz Wrocklage, and Arnold Wrocklage, whose last known address is Germany, are resident 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 in and to the Estate of Christine Emmerling, deceased, is property payable or deliverable to, of claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by The First National Bank of Cincinnati, Cincinnati, Ohio, ancillary administrator c. t. a., acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

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 March 29, 1949.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-2925; Filed, Apr. 14, 1949; 8:56 a. m.]