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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

AERONAUTICAL RESEARCH PILOT

Section 24.103 is hereby added as follows:

§ 24.103 *Aeronautical Research Pilot, P–803–2–8*—(a) *Educational requirement.* Applicants must have successfully completed a four-year course in an accredited college or university, leading to a bachelor's degree, with major study in an appropriate field of engineering, mathematics, or physical science.

(b) *Duties.* With responsibility proportionate to the grade, aeronautical research pilots perform a range of duties typified by the following: Make training flights in connection with the training and development of research pilots; fly a variety of aircraft of experimental and production types; operate airplanes in order to perform maneuvers and collect data in connection with research investigations of aircraft propulsion systems, engineering equipment and accessories, etc., for the purpose of adding to the general knowledge of aeronautics and providing criteria and other information useful in the design, development, and operation of aircraft; engage in diving and flying at high speeds involving noise, vibrations, and extreme and rapid changes in altitude; observe reaction and behavior of the airplane under varying and trying conditions, recording and reporting data to project engineers; collaborate with research project engineers to develop new testing techniques and equipment, entering into the active production of research projects and preparation of research reports; review test methods used on research projects; and assign research pilots of lower grades to flight tests.

(c) *Knowledge and training requisite for performance of duties.* The flying duties of research pilots can be performed with full efficiency only by pilots who have a professional understanding of the physical principles involved in the experiments. Such understanding enables them to perform the necessary maneuvers with a comprehension of the desired objective, to make and record the necessary sensory observations with perception of their significance, and to note and accurately record unexpected or incidental phenomena of value to a research project.

Professional training in an appropriate field of engineering, physical science, or mathematics is necessary in order that the research pilot may have a pre-flight understanding of the research project, the problems under investigation, and the experimental techniques and instrumentation to be utilized, and so that he may be able to make post-flight recordings of data and to make analyses of such data, whether recorded by himself or other research pilots.

The only method by which such knowledge and training can be acquired is through a directed course of study in an accredited college or university with adequate laboratory facilities and libraries and thoroughly trained instructors and where progress is competently evaluated. (Sec. 11, 58 Stat. 390; 5 U. S. C. 860)

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

[F. R. Doc. 49-4910; Filed, June 17, 1949; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR GRADES OF FROZEN RED SOUR (TART) PITTED CHERRIES [1]

On May 18, 1949, a notice of proposed rule making was published in the FED-

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

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CODIFICATION GUIDE

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

ERAL REGISTER (14 F. R. 2613) regarding a proposed revision of the United States Standards for Grades of Frozen Red Sour Pitted Cherries. After consideration of all relevant matters, the following revised United States Standards for Grades of Frozen Red Sour (Tart) Pitted Cherries are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., approved June 19, 1948):

§ 52.242 *Frozen red sour (tart) pitted cherries.* Frozen red sour (tart) pitted cherries are prepared from properly ripened fruit of the cherry tree of the red sour varietal group (Prunus cerasus); are washed, pitted, and sorted; are properly drained before filling; may be packed with or without packing media; and are frozen and stored at temperatures necessary for the preservation of the product.

(a) *Grades of frozen red sour (tart) pitted cherries.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen red sour (tart) pitted cherries that possess similar varietal characteristics; that possess a good red color; that are practically free from defects; that possess a good character; that possess a normal flavor; and that score not less than 85 points when scored in accordance with the scoring system outlined in this section. In addition to the foregoing requirements, such frozen red sour (tart) pitted cherries may contain not more than 5 percent, by count, of cherries that are less than $\frac{9}{16}$ inch in diameter.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of frozen red sour (tart) pitted cherries that possess similar varietal characteristics; that possess a reasonably good red color; that are fairly free from defects; that possess a fairly good character; that possess a normal flavor; and score not less than 70 points when scored in accordance with the scoring system outlined in this section. There is no size requirement for such frozen red sour (tart) pitted cherries.

(3) "U. S. Grade D" or "Substandard" is the quality of frozen red sour (tart) pitted cherries that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(b) *Ascertaining the grade.* (1) The grade of frozen red sour (tart) pitted cherries is determined immediately after thawing to the extent that the cherries may be separated easily and the cherries are free from ice and solidified packing media. The grade is determined by considering in addition to the requirements of the respective grade (including the requirement for size in U. S. Grade A or U. S. Fancy) the respective ratings of the factors of color, absence of defects, and character.

(2) The relative importance of each factor is expressed numerically on a scale of 100. The maximum number of points that may be given each factor is:

Factors	Points
(i) Color	20
(ii) Absence of defects	40
(iii) Character	40
Total score	100

(3) "Normal flavor" means that the flavor is characteristic of frozen red sour (tart) pitted cherries and that the product is free from objectionable flavors of any kind.

(c) *Ascertaining the rating for each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range for the rating of each factor is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Frozen red sour (tart) pitted cherries that possess a good red color may be given a score of 17 to 20 points. "Good red color" means that the frozen cherries possess a color that is bright and typical of properly ripened cherries and that is reasonably uniform in that not more than 15 percent, by count, of cherries vary markedly from this color because of discoloration due to oxidation, improper processing, or other causes, or because of undercolored cherries.

(ii) If the frozen red sour (tart) pitted cherries possess a reasonably good red color, a score of 14 to 16 points may be given. Frozen red sour (tart) pitted cherries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably good red color" means that the frozen cherries possess a color that is reasonably bright and typical of properly ripened cherries and that is fairly uniform in that not more than 25 percent, by count, of cherries very markedly from this color because of discoloration due to oxidation, improper processing, or other causes, or because of undercolored cherries.

(iii) Frozen red sour (tart) pitted cherries that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, pits, mutilated cherries, and cherries blemished by scab, hail injury, discoloration, scar tissue, or by other means.

(i) "Cherry" means a whole cherry, whether or not pitted, or portions of such cherries which in the aggregate approximate the average size of the cherries.

(ii) "Harmless extraneous material" means any vegetable substance (including, but not being limited to, a leaf or a stem and any portions thereof) that is harmless.

(iii) "Pit" means a whole pit or portions of pits computed as follows:

(*a*) A single piece of pit shell, whether or not within or attached to a whole cherry, that is larger than one-half pit shell is considered as one pit;

(*b*) A single piece of pit shell, whether or not within or attached to a whole cherry, that is not larger than one-half pit shell is considered as one-half pit;

(*c*) Pieces of pit shell, within or attached to a whole cherry, when their combined size is larger than one-half pit shell are considered as one pit; and

(*d*) Pieces of pit shell, within or attached to a whole cherry, when their combined size is not larger than one-half pit shell are considered as one-half pit.

(iv) "Mutilated cherry" means a cherry that is so pitter-torn or damaged by other means that the entire pit cavity is exposed and the appearance of the cherry is seriously affected.

(v) "Blemished cherry" means any cherry the skin of which is blemished to the extent that the aggregate area covered by the blemishes exceeds the area of a circle $\frac{9}{32}$ inch in diameter and the appearance of the cherry is materially affected by such blemishes. The term "blemished cherry" also means any cherry the flesh of which is materially discolored.

(vi) "Seriously blemished" means any cherry blemished to the extent that the appearance or eating quality is seriously affected.

(vii) Frozen red sour (tart) pitted cherries that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that there may be present (*a*) not more than 1 piece of harmless extraneous material for each 60 ounces of net contents; (*b*) not more than 1 pit for each 20 ounces of net contents; and (*c*) not more than a total of 10 percent, by count, of cherries that are mutilated cherries and blemished cherries of which not more than 4 percent, by count, of all cherries are seriously blemished.

(viii) If the frozen red sour (tart) pitted cherries are fairly free from defects, a score of 28 to 33 points may be given. Frozen red sour (tart) pitted cherries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that there may be present (*a*) not more than 1 piece of harmless extraneous material for each 20 ounces of net contents; (*b*) not more than 1 pit for each 20 ounces of net contents; and (*c*) not more than a total of 20 percent, by count, of cherries that are mutilated cherries and blemished cherries of which not more than 15 percent, by count, of all cherries are blemished.

(ix) Frozen red sour (tart) pitted cherries that fail to meet the requirements of subdivision (viii) of this subparagraph for any reason may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Character.* The factor of character refers to the degree of maturity of the cherries and the physical characteristics of the flesh of the cherries in frozen red sour (tart) pitted cherries.

(i) Frozen red sour (tart) pitted cherries that possesss a good character may be given a score of 34 to 40 points. "Good character" means that the frozen red sour (tart) pitted cherries possess a firm, fleshy texture typical of frozen red sour (tart) pitted cherries which have been properly prepared and properly processed from properly ripened red sour cherries.

(ii) If the frozen red sour (tart) pitted cherries possess a fairly good character, a score of 28 to 33 points may be given. Frozen red sour (tart) pitted cherries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the frozen red sour (tart) pitted cherries possess a fairly firm, fairly fleshy texture but are not soft, tough, very thin-fleshed, or leathery in character.

(iii) Frozen red sour (tart) pitted cherries that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(d) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen red sour (tart) pitted cherries, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample,[2] if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(e) *Score sheet for frozen red sour (tart) pitted cherries.*

Size and kind of container		
Container mark or identification		
Label, style of pack, Ratio of fruit to sugar etc., if shown		
Net weight (ounces)		
Size [1]		
Factors	**Score points**	
I. Color	20	(A 17-20 (C 14-16 [1] (D 0-13 [1]
II. Absence of defects	40	(A 34-40 (C 28-33 (D 0-27 [1]
III. Character	40	(A 34-40 (C 28-33 [2] (D 0-27
Total score	100	
Normal flavor		
Grade		

[1] Indicates limiting rule.
[2] See Size Limitation for U. S. Grade A or U. S. Fancy only.

(f) *Effective time and supersedure.* The revised United States Standards for Grades of Frozen Red Sour (Tart) Pitted Cherries (which are the second issue) contained in this section shall become effective upon publication of these standards in the FEDERAL REGISTER and thereupon supersede the United States Standards for Grades of Frozen Red Sour Pitted Cherries which have been in effect since July 15, 1942.

For the reasons hereinafter set forth it is hereby found and determined that good cause exists for making these revised Standards effective immediately upon publication in the FEDERAL REGISTER. Careful consideration has been given to the comments and suggestions received from interested parties with respect to these revised standards. It was urged that the existing standards be revised as set forth herein, and that the revised standards be made effective as soon as possible in order that they may serve as a basis for packing and selling the current cherry crop, harvesting of which will begin early in July. The nature and effect of these revised standards are well known to the industry and will require no preparation prior to their issuance. Accordingly, it is impractical and contrary to the public interest to postpone the effective date until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.).

(60 Stat. 1087; 7 U. S. C. 1621 et seq.; Pub. Law 712, 80th Cong., approved June 19, 1948)

Issued at Washington, D. C. this 15th day of June 1949.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 49-4911; Filed, June 17, 1949; 11:49 a. m.]

[2] The allowance for pits will be based on the average of all containers comprising the sample.

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

[Plum Order 6]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.351 *Plum Order 6*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Eldorado plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 20, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until June 10, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 10, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 20, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 20, 1949, and ending at 12:01 a. m., P. s. t., October 11, 1949, no shipper shall ship from any shipping point during any day any package or container of Eldorado plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) At least ninety (90) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket: *Provided*, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 5 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{11}{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{7}{16}$ inches in diameter.

(3) As used in this section, the aforesaid 5 x 5 standard pack is defined more

specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{9}/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1^{7}/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^{5}/_{16}$ inches in diameter.

(4) Each shipper, prior to making each shipment of Eldorado plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Eldorado plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. (48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR, Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 16th day of June 1949.

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

[F. R. Doc. 49-4947; Filed, June 17, 1949; 9:01 a. m.]

[Plum Order 7]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.352 *Plum Order 7* (a)—*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Wickson plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 20, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until June 10, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 10, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 20, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 20, 1949, and ending at 12:01 a. m., P. s. t., October 11, 1949, no shipper shall ship from any shipping point during any day any package or container of Wickson plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grades; and

(ii) At least ninety (90) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket: *Provided*, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 4 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{13}/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^{9}/_{16}$ inches in diameter.

(3) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1^{9}/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^{7}/_{16}$ inches in diameter.

(4) Each shipper, prior to making each shipment of Wickson plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Wickson plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a

signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. (48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR 936, 14 F. R. 2684)

Done at Washington, D. C., this 16th day of June 1949.

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

[F. R. Doc. 49-4948; Filed, June 17, 1949; 9:01 a. m.]

[Plum Order 8]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.353 *Plum Order 8*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Gaviota plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 20, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop and adequate information thereon was not available to the Plum Commodity Committee until June 10, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 10, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 20, 1949, and this section should be applicable to all shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 20, 1949, and ending at 12:01 a. m., P. s. t., October 11, 1949, no shipper shall ship from any shipping point during any day any package or container of Gaviota plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) At least sixty-six and two-thirds (66⅔) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket: *Provided*, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 4 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{13}/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^{9}/_{16}$ inches in diameter.

(3) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than $1^{9}/_{16}$ inches in diameter; and (iii) No plums contained in such pack measure less than $1^{7}/_{16}$ inches in diameter.

(4) Each shipper, prior to making each shipment of Gaviota plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Gaviota plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective terms in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. (48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR, Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 16th day of June 1949.

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

[F. R. Doc. 49-4946; Filed, June 17, 1949; 9:00 a. m.]

[Plum Order 9]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.354 *Plum Order 9*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the Amador, Apex, California Blue, Earliana, Emily, Satsuma, Improved Satsuma, Shiro, Splendor, and Standard varieties (hereinafter referred to as "miscellaneous varieties of plums"), as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 20, 1949. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the respective crops and adequate information thereon was not available to the Plum Commodity Committee until June 10, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 10, 1949, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the miscellaneous varieties of plums are already under way; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 20, 1949, and ending at 12:01 a. m., P. s. t., October 1, 1949, no shipper shall ship any package or container of miscellaneous varieties of plums unless such plums grade at least U. S. No. 1.

(2) Each shipper, prior to making each shipment of miscellaneous varieties of plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the miscellaneous varieties of plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without such inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(3) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; the term "U. S. No. 1" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. (48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR, Part 936, 14 F. R. 2684)

Done at Washington, D. C., this 16th day of June 1949.

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

[F. R. Doc. 49-4945; Filed, June 17, 1949; 9:00 a. m.]

[Orange Reg. 280]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.426 *Orange Regulation 280*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 19, 1949, and ending at 12:01 a. m., P. s. t., June 26, 1949, is hereby fixed as follows:

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

(*b*) Prorate District No. 2: 800 carloads;

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

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

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

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

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

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

Done at Washington, D. C., this 17th day of June 1949.

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

PRORATE BASE SCHEDULE

[12:01 a. m. June 19, 1949, to 12:01 a. m. June 26, 1949]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0901
A. F. G. Corona	.0322
A. F. G. Fullerton	.9321
A. F. G. Orange	.4148
A. F. G. Riverside	.1044
A. F. G. San Juan Capistrano	.6728
A. F. G. Santa Paula	.5011
Hazeltine Packing Company	.4525
Placentia Pioneer Valencia Growers Association	.6550
Signal Fruit Association	.0967
Azusa Citrus Association	.4370
Damerel-Allison Co	.8611
Glendora Mutua. Orange Association	.3397
Puente Mutual Orange Association	.1692
Valencia Heights Orchard Association	.4973
Covina Citrus Association	1.1851
Covina Orange Growers Association	.5975
Glendora Citrus Association	.3559
Glendora Heights Orange & Lemon Growers Association	.0535
Gold Buckle Association	.4951
La Verne Orange Association	.6534
Anaheim Citrus Fruit Association	1.3476
Anaheim Valencia Orange Association	1.1738
Eadington Fruit Co., Inc	3.2197
Fullerton Mutual Orange Association	1.5774
La Habra Citrus Association	1.0396
Orange County Valencia Association	.4396
Orangethorpe Citrus Association	.9903
Placentia Cooperative Orange Association	1.3508
Yorba Linda Citrus Association, The	.6490
Escondido Orange Association	2.3696
Alta Loma Heights Citrus Association	.0673
Citrus Fruit Association	.1393
Cucamonga Citrus Association	.0921
Rialto Heights Orange Growers	.0562
Upland Citrus Association	.4048
Upland Heights Orange Association	.1120
Consolidated Orange Growers	2.0758
Frances Citrus Association	1.1151
Garden Grove Citrus Association	1.4848
Goldenwest Citrus Association, The	1.3811
Irvine Valencia Growers	2.6293
Olive Heights Citrus Association	2.0014
Santa Ana-Tustin Mutual Citrus Association	.9467
Santiago Orange Growers Association	4.2273
Tustin Hills Citrus Association	1.9009
Villa Park Orchards Association, The	1.9138
Bradford Bros., Inc	.6947
Placentia Mutual Orange Association	2.0189
Placentia Orange Growers Association	2.4332
Yorba Orange Growers Association	.5951
Call Ranch	.0615
Corona Citrus Association	.5760
Jameson Co	.0494
Orange Heights Orange Association	.5258
Crafton Orange Growers Association	.2873
East Highlands Citrus Association	.0589
Fontana Citrus Association	.1253
Highland Fruit Growers Association	.0335
Redlands Heights Groves	.2497
Redlands Orangedale Association	0.2576
Break & Sons, Allen	.0300
Bryn Mawr Fruit Growers Association	.1684
Mission Citrus Association	.1708
Redlands Cooperative Fruit Association	.3099
Redlands Orange Growers Association	.2107
Redlands Select Groves	.2248
Rialto Citrus Association	.2012
Rialto Orange Co	.1692
Southern Citrus Association	.1612
United Citrus Co	.1301
Zilen Citrus Co	.0808
Andrews Bros. of California	.0106
Arlington Heights Citrus Co	.1176
Brown Estate, L. V. W	.1224
Gavilan Citrus Association	.1457
Highgrove Fruit Association	.0816
Krinard Packing Co	.2344
McDermont Fruit Co	.1916
Monte Vista Citrus Association	.2078
National Orange Co	.0411
Riverside Heights Orange Growers Association	.0540
Sierra Vista Packing Association	.0483
Victoria Avenue Citrus Association	.1746
Claremont Citrus Association	.1446
College Heights Orange & Lemon Association	.3291
Indian Hill Citrus Association	.2016
Pomona Fruit Growers Exchange	.3711
Walnut Fruit Growers Association	.4529
West Ontario Citrus Association	.2873
El Cajon Valley Citrus Association	.2706
San Dimas Orange Growers Association	.4460
Canoga Citrus Association	.8581
Covina Valley Orange Co	.0792
North Whittier Heights Citrus Association	.8456
San Fernando Fruit Growers Association	.6380
San Fernando Heights Orange Association	.9358
Sierra Madre-Lamanda Citrus Association	.4052
Camarillo Citrus Association	1.6875
Fillmore Citrus Association	3.6236
Mupu Citrus Association	2.2165
Ojai Orange Association	.9740
Piru Citrus Association	2.2112
Rancho Sespe	.7408
Santa Paula Orange Association	1.1189
Tapo Citrus Association	1.0234
Ventura County Citrus Association	.2522
Limoneira Co	.5634
East Whittier Citrus Association	.3633
El Ranchito Citrus Association	1.7139
Whittier Citrus Association	.5957
Whittier Select Citrus Association	.3589
Anaheim Cooperative Orange Association	1.4000
Bryn Mawr Mutual Orange Association	.0774
Chula Vista Mutual Lemon Association	.0757
Escondido Cooperative Citrus Association	.3377
Euclid Avenue Orange Association	.5405
Foothill Citrus Union, Inc	.0262
Fullerton Cooperative Orange Association	.2986
Garden Grove Orange Cooperative, Inc	.8097
Golden Orange Groves, Inc	.2374
Highland Mutual Groves, Inc	.0145
Index Mutual Association	.2964
Le Verne Cooperative Citrus Association	1.6106
Mentone Heights Association	.0298
Olive Hillside Groves, Inc	.4377
Orange Cooperative Citrus Association	1.1969
Redlands Foothill Groves	0.4689
Redlands Mutual Orange Association	.1368
Riverside Citrus Association	.0349
Ventura County Orange and Lemon Association	1.0023
Whittier Mutual Orange and Lemon Association	.1359
Babijuice Corp. of California	.5404
Banks, L. M	.6636
Borden Fruit Co	.8988
California Associated Growers	.4389
California Fruit Distributors	.0987
Cherokee Citrus Co., Inc	.1540
Chess Co., Meyer W	.2814
Evans Bros. Packing Co	.3045
Gold Banner Association	.2129
Granada Hills Packing Co	.0407
Granada Packing House	2.4686
Hill Packing House, Fred A	.0671
Knapp Packing Co., John C	.2814
Orange Belt Fruit Distributors	2.0746
Panno Fruit Co., Carlo	.0339
Paramount Citrus Association	.5901
Placentia Orchard Co	.5387
San Antonio Orchard Co	.3291
Snyder & Sons Co., W. A	.7466
Stephens, T. F	.1888
Wall, E. T	.1170
Western Fruit Growers, Inc	.4961

[F. R. Doc. 49-4979; Filed, June 17, 1949; 11:30 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter A—General Provisions

PART 60—FIELD OFFICERS; POWERS AND DUTIES

ACTION ON CERTAIN CRIMINAL VIOLATIONS

MAY 26, 1949.

The following amendments to Part 60, Chapter I, Title 8 of the Code of Federal Regulations, are hereby prescribed:

Subparagraphs (3) and (4) of paragraph (b), § 60.25 *Criminal violations; investigation and action,* are hereby amended so that taken with the introductory sentence they will read as follows:

(b) The district director shall close any case, insofar as prosecution is concerned, where investigation establishes to his satisfaction that:

* * * * *

(3) In the case of a violation of section 911 of Title 18, United States Code (Pub. Law 772, 80th Cong.), the alien falsely represented himself to be a citizen of the United States solely for the purpose of obtaining employment which he could or would have obtained even though he had fully disclosed his foreign nationality and alien status;

(4) In the case of a violation of section 1426 (h) of Title 18, United States Code (Pub. Law 772, 80th Cong.), the person who duplicated the document as described in that provision or caused it to be duplicated was ignorant of the said provisions of section 1426 (h) and did not

use the duplicated document for any unlawful purpose;

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable since the amendments prescribed by the order are solely concerned with agency procedure; the amendments merely substitute for repealed sections of law cited in connection with such procedure the corresponding statutes currently in effect.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, secs. 37 (a), 327 (b), 54 Stat. 675; 8 U. S. C. 102, 222, 458 (a), 727 (b))

WATSON B. MILLER,
Commissioner of Immigration and Naturalization.

Approved: June 14, 1949.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 49-4901; Filed, June 17, 1949; 8:45 a. m.]

Subchapter B—Immigration Regulations

PART 114—INSPECTION OF CITIZENS AND ALIENS ENTERING FROM OR THROUGH CONTIGUOUS TERRITORY

CANADIAN-BORN AMERICAN INDIANS

JUNE 1, 1949.

Section 114.6, Chapter I, Title 8 of the Code of Federal Regulations, is amended by adding a sentence so that such section will read as follows:

§ 114.6 *Canadian-born American Indians; exemption from immigration laws.* Aliens who are American Indians born in Canada (exclusive of persons whose membership in Indian tribes or families is created by adoption) shall be permitted to enter the United States without inspection under any provision of the immigration laws other than section 2 of the act of September 27, 1944 (8 U. S. C. 136 (d) (1)). The term "American Indians born in Canada" as used in this section includes American Indian women born in Canada though married to persons of another race. (45 Stat. 401; 8 U. S. C. 226a)

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable for the reason that this rule is solely an interpretative rule.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 102, 222, 458 (a))

WATSON B. MILLER,
Commissioner of Immigration and Naturalization.

Approved: June 13, 1949.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 49-4900; Filed, June 17, 1949; 8:45 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

[B. A. I. Order 380, Amdt. 2]

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

PREVENTION OF SPREAD OF SPLENETIC OR TICK FEVER IN CATTLE

Pursuant to the authority vested in me by sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123 and 125), and section 6 of the act of May 29, 1884, as amended (21 U. S. C. 115), the regulations appearing in 9 CFR, Part 72, are hereby amended as follows:

1. Section 72.2 is amended to read as follows:

§ 72.2 *Splenetic or tick fever in cattle in described territory in Florida, Texas, and Puerto Rico; prohibitions on movement of cattle.* Notice is hereby given that the contagious and infectious disease known as splenetic or tick fever exists in cattle in portions of the States of Florida and Texas and in the Territory of Puerto Rico. Therefore, those portions of the States of Florida and Texas and the Territory of Puerto Rico described in §§ 72.3, 72.4, and 72.5 are hereby quarantined, and the movement of cattle therefrom into any other State or Territory or the District of Columbia shall be made only in accordance with the provisions of this part and Part 71 of this chapter.

2. A new section is added, designated as § 72.3 and reading as follows:

§ 72.3 *Area quarantined in Florida.* Flagler County, Volusia County, that portion of Putnam County lying east of the St. Johns River, and that portion of St. Johns County lying South of State Road 206 are hereby quarantined.

(Sec. 6, 23 Stat. 32, as amended, secs. 1 and 3, 33 Stat. 1264, 1265, as amended; 21 U. S. C. 115, 123, 125)

The foregoing amendments shall become effective on the 19th day of June 1949.

The purpose of these amendments is to quarantine a relatively small portion of Florida because of the discovery therein of cattle fever ticks in considerable numbers. Protection of the livestock interests of the United States requires that these amendments be made effective at the earliest practicable moment in order to limit the spread of the ticks. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003), it is found, upon good cause, that notice and public procedure on the amendments are unnecessary, impracticable, and contrary to the public interest, and good cause is found for the issuance of the amendments effective less than 30 days after publication. Notice that Florida has been quarantined in part will be published in newspapers in that area and served on railroads, steamboat, and other transportation companies doing business therein, in accordance with the requirements of section 1 of the act of March 3, 1905 (21 U. S. C. 123). Hearing is not required as an antecedent of this quarantine action under the said act of March 3, 1905, nor any other act of Congress.

Done at Washington, D. C., this 15th day of June 1949. Witness my hand and seal of the United States Department of Agriculture.

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

[F. R. Doc. 49-4903; Filed, June 17, 1949; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 3]

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

COMBUSTION HEATERS

Acting pursuant to the authority stated hereinafter, the following rules are adopted. They have been coordinated with authorized representatives of the aviation industry. They are made effective without delay, in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

§ 3.38132-1 *Combustion heaters (CAA rules which apply to § 3.38132).* See § 4b.38231-1 of this chapter.

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

(Secs. 205 (a), 601, 52 Stat. 984, 1007; Pub. Law 872, 80th Cong.; 49 U. S. C. 425, 551; Reorg. Plans III and IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2107, 2421)

[SEAL] F. B. LEE.
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 49-4894; Filed, June 17, 1949; 8:46 a. m.]

[Supp. 4]

PART 4a—AIRPLANE AIRWORTHINESS

COMBUSTION HEATERS

Acting pursuant to the authority stated hereinafter, the following rules are adopted. They have been coordinated with authorized representatives of the aviation industry. They are made effective without delay, in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the administrative procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

§ 4a.40-1 *Combustion heaters (CAA rules which apply to § 4a.40).* See § 4b.38231-1 of this chapter.

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

(Secs. 205 (a), 601, 52 Stat. 984, 1007; Pub. Law 872, 80th Cong.; 49 U. S. C. 425,

551; Reorg. Plans III and IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2107, 2421)

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 49-4895; Filed, June 17, 1949; 8:47 a. m.]

[Supp. 6]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

BANK AND PITCH INDICATOR AND DIRECTION INDICATOR

Acting pursuant to the authority stated hereinafter, the following rules are adopted. They have been coordinated with authorized representatives of the aviation industry. They amend Technical Standard Orders TSO–C4a, TSO–C5a, and TSO–C6a, which were published as supplements to § 4a.07 of this chapter on July 10, 1948, in 13 F. R. 3847-3852, were transferred as supplements to § 4b.51 on December 15, 1948, in 13 F. R. 7731, and were redesignated § 4b.51–3, § 4b.51–4, and § 4b.51–5 in 14 CFR. They are made effective without delay in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

§ 4b.51–3 *Technical Standard Order TSO–C4b: "Bank and Pitch Indicator (Stabilized Type) (Gyro Horizon, Attitude Gyro)" (CAA rules which apply to § 4b.51)*—(a) *Introduction.* Under section 601 of the Civil Aeronautics Act of 1938, as amended, and §§ 4a.07 and 4a.532 of this chapter, and §§ 4b.05 and 4b.51, the Administrator of Civil Aeronautics is authorized to adopt standards for bank and pitch indicators intended for use in civil aircraft. In adopting these standards, consideration has been given to existing Government and industry standards for bank and pitch indicators.

(b) *Directive*—(1) *Provision.* The performance requirements for bank and pitch indicators, as set forth in sections 6 and 7 of SAE Specification AS–396 Bank and Pitch Indicator, dated August 1, 1947,[1] stated below, with the exceptions hereinafter noted, are hereby established as minimum safety performance standards for bank and pitch indicators intended for use in civil aircraft:

(i) *Exceptions.* (*a*) Section 6.5 Dielectric Test. Last sentence: "The breakdown resistance shall not be less than 5 megohms at that voltage (A. C. or D. C. as applicable)."

(*b*) Section 7.5 Humidity. External filters may be used when necessary in the humidity test.

(2) *Application.* (i) Bank and pitch indicators complying with the specifications appearing in this order are hereby approved for all aircraft. Bank and pitch indicators already approved by the Administrator may continue to be installed in aircraft:

(*a*) For which an application for original type certificate is made prior to the effective date of this order,

(*b*) The prototype of which is flown within one year after the effective date of this order, and

(*c*) The prototype of which is not flown within one year after the effective date of this order if due to causes beyond the applicant's control.

(ii) If an alteration involving a change in type or model of bank and pitch indicator is made within nine months after the effective date of this order, previously approved types of bank and pitch indicators may be installed. However, in any such change made after the nine month period, new types of bank and pitch indicators installed in aircraft used in instrument flight shall meet the specifications contained herein.

(c) *Specific instructions*—(1) *Marking.* In addition to the identification information required in the referenced specification, each bank and pitch indicator shall be permanently marked with the Technical Standard Order designation, CAA–TSO–C4b, to identify the bank and pitch indicator as meeting the requirements of this order in accordance with the manufacturers' statement of conformance outlined in subparagraph (5) of this paragraph. This identification will be accepted by the Civil Aeronautics Administration as evidence that the established minimum safety requirements for bank and pitch indicators have been met.

(2) *Data requirements.* None.

(3) *Effective date.* After May 1, 1949, specifications contained in this order will constitute the basis for Civil Aeronautics Administration approval of bank and pitch indicators for use in certificated aircraft used in instrument flight.

(4) *Deviations.* Requests for deviation from, or waiver of, the requirements of this order, which affect the basic airworthiness of the component, should be submitted for approval by the Chief, Aircraft Service, Office of Aviation Safety, Civil Aeronautics Administration. These requests should be addressed to the nearest Regional Office of the Civil Aeronautics Administration, Attention: Superintendent, Aircraft Branch.

(5) *Conformance.* (i) The manufacturer shall furnish to the Civil Aeronautics Administration, Aircraft Service, Attention: A–298, Washington 25, D. C., a written statement of conformance signed by a responsible official of his company, setting forth that the bank and pitch indicator to be produced by him meets the minimum safety requirements established in this order. Immediately thereafter distribution of the bank and pitch indicator conforming with the terms of this order may be started and continued.

(ii) The prescribed identification on the bank and pitch indicator does not relieve the aircraft manufacturer or owner of responsibility for the proper application of the bank and pitch indicator in his aircraft, nor waive any of the requirements concerning type certification of the aircraft in accordance with existing Civil Air Regulations.

(iii) If complaints of nonconformance with the requirements of this order are brought to the attention of the Civil Aeronautics Administration, and investigation indicates that such complaints are justified, the Administrator will take appropriate action to restrict the use of the product involved.

(iv) Copies of this Technical Standard Order and other Technical Standard Orders may be obtained from the Civil Aeronautics Administration, Aviation Information Staff, Washington 25, D. C.

§ 4b.51–4 *Technical Standard Order TSO–C5b: "Direction Indicator, Non-Magnetic, Stabilized Type (Directional Gyro)" (CAA rules which apply to § 4b.51)*—(a) *Introduction.* Under section 601 of the Civil Aeronautics Act of 1938, as amended, and §§ 4a.07 and 4a.532 of this chapter, and §§ 4b.05 and 4b.51, the Administrator of Civil Aeronautics is authorized to adopt standards for non-magnetic direction indicators intended for use in civil aircraft. In adopting these standards, consideration has been given to existing Government and industry standards for non-magnetic direction indicators.

(b) *Directive*—(1) *Provision.* The performance requirements for non-magnetic direction indicators, as set forth in sections 6 and 7 of SAE Specification AS–397, Direction Indicator, Non-Magnetic, Stabilized Type (Directional Gyro) dated February 1, 1947[1], stated below, with the exceptions hereinafter noted, are hereby established as minimum safety performance standards for non-magnetic direction indicators intended for use in civil aircraft:

(i) *Exceptions.* (*a*) Section 6.2.4 Dielectric Test. Last sentence: "The breakdown resistance shall not be less than 5 megohms at that voltage (A. C. or D. C. as applicable)."

(*b*) Section 7.5 Humidity. External filters may be used when necessary in the humidity test.

(2) *Application.* (i) Non-magnetic direction indicators complying with the specifications appearing in this order are hereby approved for all aircraft. Non-magnetic direction indicators already approved by the Administrator may continue to be installed in aircraft:

(*a*) For which an application for original type certificate is made prior to the effective date of this order.

(*b*) The prototype of which is flown within one year after the effective date of this order, and

(*c*) The prototype of which is not flown within one year after the effective date of this order if due to causes beyond the applicant's control.

(ii) If an alteration involving a change in type or model of non-magnetic direction indicator is made within nine months after the effective date of this order, previously approved types of non-magnetic direction indicators may be installed. However, in any such change made after the nine month period, new types of non-magnetic direction indicators installed in aircraft used in instrument flight shall meet the specifications contained herein.

[1] Copies may be obtained from the Society of Automotive Engineers, 29 West 39th St., New York, N. Y.

(c) *Specific instructions*—(1) *Marking.* In addition to the identification information required in the referenced specification, each non-magnetic direction indicator shall be permanently marked with the Technical Standard Order designation, CAA–TSO–C5b, to identify the non-magnetic direction indicator as meeting the requirements of this order in accordance with the manufacturers' statement of conformance outlined in subparagraph (5) of this paragraph. This identification will be accepted by the Civil Aeronautics Administration as evidence that the established minimum safety requirements for non-magnetic direction indicators have been met.

(2) *Data requirements.* None.

(3) *Effective date.* After May 1, 1949, specifications contained in this order will constitute the basis for Civil Aeronautics Administration approval of non-magnetic direction indicators for use in certificated aircraft used in instrument flight.

(4) *Deviations.* Requests for deviation from, or waiver of, the requirements of this order, which affect the basic airworthiness of the component, should be submitted for approval by the Chief, Aircraft Service, Office of Aviation Safety, Civil Aeronautics Administration. These requests should be addressed to the nearest Regional Office of the Civil Aeronautics Administration, Attention: Superintendent, Aircraft Branch.

(5) *Conformance.* (i) The manufacturer shall furnish to the Civil Aeronautics Administration, Aircraft Service, Attention: A–298, Washington 25, D. C., a written statement of conformance signed by a responsible official of his company, setting forth that the non-magnetic direction indicator to be produced by him meets the minimum safety requirements established in this order. Immediately thereafter distribution of the non-magnetic direction indicator conforming with the terms of this order may be started and continued.

(ii) The prescribed identification on the non-magnetic direction indicator does not relieve the aircraft manufacturer or owner of responsibility for the proper application of the non-magnetic direction indicator in his aircraft, nor waive any of the requirements concerning type certification of the aircraft in accordance with existing Civil Air Regulations.

(iii) If complaints of nonconformance with the requirements of this order are brought to the attention of the Civil Aeronautics Administration, and investigation indicates that such complaints are justified, the Administrator will take appropriate action to restrict the use of the product involved.

(iv) Copies of this Technical Standard Order and other Technical Standard Orders may be obtained from the Civil Aeronautics Administration, Aviation Information Staff, Washington 25, D. C.

§ 4b.51–5 *Technical Standard Order TSO–C6b: "Direction Indicator, Magnetic (Stabilized Type) (Stabilized Magnetic Compass)" (CAA rules which apply to § 4b.51)*—(a) *Introduction.* Under section 601 of the Civil Aeronautics Act of 1938, as amended, and §§ 4a.07 and 4a.532 of this chapter, and §§ 4b.05 and 4b.51, the Administrator of Civil Aeronautics is authorized to adopt standards for stabilized magnetic direction indicators intended for use in civil aircraft. In adopting these standards, consideration has been given to existing Government and industry standards for stabilized magnetic direction indicators.

(b) *Directive*—(1) *Provision.* The performance requirements for stabilized magnetic direction indicators, as set forth in sections 6 and 7 of SAE Specification AS–399, Direction Indicator, Magnetic (Stabilized Type) dated August 1, 1947,[1] stated below, with the exceptions hereinafter noted, are hereby established as minimum safety performance standards for stabilized magnetic direction indicators intended for use in civil aircraft:

(i) *Exceptions.* (a) Section 6.5 Dielectric Test. Last sentence: "The breakdown resistance shall not be less than 5 megohms at that voltage (A. C. or D. C. as applicable)."

(2) *Application.* (i) Stabilized magnetic direction indicators complying with the specifications appearing in this order are hereby approved for all aircraft. Stabilized magnetic direction indicators already approved by the Administrator may continue to be installed in aircraft:

(*a*) For which an application for original type certificate is made prior to the effective date of this order,

(*b*) The prototype of which is flown within one year after the effective date of this order, and

(*c*) The prototype of which is not flown within one year after the effective date of this order if due to causes beyond the applicant's control.

(ii) If an alteration involving a change in type or model of stabilized magnetic direction indicator is made within nine months after the effective date of this order, previously approved types of stabilized magnetic direction indicators may be installed. However, in any such change made after the nine month period, new types of stabilized magnetic direction indicators installed in aircraft used in instrument flight shall meet the specifications contained herein.

(c) *Specific instructions*—(1) *Marking.* In addition to the identification information required in the referenced specification, each stabilized magnetic direction indicator shall be permanently marked with the Technical Standard Order designation, CAA–TSO–C6b, to identify the stabilized magnetic direction indicator as meeting the requirements of this order in accordance with the manufacturers' statement of conformance outlined in subparagraph (5) of this paragraph. This identification will be accepted by the Civil Aeronautics Administration as evidence that the established minimum safety requirements for stabilized magnetic direction indicators have been met.

(2) *Data requirements.* None.

(3) *Effective date.* After May 1, 1949, specifications contained in this order will constitute the basis for Civil Aeronautics Administration approval of stabilized magnetic direction indicators for use in certificated aircraft used in instrument flight.

(4) *Deviations.* Requests for deviation from, or waiver of, the requirements of this order, which affect the basic airworthiness of the component, should be submitted for approval by the Chief, Aircraft Service, Office of Aviation Safety, Civil Aeronautics Administration. These requests should be addressed to the nearest Regional Office of the Civil Aeronautics Administration, Attention: Superintendent, Aircraft Branch.

(5) *Conformance.* (i) The manufacturer shall furnish to the Civil Aeronautics Administration, Aircraft Service, Attention: A–298, Washington 25, D. C., a written statement of conformance signed by a responsible official of his company, setting forth that the stabilized magnetic direction indicator to be produced by him meets the minimum safety requirements established in this order. Immediately thereafter distribution of the stabilized magnetic direction indicator conforming with the terms of this order may be started and continued.

(ii) The prescribed identification on the stabilized magnetic direction indicator does not relieve the aircraft manufacturer or owner of responsibility for the proper application of the stabilized magnetic direction indicator in his aircraft, nor waive any of the requirements concerning type certification of the aircraft in accordance with existing Civil Air Regulations.

(iii) If complaints of nonconformance with the requirements of this order are brought to the attention of the Civil Aeronautics Administration, and investigation indicates that such complaints are justified, the Administrator will take appropriate action to restrict the use of the product involved.

(iv) Copies of this Technical Standard Order and other Technical Standard Orders may be obtained from the Civil Aeronautics Administration, Aviation Information Staff, Washington 25, D. C.

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

(Secs. 205 (a), 601, 52 Stat. 984, 1007; Pub. Law 872, 80th Cong.; 49 U. S. C. 425, 551; Reorg. Plans III and IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2107, 2421)

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 49–4893; Filed, June 17, 1949; 8:46 a. m.]

[1] Copies may be obtained from the Society of Automotive Engineers, 29 West 39th St., New York, N. Y.

[Supp. 7]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

COMBUSTION HEATERS

Acting pursuant to the authority stated hereinafter, the following rules are adopted. They have been coordinated with authorized representatives of the aviation industry. They are made effective without delay, in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would

be impracticable and contrary to the public interest, and therefore is not required.

§ 4b.38231–1 *Technical Standard Order TSO–C20: "Combustion Heaters" (CAA rules which apply to § 4b.38231)*—(a) *Introduction.* Under section 601 of the Civil Aeronautics Act of 1938, as amended, and §§ 3.06, 3.38132, 4a.07 and 4a.40 of this chapter, and §§ 4b.05, and 4b.38231, the Administrator of Civil Aeronautics is authorized to adopt standards for combustion heaters intended for use in civil aircraft. In adopting these standards, consideration has been given to existing Government and industry standards for combustion heaters.

(b) *Directive*—(1) *Provision.* The requirements for combustion heaters, as set forth in SAE Aeronautical Standard AS143B; Heaters, Airplane, Internal Combustion Heat Exchanger Type, dated February 1, 1949,[1] stated below, are hereby established as minimum safety standards for combustion heaters intended for use in civil aircraft:

1. *Purpose.* To specify standards covering minimum safety and performance requirements for internal combustion heaters and certain auxiliary devices which are considered necessary to the safety and performance of the heaters as used in aircraft. These standards are to be considered currently applicable and necessarily subject to revision from time to time due to rapid development of the aeronautical industry. The following standards are based on practical engineering requirements for such internal combustion heat exchanger type heaters as are now used on airplanes and for such as may be developed to meet later requirements.

2. *Scope.* These standards are written to cover internal combustion heat exchanger type heaters used in the following applications:

2.1 Cabin heating. (All occupied regions and windshield heating.)

2.2 Wing and empennage heating.

2.3 Engine and accessory heating. (When heater is installed as part of the aircraft.)

3. *Definition.* An internal combustion heat exchanger type heater as used for airplane heating is one that utilizes through a heat exchanger the heat produced by combustion of a fuel within the heater for the purpose of heating the air being supplied to the airplane.

4. *General requirements.*

4.1 *Heater components.* An internal combustion type heater shall include all of the following:

4.1.1 Combustion chamber and heat exchanger assembly.

4.1.2 Casing or shroud for combustion chamber and heat exchanger assembly.

4.1.3 Igniter.

4.1.4 Burner.

4.1.5 Ventilating air inlet.

4.1.6 Ventilating air outlet.

4.1.7 Combustion air inlet.

4.1.8 Exhaust outlet.

4.1.9 Fuel inlet.

4.2 *Additional devices.* In addition to the heater, the following additional devices are considered necessary to the safety and performance of the heater and will be covered in that respect by these standards. These devices may be furnished separately or as part of the heater. These standards do not cover all tests necessary on these devices, but only those required in their relationship to the heater.

4.2.1 Fuel system.

4.2.1.1 Fuel nozzle, restrictor, orifice, or equivalent.

4.2.1.2 Fuel shutoff valve.

4.2.1.3 Fuel filter.

4.2.2 Safety controls.

4.2.2.1 A device to prevent the heater from becoming overheated.

4.2.2.2 A device to prevent fuel flow to the heater when combustion air is insufficient for safe operation.

4.2.3 Ignition system. (Required for spark ignition only.)

4.2.3.1 Device to provide high voltage power.

4.2.3.2 High voltage ignition lead assembly or equivalent electrical linkage between high voltage device and spark plug.

4.3 *Materials and workmanship.*

4.3.1 The heater and auxiliary equipment shall be constructed throughout of materials which are considered acceptable for the particular use intended and shall be made and furnished with a degree, uniformity, and grade of workmanship generally accepted in the aircraft industry.

4.3.2 The heater casing or shroud shall be constructed of fireproof material.

4.4 *Design features.*

4.4.1 The design shall be such as to preclude the possibility of discharging harmful concentrations of carbon monoxide into the ventilating air stream. See test, paragraph 6.5 4.1.

4.4.2 Where specified, the design shall be such as to preclude excessive loss of pressurized fuselage air. See test, paragraphs 6.5.4.2 and 6.5.4.3.

4.4.3 The design shall include protection against excessive radio interference. See test, section 6.4.

4.4.4 The design shall be such as to preclude harmful effects on construction or performance due to vibration. See test, section 6.3.

4.4.5 The design shall be such that the life of the heater and accompanying devices shall be comparable to other similar airframe components and accessories. See test, section 6.5.

4.4.6 Unless otherwise specified, the design shall be such that the heater and accompanying devices shall operate satisfactorily within normal ranges of power, fuel, and air supplies available in aircraft.

4.5 *Heater identification.* The following minimum information shall be legibly and permanently marked on the heater or on a nameplate attached thereto:

(a) Manufacturer's name and/or trademark.

(b) Manufacturer's part number.

(c) Manufacturer's serial number.

(d) SAE rated output, ------ B. t. u. hr. (See section 5.1)

(e) Rated fuel pressure, ------ psig.

(f) Electrical characteristics.

(g) SAE Spec. AS–143B. For Use: Unpr. cabin ------, Press. cabin -------. Wing -------. (Stamp "X" in one or more blanks as applicable.)

5. *Detail requirements.*

5.1 *SAE rating conditions.* Heater shall deliver at least SAE rated output at following conditions:

5.1.1 Sea level ambient pressure.

5.1.2 Rated fuel pressure, as specified by manufacturer.

5.1.3 Rated sea level combustion air rate, as specified by manufacturer.

5.1.4 Ventilating air temperature rise of 250° F.

5.1.5 Inlet temperature of fuel and air between 50° F. and 125° F.

5.2 *Air supply.*

5.2.1 When sufficient combustion or ventilating air for safe operation is not available the heater shall be made automatically inoperative. See tests, paragraphs 6.5.7.1 and 6.5.7.2.

5.2.2 The combustion air and ventilating air inlets on the heater shall be separated from each other.

5.3 *Fuel supply.*

5.3.1 The fuel lines and fittings under pressure in the heater shall be enclosed in such manner as to prevent any fuel leakage from entering the ventilating air stream, and the enclosure shall have adequate provision for draining to the combustion chamber or to a fuel drain fitting.

5.3.2 A fuel drain outlet or equivalent safety device shall be provided to prevent accumulation of fuel in the combustion chamber and heat exchanger assembly in case the fuel flows without igniting.

5.3.3 All fuel lines in the heater shall be constructed of steel or other fire resistant material. Where flexibility is required in these lines, flexible fire resistant coupled hose assemblies shall be used to eliminate the possibility of using hose clamp connections. Connections in metal fuel lines shall not employ solder nor other relatively low melting point materials which cannot withstand a 2000° F. flame for five minutes.

5.3.4 All gaskets, synthetic rubber seals, etc. shall be suitable for use with aromatic fuels and shall be satisfactory for use at the temperatures encountered within the overheating limits of the heater.

5.3.5 The fuel system lines, fittings and controls shall be sufficiently isolated from the combustion side of the heater to prevent their being damaged by flame, radiant heat or backfire.

5.4 *Combustion chamber and heat exchanger assembly.*

5.4.1 The combustion chamber and heat exchanger assembly shall be constructed from a corrosion and heat resistant material in accordance with SAE Aeronautical Material Specification AMS 5540, or equivalent.

5.4.2 Means shall be provided to minimize malfunctioning due to lead deposits and to permit disassembly and cleaning of all parts affected by products of combustion.

5.4.3 The accumulation of lead scale or products of combustion deposits shall not cause functional failure before 500 hours of heater operation.

5.4.4 The heater combustion chamber and heat exchanger assembly shall be so designed that it will not rupture under the most severe explosion conditions that can occur with any possible fuel air mixture as demonstrated by test procedure outlined in section 6.1.6.

5.5 *Exhaust.*

5.5.1 The temperature of the exhaust gases at the point of discharge from the heater shall not exceed 1200° F. at rating. (See section 5.1.)

5.6 *Ignition.*

5.6.1 Ignition may be accomplished by:

5.6.1.1 Electrically heated resistance hot wire.

5.6.1.2 Electric high-voltage spark plug.

5.6.2 Ignition may be sustained during operation of the heater or discontinued if satisfactory combustion is assured.

5.6.3 The igniter shall be capable of functioning over a period of 200 hours without service. See test, section 6.5.5.

5.6.4 In event of ignition delay for an indefinite period, either with or without fuel supply, no hazardous condition shall result.

5.6.5 Heaters which are intended for wing-empennage heating shall ignite within 15 seconds under conditions of paragraph 6.1.2.3 except that the temperature shall not be higher than −20° F.

5.7 *Safety controls.* The following automatic safety controls shall be furnished separately or as part of the heater. These controls shall be independent of and in addition to the normal operating controls.

5.7.1 A control to shut off the heater fuel flow in case combustion air supply is insufficient for safe operation.

5.7.2 A control to prevent the heater from becoming overheated under any condition of ventilating air flow.

5.8 *Lines and fittings.*

5.8.1 All pipe and tubing fittings used shall comply with applicable AN standards.

[1] Copies may be obtained from the Society of Automotive Engineers, 29 West 39th St., New York, N. Y.

5.8.2 Other fittings not covered above shall conform to accepted aircraft practice.

5.9 *Electrical equipment.*

5.9.1 All electrical equipment, including wiring, instruments, motors, insulation, shielding, relays, etc., shall conform to acceptable aircraft practice.

6. *Test requirements and methods.*

6.1 *Performance tests.* Tests shall be conducted to establish the following:

6.1.1 Ignition characteristic curve, plotting altitude as the ordinate and combustion air pressure differential as the abscissa such that the area under the curve represents the region of reliable starting and burning at −65° F. Include information on temperature of fuel and combustion air supplied to heater. The service ceiling of the heater and its accompanying ignition devices shall be defined as the peak of the ignition characteristic curve. A time record shall be kept on each test start.

6.1.2. Heat output, ventilating air pressure drop, combustion air pressure drop, exhaust temperature, ventilating air temperature rise, fuel rate at—

6.1.2.1 Sea level rating. (See section 5.1.)

6.1.2.2 Sea level rating, except with −65° F. inlet ventilating air, combustion air, and fuel temperatures.

6.1.2.3 20,000 feet pressure altitude with:

(a) Sea level rated weight of ventilating air at −65° F, inlet temperature.

(b) Combustion air at −65° F, inlet temperature, and combustion air pressure differential midway between 20,000 feet altitude ignition limits determined in 6.1.1.

(c) Sea level rated values of voltage and fuel pressure.

(d) Fuel at −65° F, inlet temperature.

NOTE: Temperature measurements for output shall be made in a manner which will provide a representative average temperature of the discharge air. Temperature sensing elements used in test shall be protected against effects of radiation from the heater.

6.1.3 Maximum starting and maximum running amperages required with normal voltage for operation of the heater and accompanying devices at sea level.

6.1.4 Voltage range within which the heater and accompanying devices will operate at sea level and service ceiling.

6.1.5 Collapsing pressure of the combustion chamber and heat exchanger assembly.

6.1.5.1 The heater shall be set up with an adjustable restriction on the combustion air inlet, and a source of vacuum connected to the exhaust outlet. The ventilating air shall discharge freely to atmosphere (sea level). A static pressure tap shall be provided in the exhaust pipe within 12" of the connection to the heater.

6.1.5.2 For a non-pressurized cabin heater or a wing-empennage heater, the heater shall be operated at sea level rating, except that the exhaust outlet pressure is to be maintained at a value which is at least 4 psi below the ventilating air outlet pressure. After operating the heater for at least one hour at these conditions, there must be no permanent distortion of any part of the heater, unless it can be demonstrated that such distortion does not affect the performance or life of the heater.

6.1.5.3 For pressurized cabin heaters, the test shall be the same as 6.1.5.2 except that the exhaust outlet pressure shall be maintained at a value which is at least 10 psi below the ventilating air outlet pressure.

6.1.6 *Combustion chamber burst pressure.* The following design test shall demonstrate compliance with section 5.4.4.

6.1.6.1. With the combustion chamber and heat exchanger assembly at room temperature, introduce a gaseous fuel air mixture in a ratio of from .085 to .095. Purge the combustion chamber and heat exchanger assembly with this mixture to the extent of at least ten times the volume of the combustion chamber and heat exchanger assembly. Ignite the mixture with the heater igniter. Repeat procedure to complete 50 explosions. The heater shall then meet the leakage requirements of section 6.5.4.2.

6.1.7 Radio interference noise levels. See test, section 6.4.

6.1.8 Effect of vibration of heater and accompanying devices. See test, section 6.3.

6.1.9 Minimum life and service requirements of heater and accompanying devices. See test, section 6.5.

6.2 *Test report.* The manufacturer shall furnish a report, on request, covering tests. This report shall include an introduction, a summary, a description of apparatus, instrumentation, and tests, the results, a discussion, and conclusions.

6.3 *Vibration test.* The heater and auxiliary equipment shall be capable of withstanding and satisfactorily operating when subjected to a steady vibration over a range of frequencies from 600 to 2,700 cycles per minute with a total excursion of 1/16", and from 2,700 to 3,200 cycles per minute with an acceleration not exceeding 6 G's. Unless otherwise specified in detail specifications, the equipment shall be mounted on the vibrating apparatus with the longitudinal axis of the heater in a plane parallel to the vibrating surface of the apparatus and normal to the direction of vibration.

6.3.1 The heater shall be vibrated over a range of from 600 to 2,700 cycles per minute with a total excursion of 1/16". The frequencies at which resonance occurs, if any, shall be observed and noted.

6.3.2 The heater will be vibrated over a range of from 2,700 to 3,200 cycles per minute with an acceleration of not less than 5 G's and not more than 6 G's. The frequencies at which resonance occurs, if any, shall be observed and noted.

6.3.3 If resonance is observed under the test of either 6.3.1 or 6.3.2, a vibration test shall be conducted for fifteen hours at the frequency showing the maximum resonance.

6.3.4 If no resonance is observed under the tests of 6.3.1 or 6.3.2, a vibration test shall be conducted for 15 hours at 2,700 cycles per minute with 1/16" total excursion.

6.3.5 At the conclusion of the vibration test there shall be no evidence of structural failure and the heater and accompanying devices shall operate satisfactorily.

6.4 *Radio interference test.*

6.4.1 The heater shall be set up with a sleeve of bare metal ductwork having the same diameter as the heater casing connected at each end of the casing. The length of each piece of ductwork shall be not less than five diameters and shall be connected to the heater with a clamp of the type normally used in an installation.

6.4.2 In the same manner as 6.4.1, connect ductwork or tubing to the combustion air inlet and to the exhaust outlet with respective dimensions determined by diameters of the combustion air inlet and exhaust outlet fittings.

6.4.3 If the ignition voltage transformer is not part of the heater, mount in external to the heater and connect the high voltage terminal to the spark plug by means of the high voltage ignition lead assembly.

6.4.4 With the ignition system operating, check the complete assembly including heater, high voltage device, and high voltage ignition lead assembly using the recommended procedure of specification JAN–I–225 dated June 14, 1945, and Radio Interference Noise Limit Specification AAF–32466–A dated October 17, 1945.

6.5 *Life tests.* Life tests may be conducted in such manner as to qualify the heater and accompanying devices for cabin heating, wing-empennage anti-icing, or both. For cabin heating only, the duration of the test shall be at least 850 hours "on" time. For wing-empennage anti-icing only, the duration of the test shall be at least 500 hours "on" time. For qualification of the heater and accompanying devices under both cabin heating and wing-empennage classifications, the duration of the test may be 850 hours heater "on" time providing at least 500 hours "on" time is performed at wing-empennage conditions.

6.5.1 *General conditions.* The general conditions applying to both cabin and wing-empennage heater life tests shall be as follows:

6.5.1.1 Tests shall be performed at sea level rated fuel pressure and sea level rated combustion air rate.

6.5.1.2 Inlet air temperature shall not exceed 125° F.

6.5.1.3 Approximately 50% of the life test shall be with "continuous" operation, and the remainder of the test with "rapid cycling" operation.

6.5.1.3.1 During "continuous" operation, the ventilating air rate shall be adjusted as required to give the specified temperature rise under steady conditions. At least once, and not more than twice, during each two hours of operating time, the fur and ignition system shall be shut off and the heater permitted to cool for at least 10 minutes with continuous ventilating air and combustion air flow. In calculating total "on" time for the heater, the 10-minute cooling periods shall not be included.

6.5.1.3.2 During "rapid cycling" operation, a thermostatic switch in the ventilating air outlet stream shall cycle the fuel on and off the maintain a specified outlet air temperature. The ventilating air rate shall be adjusted so that the average heat output (assuming that the setting of the cycling switch represents the average outlet air temperature) is between 60 and 75% of the rated output. At least once, and not more than twice during each 2 hours of operating time, the fuel and ignition system shall be shut off and the heater permitted to cool for at least 10 minutes with continuous ventilating air and combustion air flow. For cycling operation "on" time is defined as the total elapsed time during which the rapid cycling switch controls the heater operation; it does not include the 10-minute cooling periods.

6.5.2 *Cabin heater life tests.* The cabin heater life tests shall be divided into four periods, as follows:

6.5.2.1 *First period—250 hours.* Continuous operation, with the ventilating air rate adjusted to maintain a temperature rise of at least 200° F. and an outlet air temperature of at least 250° F.

6.5.2.2 *Second period—250 hours.* Rapid cycling operation, with the cycling switch set to control at 250±10° F. outlet air temperature.

6.5.2.3 *Third period—175 hours.* Same conditions as first period.

6.5.2.4 *Fourth period—175 hours.* Same conditions as second period.

6.5.3 *Wing-empennage anti-icing heater life tests.* Wing-empennage anti-icing heater life tests shall be divided into two periods, as follows:

6.5.3.1 *First period—250 hours.* Continuous operation, with the ventilating air rate adjusted to maintain a temperature rise of at least 300° F. and an outlet air temperature of at least 350° F.

6.5.3.2 *Second period—250 hours.* Rapid cycling operation, with the cycling switch set to control at 350±10° F. outlet air temperature.

6.5.4 *Performance after tests.* At the end of the life and vibration tests the heater shall meet the following requirements:

6.5.4.1 *Carbon monoxide contamination.* At rating conditions, and with the burner operating, carbon monoxide concentration in the heated ventilating air stream shall not exceed one part in 20,000 or 0.005 of 1%. This test shall be run with the heater exhaust discharging to atmosphere. The ventilating air samples shall be taken from an unrestricted duct fastened to the heater ventilating air outlet. The duct shall be the same diam-

eter as the heater casing and at least 5 diameters in length. Use carbon monoxide detector assembly AAF No. 46B1790 or Navy Stock No. R–83–BUA–9258, or equivalent.

6.5.4.2 *Leakage.* With an air pressure of 8 psig inside the combustion chamber and heat exchanger assembly, leakage shall not exceed 9 lbs/hr. (sea level and 59° F). There shall be no leaks which could allow liquid fuel to enter the ventilating air stream in event of ignition failure, when the heater is mounted in any normal position, with drains open.

6.5.4.3 For pressurized cabin heaters, with pressurized jacket, air leakage through the ventilating air shroud or casing shall not exceed 10 lbs/hr. at sea level and room temperature when air pressure of 16 psig is applied to the ventilating air passages.

6.5.4.4 When heater is to be used for wing-empennage anti-icing, the output shall be not less than 90% of the original rating after the life test. If the heater is to be used for cabin heating, the manufacturer shall record in the test report the heater output at the end of the life test.

6.5.5 *Igniter.* Whenever it becomes necessary due to ignition failure during the life test, the igniter may be cleaned, adjusted, or replaced. However, the igniter shall not require servicing or replacement more than twice during the life test of a wing-empennage heater or more than four times during the life test of a cabin heater.

6.5.6 *Fuel system.*

6.5.6.1 Whenever necessary due to stoppage or failure, the fuel orifice or nozzle may be cleaned or replaced. Such servicing shall not be required more than once during a wing-empennage heater life test or twice during a cabin heater life test.

6.5.6.2 The fuel shut off valve may be cleaned once during a wing-empennage heater life test and twice during a cabin heater life test. It shall not be cleaned, serviced, or replaced due to failure to close during the life test. At the end of the life test the valve leakage in the closed position with rated fuel pressure shall not exceed two cubic centimeters of fuel in ten minutes.

6.5.6.3 The fuel filter may be cleaned or the filter element replaced but the filter body shall not be replaced during the life test. At the end of the life test there shall be no leakage through the case or body.

6.5.7 *Safety controls.*

6.5.7.1 The device used to prevent the heater from becoming overheated shall not be serviced or replaced during the life test due to failure to shut off the heater. At the beginning of the life test and at the end of each test period (section 6.5.2 or 6.5.3), any cycling or intermediate controls shall be bypassed and the ventilating air rate gradually reduced over a period of 15 minutes to permit operation of this device. Operation shall be within ±25 F. of the value obtained at the beginning of the life test.

6.5.7.2 The device to prevent fuel flow when combustion air is insufficient for safe operation shall be sensitive to heater combustion air pressure differential or to combustion air pressure. The device may be an air actuated electrical switch designed for use with an electrical fuel shut off valve, or an air actuated mechanical valve designed to control the flow of fuel.

6.5.7.2.1 If an air actuated electrical switch is used, it shall be checked as follows at the end of each test period (section 6.5.2 or 6.5.3) with the heater in operation:

6.5.7.2.1.1 Reduce the combustion air differential pressure or combustion air pressure gradually (approximately 30 seconds) from normal rating to a point where the switch closes the electrical fuel shut off valve. The combustion air differential pressure or combustion air pressure at which the fuel shut off valve closes shall not be less than the minimum value required for safe heater operation. At the end of 15 minutes "fuel off" time, the combustion air differential pressure or combustion air pressure, as applicable, shall be gradually increased at the same rate and the switch shall open the electrical fuel shut off valve at or above the rated combustion air pressure differential.

6.5.7.2.2 If an air actuated mechanical fuel valve is used it shall be checked as follows at the end of each test period (sections 6.5.2 or 6.5.3):

6.5.7.2.2.1 With the heater operating and with the fuel shut off valve "open", the combustion air differential pressure shall be reduced gradually (approximately 30 seconds) from normal rating to value required for safe heater operation. Leakage through the air actuated mechanical fuel valve shall then be measured and shall not exceed two cubic centimeters in ten minutes. At the end of 15 minutes "fuel off" time, the combustion air differential pressure shall be gradually increased at the same rate and the valve shall permit rated fuel flow when the rated combustion air pressure differential is reached.

6.5.7.3 *Ignition system.*

6.5.7.3.1 If necessary, the high voltage device may be serviced or parts replaced once during the life test.

6.5.7.3.2 If necessary, the high voltage ignition lead assembly or equivalent may be serviced or replaced once during the life test.

6.5.7.4 Unless otherwise specified, items 6.5.7.1, 6.5.7.2, 6.5.7.2.1, 6.5.7.2.2, 6.5.7.3, and 6.5.7.3.2, if furnished separately, not as part of the heater, need not be tested more than once providing no changes are made in their design, construction, or adjustment.

6.5.7.5. In case of life test failure of one or more of the devices in items 6.5.7.1, 6.5.7.2, 6.5.7.2.1, 6.5.7.2.2, 6.5.7.3, and 6.5.7.3.2, the test may be continued to qualify the heater or devices that have not failed. A separate life test shall apply only to the failed device if necessary to establish reliability.

7. *Desirable features* (Not Mandatory).

7.1 *Operation.*

7.1.1 The operation of the heater and accompanying devices should require a minimum of moving parts.

7.1.2 The heater should start operation within five seconds at −65° F. at sea level and at its service ceiling, and should reach its maximum output within three minutes after being started.

7.1.3 The heater should be designed in such a manner as to preclude violent explosions on being started.

7.1.4 The heater should be designed in such a manner and made from such materials as to withstand deteriorating effects of high humidity, condensation, fungus, and abrasive particles in the air.

7.1.5 The heater and its accompanying devices should not be adversely affected if subjected to ambient temperatures up to 160° F. for indefinite periods.

7.1.6 The heater should be designed to give low air pressure drop at high altitudes.

7.1.7 Where necessary, additional devices such as the following, may be provided to improve heater operation.

7.1.7.1 Air pressure regulator.
7.1.7.2 Fuel pressure regulator.
7.1.7.3 Combustion air blower.
7.1.7.4 Ventilating air blower.
7.1.7.5 Fuel air ratio control.
7.1.7.6 Thermal cycling switch.
7.1.7.7 Cabin heat controls.

7.2 *Igniter.* The igniter should be accessible for quick replacement or servicing.

7.3 *Fuel nozzle.* The fuel nozzle should be accessible for quick replacement or servicing.

(2) *Application.* (i) Combustion heaters complying with the specifications appearing in this order are hereby approved for all aircraft. Heaters already approved by the Administrator may continue to be installed in aircraft:

(*a*) For which an application for original type certificate is made prior to the effective date of this order.

(*b*) The prototype of which is flown within one year after the effective date of this order, and

(*c*) The prototype of which is not flown within one year after the effective date of this order if due to causes beyond the applicant's control.

(ii) If an alteration involving a change in type or model of heater is made within nine months after the effective date of this order, previously approved types of heaters may be installed. However, in any such change made after the nine-month period, new types of heaters installed shall meet the specifications contained herein.

(c) *Specific instructions*—(1) *Marking.* In addition to the identification information required in the referenced specification, each heater shall be permanently marked with the Technical Standard Order designation, CAA–TSO–C20, to identify the heater as meeting the requirements of this order in accordance with the manufacturers' statement of conformance outlined in subparagraph (5) of this paragraph. This identification will be accepted by the Civil Aeronautics Administration as evidence that the established minimum safety requirements for combustion heaters have been met.

(2) *Data requirements.* Ten copies of the following technical information shall be submitted by the manufacturer of the heater with his Statement of Conformance to the Civil Aeronautics Administration, Aircraft Service, Attn: A–298, Washington 25, D. C.:

(i) Rated combustion air flow rates (or pressure drop) including minimum safe rate and variation with altitude.

(ii) Rated ventilating air flow rates (or pressure drop) including minimum safe rate and variation with altitude.

(iii) Ignition characteristics curve established in accordance with Section 6.1.1 of Specification AS143B.

(iv) Minimum operating voltage used for subdivision (iii) of this subparagraph.

(v) Maximum operating altitude.

(vi) Operating fuel pressure.

(vii) Installation diagram showing installation of safety devices necessary to achieve compliance with Sections 4.2, 5.7 and 6.5.7 through 6.5.7.2.2.1 of Specification AS143B.

(viii) Recommended electrical arrangement and any necessary limitations and pressure or temperature settings which are considered essential to proper and safe installation and operation.

(3) *Effective date.* After June 15, 1949, specifications contained in this order will constitute the basis for Civil Aeronautics Administration approval of combustion heaters for use in certificated aircraft.

(4) *Deviations.* Requests for deviation from, or waiver of, the requirements of this order, which affect the basic airworthiness of the component, should be submitted for approval by the Chief, Aircraft Service, Office of Aviation Safety, Civil Aeronautics Administration.

These requests should be addressed to the nearest Regional Office of the Civil Aeronautics Administration, Attn: Superintendent, Aircraft Branch.

(5) *Conformance.* (i) The manufacturer shall furnish to the Civil Aeronautics Administration, Aircraft Service, Attn: A–298, Washington 25, D. C., a written statement of conformance signed by a responsible official of his company, setting forth that the heater to be produced by him meets the minimum safety requirements established in this order. This statement shall indicate whether the heater meets the standards for cabin or wing-empennage heaters as prescribed in SAE Aeronautical Standard AS–143B and whether it has met the standards of this specification pertinent to pressurized systems. Immediately thereafter distribution of the heaters conforming with the terms of this order may be started and continued.

(ii) The prescribed identification on the heater does not relieve the aircraft manufacturer or owner of responsibility for the proper application of the heater in his aircraft, nor waive any of the requirements concerning type certification of the aircraft in accordance with existing Civil Air Regulations.

(iii) If complaints of nonconformance with the requirements of this order are brought to the attention of the Civil Aeronautics Administration, and investigation indicates that such complaints are justified, the Administrator will take appropriate action to restrict the use of the product involved.

(iv) Copies of this Technical Standard Order and other Technical Standard Orders may be obtained from the Civil Aeronautics Administration, Aviation Information Staff, Washington 25, D. C.

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

(Secs. 205 (a), 601, 52 Stat. 984, 1007; Pub. Law 872, 80th Cong.; 49 U. S. C. 425, 551; Reorg. Plans III and IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2107, 2421)

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 49–4896; Filed, June 17, 1949; 8:47 a. m.]

Subchapter B—Economic Regulations

[Regs., Serial No. ER–145]

PART 292—CLASSIFICATIONS AND EXEMPTIONS

IRREGULAR AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 16th day of June 1949.

On April 13, 1949 the Board adopted a revision of § 292.1 of the Economic Regulations (Serial No. ER–142, 14 F. R. 1879). The revised § 292.1 terminates the temporary exemption afforded therein to Large Irregular Carriers effective 12:01 a. m., e. s. t. on June 20, 1949, unless a Large Irregular Carrier has filed an application for an individual exemption by that time.

There has been some misunderstanding as to the final date for filing applications for individual exemptions, it being assumed that such application might be filed any time during business hours on June 20.

In order to prevent any allegation of undue strictness in the formulation or administration of this requirement and to permit a filing during the later hours the Board is amending § 292.1 to permit filing any time before 5:00 p. m., e. d. s. t. on Monday, June 20.

Since notice and public procedure on this amendment would prevent its going into effect in sufficient time to permit filing of applications within the time specified, such notice and public procedure are contrary to the public interest and the Board finds that good cause exists for making this amendment effective immediately.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends § 292.1 of the Economic Regulations (14 CFR 292.1) effective June 16, 1949:

1. By deleting from paragraph (d) (2) the words "12:01 a. m., e. s. t., on June 20, 1949."

2. By substituting in lieu thereof in paragraph (d) (2) the words "5 p. m., eastern daylight saving time, on June 20, 1949."

(Sec. 416, 52 Stat. 1004, 49 U. S. C. 496)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49–4968; Filed, June 17, 1949; 9:26 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg.,[1] Amdt. 109]

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

KANSAS, NEW MEXICO AND OKLAHOMA

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

1. Schedule A, Item 117, is amended to describe the counties in the Defense-Rental Area as follows:

Reno, except the City of South Hutchinson.

This decontrols from §§ 825.1 to 825.12 the City of South Hutchinson, Kansas, in the Hutchinson, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 193b, is amended to describe the counties in the Defense-Rental Area as follows:

Eddy, except the City of Artesia.
Lea, except the City of Hobbs.

This decontrols from §§ 825.1 to 825.12 the City of Hobbs in Lea County, New Mexico, a portion of the Carlsbad, New Mexico, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 250, is amended to describe the counties in the Defense-Rental Area as follows:

Cleveland, McClain and Oklahoma.
Canadian, except the City of Yukon.

This decontrols from §§ 825.1 to 825.12 the City of Yukon in Canadian County, Oklahoma, a portion of the Oklahoma City Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

4. Schedule A, Item 250a, is amended to describe the counties in the Defense-Rental Area as follows:

Pottawatomie, except the City of Tecumseh.

This decontrols from §§ 825.1 to 825.12 the City of Tecumseh in the Shawnee, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

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

This amendment shall become effective June 15, 1949.

Issued this 15th day of June 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49–4907; Filed, June 17, 1949; 8:49 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, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2607, 2608, 2695, 2746, 2761, 2796, 2897, 3079, 3120, 3152.

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,[1] Amdt. 104]

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

KANSAS, NEW MEXICO AND OKLAHOMA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule A, Item 117, is amended to describe the counties in the Defense-Rental Area as follows:

Reno, except the City of South Hutchinson.

This decontrols from §§ 825.81 to 825.92 the City of South Hutchinson, Kansas, in the Hutchinson, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1869, 1932, 2061, 2062, 2085, 2177, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2898, 3079, 3121, 3153.

2. Schedule A, Item 193b, is amended to describe the counties in the Defense-Rental Area as follows:

Eddy, except the City of Artesia.
Lea, except the City of Hobbs.

This decontrols from §§ 825.81 to 825.92 the City of Hobbs in Lea County, New Mexico, a portion of the Carlsbad, New Mexico, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

3. Schedule A, Item 250, is amended to describe the counties in the Defense-Rental Area as follows:

Cleveland, McLain and Oklahoma.
Canadian, except the City of Yukon.

This decontrols from §§ 825.81 to 825.92 the City of Yukon in Canadian County, Oklahoma, a portion of the Oklahoma City Defense-Rental Area, based on resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

4. Schedule A, Item 250a, is amended to describe the counties in the Defense-Rental Areas as follows:

Pottawatomie, except the City of Tecumseh.

This decontrols from §§ 825.81 to 825.92 the City of Tecumseh in the Shawnee, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

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

This amendment shall become effective June 15, 1949.

Issued this 15th day of June 1949.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 49-4931; Filed, June 17, 1949; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. In § 4.91, paragraph (d) is amended to read as follows:

§ 4.91 *Apportionment.* • • •

(d) *Special apportionments.* In any case wherein it is clearly shown by competent evidence that the application of the foregoing provisions of the regulations in this part will result in undue hardship upon the widow or children, and relief can be afforded without undue hardship to other persons at interest, the assistant administrator for claims, in central office, or the director of claims service in a district office shall determine, without regard to the foregoing provisions of the regulations in this part, the exact amount to be apportioned to each individual in interest. The director, dependents and beneficiaries claims service, in central office cases, or the chief, dependents and beneficiaries claims division, in district office cases, will make appropriate recommendation to the official authorized to make determinations in such cases.

(Sec. 5, 43 Stat. 608, secs. 1, 2, 46 Stat. 1016, secs. 3, 4, 7, 20, 28, 48 Stat. 9, 309, 524, 1281, sec. 3, 54 Stat. 1195, 38 U. S. C. 11, 11a, 49a note, 426, 505, 704, 707, 722; Pub. Law 868, 80th Cong.)

2. In § 4.92, paragraph (b) is amended to read as follows:

§ 4.92 *Changing prior apportionments; discontinuance of apportionments; effective dates.* • • •

(b) *Discontinuance of apportionments, effective dates.* In those cases where death compensation or pension is apportioned between the widow and a child or children and payments have been or are being made to such dependents subsequent to the date of cessation of the condition on which it is predicated, the effective date of discontinuance of the apportioned benefit to the child or children shall be the date of last payment, and the award to the widow will be adjusted accordingly: *Provided,* That in the event of death the effective date shall be the date of death: *Provided further,* That upon attainment by a child of an age (16, 18, or 21) after which compensation or pension is no longer payable the effective date shall be the day preceding the date of attainment of such age: *Provided further,* That upon marriage of a child the effective date shall be the date preceding the date of marriage: *Provided further,* That when a child discontinues a course of instruction, the effective date will be as provided in § 4.98 (c) and (g).

(Sec. 5, 43 Stat. 608, secs. 1, 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 3, 54 Stat. 1195; 38 U. S. C. 11, 11a 49a note, 426, 707)

3. In § 4.170, paragraphs (a), (c), and (d) are amended to read as follows:

§ 4.170 *Revision of rating decisions.* (a) The dependents pension boards in district offices and the central dependents pension board will be governed, generally, by the provisions of § 3.9 (a), (b), (c), and (d) of this chapter in the reversal or amendment of prior rating decisions.

• • • • • •

(c) Authority to sever service-connection upon the basis of clear and unmistakable error is vested in agencies of original jurisdiction in central office and district offices.

(d) Contemplated reversal or amendment of prior rating decisions not involving severance of service-connection, which would result in a reduction or discontinuance of a running award of death compensation or pension, will require the same notice to the claimant provided by § 3.9 (d) of this chapter in severance of service-connection, subject to the same exceptions outlined therein.

(Sec. 5, 43 Stat. 608, secs. 1, 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11, 11a, 426, 707)

4. Subdivision (ii) of § 3.1504 (a) (5) of the Provisional Regulations is hereby canceled.

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

[F. R. Doc. 49-4909; Filed, June 17, 1949; 8:50 a. m.]

PART 12—DISPOSITION OF VETERAN'S PERSONAL FUNDS AND EFFECTS

DECEASED VETERAN'S CASES

1. In § 12.3, paragraph (b) is amended to read as follows:

§ 12.3 *Deceased veterans' cases.* • • •

(b) Upon completion of the survey and inventory the effects will be turned over to the designated employee for safekeeping. Any funds found which apparently were the property of the deceased will be turned over to the details clerk and delivered immediately to the agent cashier, who shall deposit same in the account "Personal Funds of Patients." Unendorsed checks other than Treasury checks will be considered personal effects and not funds and will be handled accordingly.

(Sec. 10, 52 Stat. 1192, 55 Stat. 868; 38 U. S. C. 16i, 17-17j, 17 note)

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

[F. R. Doc. 49-4908; Filed, June 17, 1949; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 590]

TEXAS

TRANSFERRING JURISDICTION OVER OIL AND GAS DEPOSITIS IN CERTAIN LANDS OWNED BY UNITED STATES

Whereas the herinafter-described parcels of land, title to which has been acquired by the United States, comprising the site of the Cactus Ordnance Works Military Reservation, Etter, Texas, are reported to be subject to drainage of their oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas it is necessary in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage from the said parcels of land; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil and gas deposits in such lands be transferred from the Department of the Army to the Department of the Interior; and

Whereas such transfer has the concurrence of the Secretary of the Army:

Now, therefore, 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:

1. The jurisdiction over the oil and gas deposits in the following described par-

cels of land is hereby transferred from the Department of the Army to the Department of the Interior:

That part of sections 20, 28, 29, 36, 37 and 38, Block 2-T, T. & N. O. RR Survey, Moore County, Texas, being 1,538.31 acres, more or less, described in 7 Tracts as follows, as shown by map entitled Exhibit A, Cactus Ordnance Works Industrial Outlease Area, filed in the Bureau of Land Management, Misc. No. 50451:

1. Acquisition Tract 18: All that part of section 20, Blk. 2-T, T. & N. O. RR Survey, Moore County, Texas, lying East of U. S. Highway No. 287 and South of the County line between Moore and Sherman Counties, containing 105.87 acres, more or less.

2. Part of Acquisition Tract 12: The W. 891 ft. of the SW¼ of section 28, Blk. 2-T, T. & N. O. RR Survey, containing 54.00 acres, more or less.

3. Part of Acquisition Tract No. 10: All that part of section 29, Blk. 2-T, T. & N. O. RR Survey, lying East of U. S. Highway No. 287, containing 451.18 acres, more or less.

4. 222.07 acres of Acquisition Tract No. 1, being all that part of section 36, Blk. 2-T, T. & N. O. RR Survey, lying East of Texas State Highway No. 9 (same as U. S. Highway No. 287), except 0.38 acre, described as: Beginning at a point in the East R. O. W. line of State Highway No. 9, said point being 2,507 ft. N. of its intersection with the South line of section 36; thence N. 89° 41' E., 550 ft.; thence N. 0° 19' E., 30 ft.; thence S. 89° 41' W., 550 ft. to a point in the East R. O. W. line of said Highway No. 9; thence S. 0° 19' W., a distance of 30 ft. along the East R. O. W. line of Highway No. 9, to the point of beginning.

5. Part of Acquisition Tract No. 2, containing four parcels of land described as:

(a) Beginning at a point 106 ft. N. of SE corner of section 37, Blk. 2-T, T. & N. O. RR Survey, thence N. along the East line of said section 37; thence S. 89° 42' W., 1,205 ft.; thence S. 0° 11' E., 848 ft.; thence N. 89° 42' E., 1,205 ft.; to point of beginning, containing 23.50 acres, more or less.

(b) Beginning at the NW corner of section 37, Blk 2-T, T. & N. O. RR Survey, thence S. 0° 14' E., 1,466.66 ft. along the W. line of said section 37; thence N. 89° 46' E., 891 ft.; thence N. 0° 14' W., 1,466.66 ft. to N. line of said section 37; thence W. 891 ft. along the N. line of said section 37 to point of beginning, containing 30.00 acres, more or less.

(c) A tract of land in section 37, Blk. 2-T, T. & N. O. RR Survey, 150 ft. in width being 75 ft. on each side of a center line described as; Beginning at a point 891 ft. E. and S., 0° 14' E., 1,166.66 ft. from the NW corner of section 37, thence S. 38° E., 2,390 ft.; thence N. 83° E., 360 ft.; thence S. 47° E., 1,950 ft. to a point, said point being 1,165 ft. W. and 954 ft. N. of the SE corner of said section 37, and containing 15.90 acres, more or less.

(d) Beginning at a 1" iron pipe in the West line of section 37, Blk. 2-T, T. & N. O. RR Survey, said point being 105 ft. N. of the SW corner of said section; thence N. along said section line 384 ft. to a point in the section line marked by 1" iron pipe; thence S. 44° 20' E., 538.9 ft. to a point in property line fence marked with 1" iron pipe; thence in a Westerly direction 378.1 ft. to point of beginning, and containing 1.66 acres, more or less.

6. Acquisition Tract No. 3: The NW¼ and the S½ of section 38, Blk. 2-T, T. & N. O. RR Survey, except 6.60 acres in the SE corner of the S½ of section 38, lying E. of County Road conveyed to C. R. I. & G. RR Co., by instrument recorded in Vol. 46 at page 59, Deed records of Moore County, Texas, and containing 473.40 acres, more or less.

7. Acquisition Tract No. 4: The NE¼ of section 38, Blk. 2-T, T. & N. O. RR Survey, containing 160.00 acres, more or less.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of drainage or threatened drainage of oil and gas from such land.

3. The jurisdiction of the Department of the Interior over the oil and gas deposits in such land shall be subject to the primary jurisdiction of the Department of the Army over the land for military purposes.

4. Prior to any lease or development authorized by the Department of the Interior, the consent of the Department of the Army shall be obtained to assure that there is no interference with the primary use of the land.

5. All moneys received as royalties under leases, or otherwise, on account of oil and gas extracted from such land shall be paid into the Treasury of the United States and credited to miscellaneous receipts.

J. A. KRUG,
Secretary of the Interior.

JUNE 14, 1949.

[F. R. Doc. 49-4892; Filed, June 17, 1949; 8:48 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 20—UNIFORM SYSTEM OF ACCOUNTS FOR PIPE LINE COMPANIES

OPERATING EXPENSE ACCOUNTS; AMORTIZATION ADJUSTMENTS

At a session of the Interstate Commerce Commission, division 1, held at its office in Washington, D. C., on the 8th day of June A. D. 1949.

The matter of modifying the "Uniform System of Accounts for Pipe Lines," being under consideration pursuant to section 20 of the Interstate Commerce Act, as amended, and the modifications which are attached hereto and made a part hereof being deemed necessary for proper administration of the provisions of Part I of the act (34 Stat. 584, 54 Stat. 917, 49 U. S. C. 20 (3)); *It is ordered*, That:

(1) *Objections may be filed.* Any interested party may on or before July 15, 1949, file with the Commission a written statement of reasons why the said modifications should not become effective as hereinafter ordered and may request oral argument if desired.

(2) *Effective date.* Unless otherwise ordered after consideration of such objections, the said modifications shall become effective August 1, 1949.

(3) *Notice.* A copy of this order including the attached modifications shall be served upon every carrier by pipe line subject to the act and upon every trustee, receiver, executor, administrator, or assignee of any such carrier, and notice of this order shall be given to the general public by depositing a copy thereof 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.

By the Commission, division 1.

[SEAL] W. P. BARTEL,
Secretary.

1. Under the maintenance accounts prescribed for gathering lines insert the following additional account after § 20.614 *Extraordinary retirements:*

§ 20.615 *Amortization adjustment.* This account shall include the difference between the amount recorded in account 75, "Amortization reserve," with respect to specific facilities retired which were subject to amortization accounting under section 124, "Amortization deduction," of the Internal Revenue Code, and the service value of such retired property.

2. Under the maintenance accounts prescribed for trunk lines insert the following additional account after § 20.664 *Extraordinary retirements:*

§ 20.665 *Amortization adjustment.* (For text of this account see § 20.615.)

3. Under maintenance accounts prescribed for general clearing accounts insert the following additional account after § 20.763 *Depreciation:*

§ 20.765 *Amortization adjustment.* (For text of this account see § 20.615.)

[F. R. Doc. 49-4902; Filed, June 17, 1949; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR, Part 110]

REVOCATION OF DESIGNATION OF DOUGLAS AIRPORT, DOUGLAS, ARIZ., AND DESIGNATION OF BISBEE-DOUGLAS AIRPORT, DOUGLAS, ARIZ.

AIRPORTS OF ENTRY FOR ALIENS

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), notice is hereby given of the proposed issuance by the Attorney General of the following rule relating to the revocation of the designation of the Douglas Airport, Douglas, Arizona, as an airport of entry for aliens and of the designation of Bisbee-Douglas Airport, Douglas, Arizona, as an airport of entry for aliens. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 2061, Temporary Federal Office Building X, 19th and East Capitol Streets, Washington 25, D. C., written data, views, or arguments relative to this proposed action. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

Section 110.3 *Airports of entry*, Chapter I, Title 8 of the Code of Federal Regulations, is amended by deleting "Douglas, Ariz., Douglas Airport" from the list in paragraph (a) of permanent airports of entry for aliens and by adding "Douglas, Ariz., Bisbee-Douglas Airport" to the same list.

(Sec. 7 (d), 44 Stat. 572; 49 U. S. C. 177 (d))

TOM C. CLARK,
Attorney General.

Recommended: May 20, 1949.

A. R. MACKEY,
Acting Commissioner of Immigration and Naturalization.

[F. R. Doc. 49-4899; Filed, June 17, 1949; 8:45 a. m.]

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Department of the Navy

NAVY DEFENSE HOUSING

NOTICE OF POLICY

Should circumstances make it necessary, commanding officers administering Navy Defense housing facilities are authorized to request cognizant U. S. District Attorneys to maintain an action or proceeding to recover possession of such housing units occupied by civilian tenants who are ineligible to remain as tenants under the current rules for assignment and occupancy applicable to the housing in question, and who fail to comply with a 90-day prior written notice-to-vacate.

DAN A. KIMBALL,
Acting Secretary of the Navy.

JUNE 13, 1949.

[F. R. Doc. 49-4897; Filed, June 17, 1949; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1207]

PENNSYLVANIA GAS CO.

ORDER FIXING DATE OF HEARING

On May 3, 1949, Pennsylvania Gas Company (Applicant) a Pennsylvania corporation having its principal place of business in the Borough of Warren, Pennsylvania, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the continued operation of certain natural-gas pipeline facilities subject to the jurisdiction of the Commission as more fully described in such application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 13, 1949 (14 F. R. 2562).

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 June 29, 1949, at 9:45 a. m. e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: June 14, 1949.

By the Commission:

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4905; Filed, June 17, 1949; 8:49 a. m.]

[Docket No. G-1201]

CENTRAL KENTUCKY NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

On April 27, 1949, Central Kentucky Natural Gas Company (Applicant), a Kentucky corporation having its principal place of business at Charleston, West Virginia, 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, construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 10, 1949 (14 F. R. 2421).

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 June 23, 1949, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: June 14, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-4906; Filed, June 17, 1949; 8:49 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 13372]

ALLARD F. D'HEUR AND CROCKER FIRST FEDERAL TRUST CO.

In re: Trust agreement dated July 20, 1927, between Allard F. D'Heur, trustor, and Crocker First Federal Trust Company, trustee, as amended. File D-28-2095 G-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 Luise (Louise) Bussmann, Maria Holz, Elsa Meerkamp and Willi Meerkamp, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Bertha Gerlach and of Anna Jungbluth (Jungblut), 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 whatsoever of the persons identified in subparagraphs 1 and 2 hereof, in and to and arising out of or under that certain trust agreement dated July 20, 1927, by and between Allard F. D'Heur, trustor, and Crocker First Federal Trust Company, Trustee, as amended on December 10, 1928, August 27, 1930 and April 1, 1948, presently being administered by Crocker First National Bank of San Francisco, trustee, 1 Montgomery Street, San Francisco 20, California,

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:

4. That to the extent that the persons named in subparagraph 1 hereof, and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Bertha Berlach and of Anna Jungbluth (Jungblut), 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4912; Filed, June 17, 1949; 8:52 a. m.]

[Vesting Order 13374]

MARIE HEINDL ET AL.

In re: Miss Marie Heindl et al. vs. Joseph Wagner, et al. File No. D-28-12634; E. T. sec. No. 16815.

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 Joseph Wagner, Joseph Heindl, Carl Heindl, Joseph Heindl, Mrs. Anna Biersack Zitzelberger, Joseph Biersack, Mrs. Marie Wagner Seidl, John Norl, Joseph Zenger, Mrs. Anna Zenger Hochmuth, Michel Zenger, Mrs. Margaret Zenger Liegl, John Zenger, Joseph Wagner, John Wagner, Max Wagner, Alois Wagner, Francisca Wagner and Maria Wagner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of $1,794.90, deposited on September 1, 1938, with James J. Nolan, Jr., as Clerk of the Civil District Court for the Parish of Orleans, Louisiana, to the credit of the persons named in subparagraph 1 hereof, pursuant to an order of the Civil District Court for the Parish of Orleans, Louisiana, dated September 1, 1938, and entered in a proceeding entitled Miss Marie Heindl et al. vs. Joseph Wagner et al., together with any and all accumulations and subject to the payment of any lawful fees and disbursements of the said James J. Nolan, Jr., as Clerk of the Civil District Court for the Parish of Orleans, Louisiana, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by James J. Nolan, Jr., as Clerk of the Civil District Court, acting under the judicial supervision of the Civil District Court for the Parish of Orleans, New Orleans, Louisiana;

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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4913; Filed, June 17, 1949; 8:52 a. m.]

[Vesting Order 13370]

CHRISTINE BRAUN AND MATHILDE FROMM

In re: Rights of Christine Braun and Mathilde Fromm under insurance contract. File No. D-28-9423-H-1.

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

1. That Christine Braun and Mathilde Fromm, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by group life insurance certificate No. 3729-80, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Jacob Scherb, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

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

Executed at Washington, D. C., on June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4879; Filed, June 16, 1949; 8:54 a. m.]

[Vesting Order 13371]

HANS BRUNNER

In re: Rights of Hans Brunner under insurance contract. File No. F-28-101-H-2.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 423,808, issued by The Guardian Life Insurance Company of America, New York, New York, to Max J. Brunner, together with the right to demand, receive and collect said net proceds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4880; Filed, June 16, 1949; 8:54 a. m.]

[Vesting Order 13373]

AUGUST HAUPT

In re: Rights of August Haupt under insurance contract. File No. F-28-6302-H-1.

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

1. That August Haupt, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 560,205, issued by the Phoenix Mutual Life Insurance Company, Hartford, Connecticut, to August Haupt, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That the national interest of the United States requires that the said August Haupt 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4881; Filed, June 16, 1949; 8:55 a. m.]

[Vesting Order 13375]

NAOKICHI IMANISHI

In re: Rights of Naokichi Imanishi under insurance contract. File No. D-39-13665-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,111,810, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Naokichi Imanishi, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4882; Filed, June 16, 1949; 8:55 a. m.]

[Vesting Order 13376]

JOSEPHINE R. KLEINJUNG AND EMPIRE TRUST CO.

In re: Trust agreement dated November 28, 1939, between Josephine R. Kleinjung, grantor, and Empire Trust Company, trustee, as amended. File No. D-28-10530-G-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 Rudolf Kleinjung, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the issue, names unknown, of Rudolf Kleinjung, 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 whatsoever of the persons identified in subpara-

graphs 1 and 2 hereof in and to and arising out of or under that certain trust agreement dated November 28, 1939, by and between Josephine R. Kleinjung, grantor, and Empire Trust Company, trustee, as amended December 14, 1943, presently being administered by Empire Trust Company, trustee, 120 Broadway, New York 5, New York,

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:

4. That to the extent that the person named in subparagraph 1 hereof and the issue, names unknown, of Rudolf Kleinjung 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4883; Filed, June 16, 1949; 8:56 a. m.]

[Vesting Order 13377]

FELIX MUELLER

In re: Estate of Felix Mueller, deceased. File: D-28-12630; E. T. sec. 16810.

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 Elizabeth Durler Baier, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Felix Mueller, 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 Pershing D. Hanifen, Philipsburg, Granite County, Montana, as administrator, acting under the judicial supervision of the District Court, Granite County, Montana;

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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4884; Filed, June 16, 1949; 8:56 a. m.]

[Vesting Order 13379]

KIMIYA YAMAGISHI ET AL.

In re: Rights of Kimiya Yamagishi et al. under insurance contract. File No. F-39-1571-H-1.

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

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

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown of Tomekichi Yamagishi, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,025,256, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Tomekichi Yamagishi, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

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 (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Tomekichi Yamagishi, 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 (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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4885; Filed, June 16, 1949; 8:56 a. m.]

[Vesting Order 13378]

FREDERICK POST

In re: Trust under the will of Frederick Post, deceased. File No. D-28-10917-G-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 Emma Post Simsen (nee Jungesbluth), Mrs. Otto Kalesch (nee Elli Post), and Mrs. Anna Kalesch Post, whose last known address was, on April 21, 1949, Germany, were on such date residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of $3000.00 was paid to the Attorney General of the United States by John W. Ogren, co-trustee of the trust under the will of Frederick Post, deceased;

3. That the said sum of $3000.00 was accepted by the Attorney General of the United States on April 21, 1949, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $3000.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country

on April 21, 1949, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Germany) on such date.

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

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

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

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

Executed at Washington, D. C., on June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4914; Filed, June 17, 1949; 8:52 a. m.]

[Vesting Order 13380]

P. BEIERSDORF & CO. A. G.

In re: Bank account owned by P. Beiersdorf & Co. A. G.

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 P. Beiersdorf & Co. A. G., the last known address of which is Eidelstedterweg 48, Hamburg, Germany, is a corporation organized under the laws of Germany, and which has, or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the Wells Fargo Bank & Union Trust Co., Market at Montgomery, San Francisco 20, California, arising out of a blocked account entitled Richard Doetsch, 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 P. Beiersdorf & Co. 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4915; Filed, June 17, 1949; 8:52 a. m.]

[Vesting Order 13381]

A. E. CRANE AND JOSEPHINE CRANE

In re: Bank account and stock owned by A. E. Crane and Josephine Crane. F-29-172-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 A. E. Crane and Josephine Crane, each of whose last known address is Osaka, Japan are residents of Japan and nationals of a designted enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to A. E. Crane and Josephine Crane, by the National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of a Current Account, entitled A. E. Crane and/or Mrs. Josephine Crane, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. Fifty (50) shares of no par value common capital stock of United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by a Certificate numbered P-163681, registered in the name of Hurley & Co., 55 Wall Street, New York, New York, and presently in the custody of The National City Bank, 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, A. E. Crane and Josephine Crane, 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4916; Filed, June 17, 1949; 8:52 a. m.]

[Vesting Order 13382]

EXPLOSIFS LUXITE S. A. R. L.

In re: Bank account owned by Explosifs Luxite S. a. r. l.

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 Dynamit A. G. vormals Nobel & Co., the last known address of which is Troisdorf, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Explosifs Luxite S. a. r. l. is a corporation organized under the laws of Luxembourg, whose principal place of business is located in Luxembourg, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of, and a substantial part of the stock or shares of which are or, since said date have been, owned or controlled by, directly or indirectly, the aforesaid Dynamit A. G. vormals Nobel & Co. and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Banque Belge Pour L'Etranger (Overseas) Limited, 67 Wall Street, New York 5, New York, arising out of account number 3388 entitled Explosifs Luxite S. R. L., 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 Explosifs Luxite S. a. r. l., the aforesaid

national of a designated enemy country (Germany);

and it is hereby determined:

4. That Explosifs Luxite S. a. r. l. is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country, and is a national of a designated enemy country (Germany); and

5. That to the extent that the persons named in subparagraphs 1 and 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4917; Filed, June 17, 1949; 8:53 a. m.]

[Vesting Order 13384]

HERMANN KRETH

In re: Bank account owned by Hermann Kreth, also known as Hermann Richter. F-28-30344-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 Hermann Kreth, also known as Hermann Richter, 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: That certain debt or other obligation owing to Hermann Kreth, also known as Hermann Richter, by the National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of a Compound Interest Account, account number BM10099, entitled Hermann Kreth, maintained at the branch office of the aforesaid bank located at 35th Street and 3d Avenue, Brooklyn 32, 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 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4918; Filed, June 17, 1949; 8:53 a. m.]

[Vesting Order 13385]

ERNST LEUCKERT

In re: Stock owned by and debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Ernst Leuckert, deceased. D-28-12260.

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 Ernst Leuckert, 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. Twenty-five (25) shares of $20 par value common capital stock of Corn Exchange Bank Trust Company of New York, 13 William Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 076754, registered in the name of Ernst Leuckert, presently in the custody of Herman L. Papsdorf, 87-45 Union Turnpike, Glendale, Long Island, New York, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of Herman L. Papsdorf, 87-45 Union Turnpike, Glendale, Long Island, New York, in the amount of 341.57, as of May 6, 1949, together with any and all accruals thereto, 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 personal representatives, heirs, next of kin, legatees and distributees of Ernst Leuckert, 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 Ernst Leuckert, 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4919; Filed, June 17, 1949; 8:53 a. m.]

[Vesting Order 13386]

MAX MEISTER

In re: Bank account owned by Max Meister also known as Max Meistar. F-28-30290-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 Max Meister also known as Max Meistar, whose last known address is Hamburg 24, Sievekingsdamm 37, 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 of the Franklin Savings Bank in the City of New York, 656 8th Avenue, New York 18, New York, arising out of a savings account, account number 619197, entitled Max Meister, 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, Max Meister also known as Max Meistar, 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4920; Filed, June 17, 1949; 8:53 a. m.]

[Vesting Order 13387]

NICHIBEI KOYU K. K.

In re: Debt owing to Nichibei Koyu K. K. F-39-1341-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 Nichibei Koyu K. K., the last known address of which is Muromachi, Nihonbasi-Ku, Tokio, Japan, is a corporation, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Tokio, Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Nichibei Koyu K. K., by Motow Trading Company, Inc., 609 West 137th Street, New York 31, New York, in the amount of $16,485.24, as of December 31, 1945, together with any and all accruals thereto, 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, Nichibei Koyu K. K., 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4921; Filed, June 17, 1949; 8:53 a. m.]

[Vesting Order 13388]

NORD-OG SYD FORSIKRINGS-AKTIESELSKAB

In re: Bank account owned by Nord-Og Syd Forsikrings-Aktieselskab. F-19-385-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 Magdeburger Feuerversicherungs Gesellschaft, the last known address of which is Magdeburg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has, or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That Magdeburger Rueckversicherungs A. G., the last known address of which is Magdeburg, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has, or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That Forvaltnings-Aktieselskabet Pecunia, is a corporation organized under the laws of Denmark, whose principal place of business is located at Copenhagen, Denmark, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by, or a substantial part of the stock of which, is or has been owned or controlled, directly or indirectly by the aforesaid Magdeburger Feuerversickerungs Gesellschaft, and is a national of a designated enemy country (Germany);

4. That Nord-Og Syd Forsikrings-Aktieselskab, is a corporation organized under the laws of Denmark, whose principal place of business is located at 17 Fredericksgade, Copenhagen, Denmark, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by, or a substantial part of the stock of which, is or has been owned or controlled, directly or indirectly by the aforesaid Magdeburger Feuerversickerungs Gesellschaft, Magdeburger Rueckversicherungs A. G., and Forvaltnings-Aktieselskabet Pecunia, and is a national of a designated enemy country (Germany);

5. That the property described as follows: That certain debt or other obligation owing to Nord-Og Syd Forsikrings-Aktieselskab by The Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a current account entitled Nord-Og Syd Forsikrings-Aktieselskab, maintained with the aforesaid company 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, Nord-Og Syd Forsikrings-Aktieselskab, the aforesaid national of a designated enemy country, (Germany);

and it is hereby determined:

6. That Forvaltnings-Aktieselskabet Pecunia and Nord-Og Syd Forsikrings-Aktieselskab are controlled by or acting for or on behalf of a designated enemy country, (Germany), or persons within such country and are nationals of a designated enemy country, (Germany);

7. That to the extent that the persons named in subparagraphs 1, 2, 3 and 4 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4922; Filed, June 17, 1949; 8:53 a. m.]

[Vesting Order 13389]

THE SANWA BANK, LIMITED

In re: Bank accounts owned by and debt owing to The Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa Bank, Ltd. F-39-827-E-5/E-8.

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 Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa

Bank, Ltd., the last known address of which is Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to The Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa Bank, Ltd., by Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of a banking account, entitled The Sanwa Bank, Limited, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to The Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa Bank, Ltd., by The Bank of California, National Association, 400 California Street, San Francisco 20, California, arising out of a commercial account, entitled The Sanwa Bank, Ltd. (Forcign Office), maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to The Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa Bank, Ltd., by Seattle-First National Bank, Seattle, Washington, arising out of a checking account, entitled Sanwa Bank Limited, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation owing to The Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa Bank, Ltd., by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of an unpresented draft account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

e. That certain debt or other obligation owing to The Sanwa Bank, Limited, also known as The Sanwa Bank, Ltd., as Sanwa Bank, Limited, and as Sanwa Bank, Ltd., by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of an account entitled The Sanwa Bank Ltd., Osaka, 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, 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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4923; Filed, June 17, 1949; 8:54 a. m.]

[Vesting Order 13391]

ELFRIEDE WOITE

In re: Debt owing to Elfriede Woite. F-28-22799-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 Elfriede Woite, whose last known address is (22c) Barache am Erpelchen, Gummersbach, 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 Elfriede Woite, by Armstrong Cork Company, Liberty Street, Lancaster, Pennsylvania, evidenced by a check numbered 38986, in the amount of $127.80, dated December 23, 1939, issued by Armstrong Cork Company, Liberty Street, Lancaster, Pennsylvania, and presently in the custody of Mrs. Joseph Tscherne, Forrest Beauty Shope, 21-14 Linden Street, Brooklyn 7, New York, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all rights in, to and under, including particularly the right to possession and present for payment of the aforesaid check,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4924; Filed, June 17, 1949; 8:54 a. m.]

[Vesting Order 13392]

MEI YAMAMATO

In re: Bank accounts owned by the personal representatives, heirs, next of kin, legatees and distributees of Mei Yamamato, also known as Mei Yamamoto, deceased. D-39-12975-E-1, E-2.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees of Mei Yamamato, also known as Mei Yamamoto, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country, (Japan);

2. That the property described as follows:

a. That certain debt or other obligation of the United States National Bank of San Diego, 202 Broadway, San Diego, California, arising out of a savings account, account numbered 15794, entitled Mei Yamamoto, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of the San Diego Trust & Savings Bank, 540 Broadway, San Diego, California, arising out of a savings account, account numbered 172377, entitled Mei Yamamato, 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, the personal representatives, heirs, next of kin, legatees and distributees of Mei Yamamoto, also known as Mei Yamamoto, deceased, the aforesaid nationals of a designated enemy country, (Japan);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Mei Yamamato, also known as Mei Yamamoto, 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, (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 June 9, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4925; Filed, June 17, 1949; 8:54 a. m.]

[Vesting Order 13424]

HENRY I. BARBEY ET AL.

In re: Trust created by indenture dated March 1, 1904, between Henry I. Barbey, settlor and Adrian Iselin, Jr., A. Lanfear Norrie and Henry G. Barbey, trustees, for the benefit of Helen C. de Pourtales, et al. File No. D-63-474; E. T. sec. 16818.

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 Alexandrine de Saldern, also known as Alix de Saldern, and Alexandrine Von Saldern (granddaughter of Henry I. Barbey) who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is 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 and arising out of or under that certain trust agreement dated March 1, 1904, between Henry I. Barbey, settlor and Adrian Iselin, Jr., A. Lanfear Norrie, Henry G. Barbey, trustees for the benefit of Helen C. de Pourtales, et al.

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 the national interest of the United States requires that the said Alexandrine de Saldern, also known as Alix de Saldern and Alexandrine Von Saldern (granddaughter of Henry I. Barbey) 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 June 14, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4926; Filed, June 17, 1949; 8:54 a. m.]

[Return Order 343]

ENRIQUE HERMAN ESSER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Enrique Herman Esser, Colomba, Quezaltenango, Guatemala, Claim No. 7801, April 16, 1949 (14 F. R. 1862); 324 shares of the capital stock of Central American Plantations Corporation, registered in the name of the Attorney General of the United States, currently in the custody of Chase National Bank of New York, N. Y. $23,652 in the Treasury of the United States representing liquidating dividends from said shares.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 10, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4927; Filed, June 17, 1949; 8:54 a. m.]

[Return Order 354]

ARIEN DEKKER

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Arien Dekker, Fynaart N. B., The Netherlands, Claim No. 6021, April 30, 1949 (14 F. R. 2159); The property described in Vesting Order No. 291 (7 F. R. 9834, November 26, 1942) relating to United States Patent Application Serial No. 332,417 (now United States Letters Patent No. 2,367,460). This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 10, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4928; Filed, June 17, 1949; 8:54 a. m.]

GERARD K. KLYN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Gerard K. Klyn, Jackson Street, Mentor, Ohio; 4341: Property described in Vesting Order No. 291 (7 F. R. 9834, November 26, 1942) relating to United States Patent Application Serial No. 443,971 (now United States Plant Patent No. 707).

Executed at Washington, D. C., on June 10, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4930; Filed, June 17, 1949; 8:55 a. m.]

[Return Order 322, Amdt.]

SILVIO E. GIUFFRE ET AL.

Return Order No. 322, dated May 4, 1949, published in the FEDERAL REGISTER on May 11, 1949 (14 F. R. 2520), is hereby amended as follows and not otherwise:

By deleting therefrom, under "Property", the following:

$3,093.75 in the Treasury of the United States to Maria A. Giuffre.

$3,093.75 in the Treasury of the United States to Mrs. Catherine Sciarrino Re

and by substituting, under "Property", the following:

. $3,083.22 in the Treasury of the United States to Maria A. Giuffre.

$3,083.22 in the Treasury of the United States to Mrs. Catherine Sciarrino Re.

Executed at Washington, D. C., on June 10, 1949.

For the Attorney General.

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

[F. R. Doc. 49-4929; Filed, June 17, 1949; 8:55 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 9 (E)]

SPONGE INDUSTRY WELFARE COMMITTEE ET AL.

APPLICATION FOR INVESTIGATION

JUNE 15, 1949.

Application as listed below for investigation under the escape clause of trade agreements has been filed with the United States Tariff Commission under the provisions of Part III, Executive Order 10004 of October 5, 1948.

Name of article	Purpose of request	Date received	Name and address of applicant
Sponges, not specially provided for (except hardhead or reef) (item 1545, Schedule XX, General Agreement on Tariffs and Trade).	To determine whether articles are being imported in such increased quantities as to cause or threaten serious injury to domestic producers.	June 14, 1949	Sponge Industry Welfare Committee, Chamber of Commerce, Board of City Commissioners, Greek Community all of Tarpon Springs, Fla.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., and also in the New York Office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN,
Secretary.

[F. R. Doc. 49-4904; Filed, June 17, 1949; 8:49 a. m.]