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*Washington, Tuesday, July 23, 1946*

*The President*

**EXECUTIVE ORDER 9758**

**AUTHORIZING THE SECRETARY OF THE INTERIOR TO TAKE POSSESSION OF AND TO OPERATE CERTAIN COAL MINES**

WHEREAS the Secretary of the Interior on May 22, 1946, pursuant to Executive Order No. 9728 issued by me on May 21, 1946, took possession of certain bituminous coal mines, including the mines of the Carter Coal Company located in McDowell County, West Virginia; and

WHEREAS the effectiveness of Government possession and control of the said mines of the Carter Coal Company has been questioned because of the issuance by the Deputy Coal Mines Administrator of Order No. CMAN T-4, which, as of June 3, 1946, terminated Government possession and control of certain coal mines; and

WHEREAS after investigation I find and proclaim that there are interruptions or threatened interruptions in the said coal mines of the Carter Coal Company as a result of existing or threatened strikes and other labor disturbances; that the coal produced by such mines is required for the war effort and is necessary for the continued operation of the national economy during the transition from war to peace; that the war effort will be unduly impeded or delayed by such interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure the operation of such mines in the interest of the war effort and to preserve the national economic structure in the present emergency:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of the Interior is authorized and directed to take possession of any and all of the said mines of the Carter Coal Company and, to the extent

that he deems necessary, of any real or personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines; to operate or to arrange for the operation of such mines in such manner as he may deem necessary in the interest of the war effort; and to do all things necessary for, or incidental to, the production, sale, and distribution of the coal produced, prepared, or handled by the said mines.

2. The Secretary of the Interior shall operate the said mines in accordance with such terms and conditions of employment as are in effect at the time possession thereof is taken subject to the provisions of section 5 of the War Labor Disputes Act.

3. Subject to the national wage and price stabilization policies as determined by the National Wage Stabilization Board and the Economic Stabilization Director, the Secretary of the Interior is authorized, pursuant to the provisions of section 5 of the War Labor Disputes Act, following such negotiations as he may deem necessary with the duly constituted representatives of the employees, to apply to the National Wage Stabilization Board for appropriate changes in the terms and conditions of employment for the period of the operation of the said mines by the Government.

4. In carrying out this order, the Secretary of the Interior shall act through or with the aid of such public or private instrumentalities or persons as he may designate. All federal agencies are directed to cooperate with the Secretary of the Interior to the fullest extent possible in carrying out the purposes of this order.

5. The Secretary of the Interior shall make employment available and provide protection to all employees working at such mines and to all persons seeking employment so far as they may be needed; and upon the request of the Secretary of the Interior, the Secretary of War shall take such action, if any, as he may deem necessary or desirable to provide protection to all such persons and mines.

6. The Secretary of the Interior shall permit the managements of the mines taken under the provisions of this order to continue with their managerial func-

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374, 79th Congress), section 107 of the Naval Appropriation Act, 1947 (Public Law 492, 79th Congress), and section 6 of the Military Appropriation Act, 1947 (Public Law 515, 79th Congress), relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, from and including the effective dates of the said Acts, compliance with the provisions of the said sections during the continuance of any of the wars in which the United States is now engaged or of the present national emergency.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 22, 1946.

[F. R. Doc. 46-12437; Filed, July 22, 1946; 12:49 p. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

ADDITION TO LIST

For the reasons set forth in the accompanying justification<sup>1</sup> filed with the Division of the Federal Register, the following position is added to § 25.1 (a):

§ 25.1 *Positions for which formal education requirements prescribed.* (a)

Engineering positions involving highly technical research, design or development or similar functions.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,  
President.

[F. R. Doc. 46-12368; Filed, July 19, 1946; 3:22 p. m.]

PART 27—TEMPORARY CIVIL SERVICE REGULATIONS

REINSTATEMENT AND PROMOTION.

1. Section 27.9 (b) *Certificate required for reinstatement* (11 F.R. 4143) is amended by the addition of a subparagraph (3) as follows:

(3) When the reinstatement is to a higher grade position than the one in which the employee last served, unless he could be promoted without prior approval of the Commission under § 27.11.

2. Paragraph (a) of § 27.11 *Promotion* (11 F.R. 2431) is amended to read as follows:

§ 27.11 *Promotion*—(a) *Requirement for promotion.* (1) No employee shall be promoted or reassigned to a position in the classified service unless he has a classified (competitive) status and unless he has the knowledge and abilities required for the performance of the duties of the

<sup>1</sup> Filed as part of the original document.

position to which he is proposed for promotion or reassignment.

(2) The apportionment shall be observed in promotions of reassignments unless the employee is entitled to preference under the Veterans' Preference Act of 1944 or has previously served in the apportioned service. The Commission may, upon request of the appointing officer, waive the apportionment when the promotion or reassignment is in the interest of good administration.

(3) An employee must serve at least six months after appointment under § 27.7, Executive Order No. 9733, or under § 27.8 (e), or after the according of a classified status, under section 6 or 8 of Executive Order No. 9691, before he can be promoted: *Provided*, That the Commission may waive this requirement in exceptionally meritorious cases: *Provided further*, That the requirement may be waived when competitive promotion regulations agreed to by the agency and the Commission so provide.

3. The parenthetical clause at the end of § 27.12 (e) is corrected to read (§§ 12.301-12.314 of this chapter, 10 F.R. 12181).

4. Paragraphs (b) and (c) of § 27.16 *Transition promotions, transfers reappointments* (11 F. R. 1424) are amended to read as follows:

(b) *Promotion, intra-agency transfer, and reassignment.* Any employee to whom this section applies who is serving under a war service indefinite, probational, or permanent civil service appointment, or under § 27.8 (b), may be promoted, transferred, or reassigned within the same department or agency without prior approval of the Commission, subject to such standards, limitations or exceptions as may be issued by the Commission: *Provided*, That no employee may be promoted without prior approval of the Commission during the first 6 months of service following war service indefinite appointment, appointment under § 27.8 (b), appointment under § 27.7 or Executive Order No. 9733, or classification under section 6 or 8 of Executive Order No. 9691.

(c) *Inter-agency transfer.* Any employee to whom this section applies who is serving under a war service indefinite, probational or permanent civil service appointment may be transferred without prior approval of the Commission: *Provided*, That the employee presents an official (1) notice of actual or impending separation because of reduction in force, or (2) notice of furlough, or (3) release for employment elsewhere issued by the agency in which employed, or by the Commission: *Provided further*, That if the transfer is to a position in a different line of work or of a higher grade, the employee meets the standards for reassignment or promotion and in case promotion is involved could be so promoted without the prior approval of the Commission.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,  
President.

[F. R. Doc. 46-12367; Filed, July 19, 1946; 3:22 p. m.]

tions to the maximum degree possible consistent with the aims of this order.

7. The Secretary of the Interior is authorized and directed to maintain customary working conditions in the mines and customary procedure for the adjustment of workers' grievances. He shall recognize the right of the workers to continue their membership in any labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection, provided that such concerted activities do not interfere with the operations of the mines.

8. Possession of any mine or mines taken under this order shall be terminated by the Secretary of the Interior as soon as practicable, but in no event more than sixty days after the restoration of the productive efficiency of any such mine or mines prevailing prior to the taking of possession thereof.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 19, 1946.

[F. R. Doc. 46-12383; Filed, July 22, 1946; 10:30 a. m.]

EXECUTIVE ORDER 9759

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 2 of the War Department Civil Appropriation Act, 1947 (Public Law

## TITLE 6—AGRICULTURAL CREDIT

## Chapter II—Production and Marketing Administration (Commodity Credit)

[1946 C. C. C. Cotton Form 2]

## PART 256—COTTON LOANS

## SUBPART—1946

Commodity Credit Corporation will make loans available to eligible producers on eligible cotton of the 1946 crop harvested prior to the beginning of the regular 1946 Cotton Loan Program. These instructions state the requirements of Commodity Credit Corporation with reference to such loans.

## Sec.

|        |  |
|--------|--|
| 256.81 | Definitions.                                     |
| 256.82 | Forms.   |
| 256.83 | Amount.  |
| 256.84 | Classification of cotton.                        |
| 256.85 | Preparation of documents.                        |
| 256.86 | Certification of producer.                       |
| 256.87 | Approved warehouses.                             |
| 256.88 | Warehouse receipts.                              |
| 256.89 | Warehouse charges.                               |
| 256.90 | Liens.   |
| 256.91 | Time and manner of tendering loans for purchase. |
| 256.92 | Lending agency.                                  |
| 256.93 | Repayments.                                      |

AUTHORITY: §§ 256.81 to 256.93, inclusive are issued under sec. 302 of the Agricultural Adjustment Act of 1938, as amended (52 Stat. 43; 7 U. S. C. 1302).

§ 256.81 *Definitions.* As used in this subpart unless the context otherwise requires, the following terms will be construed respectively to mean:

(a) *Eligible producer.* An eligible producer shall be any person (individual, partnership, firm, corporation, association, joint-stock company, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision) producing cotton in 1946 in the capacity of landowner, landlord, tenant or sharecropper. Except as provided below, two or more producers may not obtain a joint loan. If the eligible cotton produced on a farm has been divided among the producers entitled to share in such cotton, each landlord, tenant, and sharecropper may obtain a loan on his separate share. If the cotton has not been divided, the landlord, and one or more of the share tenants or sharecroppers may obtain a joint loan on their shares of such cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest. In any case where a landlord obtains a loan on cotton in which a share tenant or sharecropper has an interest, he must have the legal right to do so, and the share tenant or sharecropper must be paid his pro rata share of the proceeds.

(b) *Eligible cotton.* Eligible cotton shall be cotton produced in 1946 by or for an eligible producer; *Provided*, That the cotton meets the following requirements:

(1) Such cotton must be of a grade and staple specified in the Table of Premiums and Discounts attached hereto.

(2) Such cotton must be represented by warehouse receipts complying with the provisions of § 256.88.

(3) Such cotton must not be compressed to high density.

(4) Such cotton must be free and clear of all liens and encumbrances, except those in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in 1946 CCC Cotton Form M (hereinafter referred to as "Form M").

(5) Such cotton must be tendered for a loan by a person who has the legal right to pledge it as security for a loan.

(6) If the person tendering such cotton for a loan is a landlord, or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and a share tenant or sharecropper have an interest.

(7) Each bale of such cotton must weigh at least 300 pounds.

(c) *Lending agency.* A lending agency shall be any bank, corporation, partnership, association, or person who has executed a Lending Agency Agreement (CCC Cotton Form N) covering loans on cotton of the 1946 crop.

(d) *Eligible paper.* Eligible paper shall be a Form M, duly executed, after June 1, 1946, and prior to September 1, 1946. State documentary revenue stamps should be affixed thereto where required by law. (A Form M executed by an administrator, executor, or trustee, will be acceptable only where valid in law and must be submitted for a direct loan by Commodity Credit Corporation unless accompanied by a repurchase agreement of the Lending Agency. Copies of this agreement may be obtained from the New Orleans Office, Cotton Branch, Production and Marketing Administration, New Orleans 12, Louisiana, (hereinafter referred to as the New Orleans Office).)

§ 256.82 *Forms.* The following documents must be delivered by the lending agency upon tender of notes to Commodity Credit Corporation for purchase:

(a) Form M complying with the provisions of § 256.81 (d).

(b) Warehouse receipts complying with the provisions of § 256.88.

(c) Lending Agency's Letter of Transmittal (C.C.C. Cotton Form O).

§ 256.83 *Amount.* The base loan rate applicable at each approved warehouse will be shown in a "Schedule of Base Loan Rates by Cities and Counties for Cotton Entering the 1946 Interim Cotton Loan" issued for this program by the New Orleans Office. Premiums and discounts applicable to each grade and staple length are shown in the attached table. Loans will not be made on grades or staple lengths of cotton not shown in such table. All loans will be made on the gross weight of the lint cotton, and an allowance of 7 pounds will be made for each bale wrapped in cotton bagging.

§ 256.84 *Classification of cotton.* All cotton must be classified by a Board of Cotton Examiners of the United States Department of Agriculture. Warehouseman should forward samples to the Board of Cotton Examiners serving the district in which the warehouse is located (the Austin, Corpus Christi, Dallas, Houston, and Galveston, Texas, offices will be open for classing cotton under this program), and a list showing the class of the cotton will be returned to the warehouseman by said board. Instructions have been issued to approved warehouses concerning sampling and forwarding of samples and recording the class of the cotton in Form M. No separate charge is to be made to producers for this service as it is included in the Warehouseman's Storage Agreement. Form 1 Classification Memorandum of the United States Department of Agriculture will also be accepted as evidence of the class of cotton, provided the sample is a representative cut sample drawn by an approved warehouseman, a United States Department of Agriculture employee, or a bonded sampler.

A charge of 15 cents per bale shall be collected from the producer for all cotton from which samples are drawn and submitted to a Board of Cotton Examiners for classification, except that no charge shall be collected for samples submitted for a Form 1 classification. The Boards of Cotton Examiners will make collections for classing charges from the warehousemen at the end of each month. A certified check, cashier's check, or postal money order payable to Commodity Credit Corporation must be sent to the Board of Cotton Examiners by each warehouseman in payment of these charges.

§ 256.85 *Preparation of documents.* A producer desiring to obtain a loan may obtain the necessary forms from approved cotton warehouses and also from persons approved by the county agricultural conservation committees in the cotton-producing areas to assist producers in preparing and executing the loan forms. Only persons approved by such committees for such purpose may execute the Clerk's Certificate in Form M. Such persons are permitted to collect fees from producers not to exceed the fees set out in section 5 (a) of the 1945 Cotton Loan Instructions (1945 C. C. C. Cotton Form 1). All entries must be made with ink, indelible pencil, or typewriter in the manner indicated therein, and no documents containing additions, alterations or erasures will be accepted by Commodity Credit Corporation. A duplicate copy shall be prepared and retained by the producer. The Schedule of Pledged Cotton must represent cotton of only one grade and staple length.

§ 256.86 *Certification of producer.* As evidence that the producer is entitled to a loan, Commodity Credit Corporation will accept the Clerk's Certificate on Form M.

§ 256.87 *Approved warehouses.* Warehouse receipts representing eligible cotton will be accepted as security for loans made pursuant to Form M only if issued by warehousemen approved by Commod-

ity Credit Corporation. Warehousemen desiring to be approved should communicate with the New Orleans Office. When warehouses are approved, notification will be given either by letter or published lists. Warehouse receipts will also be acceptable if issued by warehousemen approved by the New Orleans Office under the 1946 Cotton Loan Program. All cotton pledged as security for any one loan must be in the same warehouse.

The warehouseman is required, as provided in the Warehouseman's Certificate and Storage Agreement in Form M, to draw representative samples from the bales and to deliver or forward such samples to a Board of Cotton Examiners for classing, except where Form 1 Classification Memorandum of the U. S. Department of Agriculture is used.

§ 256.88 *Warehouse receipts.* Only negotiable warehouse receipts issued by an approved warehouse dated on or prior to the date of the producer's note and properly assigned by an endorsement in blank so as to vest title in the holders or issued to bearer will be acceptable. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts which by their terms will expire prior to July 31, 1946, must bear an endorsement of the warehouse extending the terms of the warehouse receipt through July 31, 1947. Block warehouse receipts will not be accepted.

§ 256.89 *Warehouse charges.* The warehouseman's charges are limited and his obligation defined by the Warehouseman's Certificate and Storage Agreement contained in Form M. This should be

read carefully and must be executed by the warehouseman issuing the cotton warehouse receipts pledged as collateral to the producer's note. All warehouse charges must be paid to the dates of the warehouse receipt.

§ 256.90 *Liens.* Eligible cotton must be free and clear of all liens except in favor of the warehouse in which the cotton is stored, as specified in the Warehouseman's Certificate and Storage Agreement in Form M. The names of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not warehousemen), must be listed in the space provided therefor in Form M, and the lienholders so listed must execute the Lienholders' Waiver in such form. If the borrower is a tenant, or sharecropper, the landlord must be listed in the List of Lienholders and must sign the lien waiver whether or not he claims a lien, unless the producer's note is signed jointly by the landlord and the tenant or sharecropper. A misrepresentation as to prior liens, or otherwise, will render the producer personally liable under the terms of the loan agreement and subject him to criminal prosecution under the provisions of section 35 (A) of the Criminal Code of the United States (18 U. S. C. 80). The Lienholders' Waiver in Form M must be signed personally by all lienholders listed or by their agents, or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments, in which case the duly executed authority need not be attached.

§ 256.91 *Time and manner of tendering loans for purchase.* Loans made by a lending agency which has executed and delivered a Lending Agency Agreement (C. C. C. Cotton Form N) to the New Orleans Office, prior to the making of the loan will be eligible for purchase

by Commodity Credit Corporation. C. C. C. Cotton Forms N are obtainable only from the New Orleans Office. Under the terms of this agreement, lending agencies are required to tender to Commodity Credit Corporation, New Orleans 12, Louisiana, between September 1, 1946, and September 15, 1946, on Lending Agency's Letter of Transmittal (C. C. C. Cotton Form O), executed in triplicate, all notes on Form N, with collateral attached, which have not been paid by the producers. Upon receipt by Commodity Credit Corporation, the loan papers will be examined, and if found correct, will be approved and purchased. Unless the producer redeems the pledged cotton or converts his loan to a loan under the regular 1946 Cotton Loan Program prior to September 1, 1946, Commodity Credit Corporation will sell such cotton by pooling, or otherwise, as provided in Form M.

§ 256.92 *Lending agency.* The lending agency shall endorse the notes of producers as provided in Form M. Care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No provision is made for any deduction from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case the lending agency has executed the Clerk's Certificate in Form M.

§ 256.93 *Repayments.* No partial release of the cotton securing a note will be permitted. If a producer desires to repay his loan while the note is held by the lending agency, payments should be made directly to the lending agency. In such case, the lending agency is entitled to retain the principal amount of the note plus three percent interest.

Dated this 19th day of July 1946.

[SEAL] ROBERT H. SHIELDS,  
President.

PREMIUMS AND DISCOUNTS FOR ALL QUALITIES OF 1946 AMERICAN UPLAND COTTON (BASIS 1 1/8 INCH MIDDLING)

| Grade                         | Staple length (inches) |        |        |        |        |        |        |        |        |        |        |        |        |                  |
|-------------------------------|------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|
|                               | 1 1/8                  | 3/4    | 3/8    | 1/2    | 1/4    | 1      | 1 1/2  | 1 3/4  | 1 5/8  | 1 7/8  | 2      | 2 1/8  | 2 1/4  | 2 1/2 and longer |
| White and extra white:        | Points                 | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points | Points           |
| Good Middling and Better..... | -265                   | -110   | -30    | 45     | 60     | 80     | 100    | 155    | 235    | 405    | 720    | 955    | 1,090  | 1,235            |
| Strict Middling.....          | -275                   | -120   | -40    | 35     | 45     | 65     | 90     | 140    | 210    | 375    | 690    | 930    | 1,065  | 1,205            |
| Middling.....                 | -305                   | -155   | -75    | Base   | 15     | 30     | 50     | 105    | 140    | 280    | 560    | 785    | 945    | 1,090            |
| St. Low Middling.....         | -460                   | -305   | -230   | -145   | -125   | -115   | -90    | -65    | 5      | 95     | 285    | 455    | 545    | 665              |
| Low Middling.....             | -770                   | -615   | -550   | -465   | -465   | -445   | -440   | -430   | -385   | -350   | -325   | -300   | -280   | -260             |
| St. Good Ordinary.....        | -980                   | -830   | -775   | -705   | -705   | -700   | -700   | -700   | -700   | -700   | -700   | -700   | -700   | -700             |
| Good Ordinary.....            | -1,105                 | -955   | -895   | -820   | -820   | -820   | -820   | -820   | -820   | -820   | -820   | -820   | -820   | -820             |
| Spotted:                      |                        |        |        |        |        |        |        |        |        |        |        |        |        |                  |
| Good Middling.....            | -355                   | -205   | -150   | -65    | -60    | -45    | -30    | Even   | 25     | 125    | 250    | 350    | 425    | 525              |
| Strict Middling.....          | -375                   | -225   | -175   | -85    | -80    | -65    | -50    | -20    | Even   | 100    | 225    | 325    | 400    | 500              |
| Middling.....                 | -555                   | -390   | -340   | -250   | -245   | -235   | -220   | -200   | -195   | -110   | -35    | 35     | 110    | 185              |
| St. Low Middling.....         | -805                   | -640   | -605   | -535   | -535   | -525   | -525   | -520   | -520   | -520   | -510   | -495   | -495   | -495             |
| Low Middling.....             | -980                   | -830   | -795   | -705   | -705   | -700   | -695   | -695   | -695   | -695   | -695   | -695   | -695   | -695             |
| Tinged:                       |                        |        |        |        |        |        |        |        |        |        |        |        |        |                  |
| Good Middling.....            | -625                   | -480   | -445   | -360   | -360   | -350   | -350   | -345   | -345   | -320   | -295   | -255   | -230   | -205             |
| Strict Middling.....          | -645                   | -510   | -470   | -390   | -390   | -375   | -375   | -365   | -365   | -345   | -320   | -280   | -255   | -230             |
| Middling.....                 | -805                   | -645   | -605   | -525   | -525   | -520   | -520   | -515   | -515   | -495   | -475   | -435   | -410   | -385             |
| St. Low Middling.....         | -1,030                 | -895   | -850   | -780   | -780   | -780   | -780   | -775   | -775   | -775   | -775   | -775   | -775   | -775             |
| Low Middling.....             | -1,130                 | -1,000 | -955   | -890   | -890   | -885   | -885   | -885   | -885   | -885   | -885   | -885   | -885   | -885             |
| Yellow stained:               |                        |        |        |        |        |        |        |        |        |        |        |        |        |                  |
| Good Middling.....            | -890                   | -735   | -695   | -635   | -635   | -630   | -630   | -630   | -630   | -625   | -625   | -625   | -625   | -625             |
| Strict Middling.....          | -910                   | -760   | -720   | -660   | -660   | -655   | -655   | -655   | -655   | -650   | -650   | -650   | -650   | -650             |
| Middling.....                 | -1,020                 | -870   | -830   | -770   | -770   | -765   | -765   | -765   | -765   | -765   | -765   | -765   | -765   | -765             |
| Gray:                         |                        |        |        |        |        |        |        |        |        |        |        |        |        |                  |
| Good Middling.....            | -480                   | -335   | -300   | -225   | -215   | -205   | -185   | -165   | -130   | -5     | 45     | 120    | 170    | 245              |
| Strict Middling.....          | -555                   | -415   | -375   | -300   | -290   | -280   | -260   | -240   | -170   | -45    | 5      | 80     | 130    | 205              |
| Middling.....                 | -665                   | -525   | -480   | -410   | -405   | -395   | -385   | -375   | -335   | -295   | -270   | -245   | -220   | -195             |

## TITLE 7—AGRICULTURE

## Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

## Subchapter C—Regulations Under the Farm Products Inspection Act

## PART 55—SAMPLING, GRADING, GRADE LABELING, AND SUPERVISION OF PACKAGING OF BUTTER, CHEESE, EGGS, POULTRY, AND DRESSED DOMESTIC RABBITS

Pursuant to the provisions of the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Congress), and by virtue of the authority vested in the Secretary of Agriculture, the following revision of the rules and regulations issued thereunder governing the sampling, grading, grade labeling, and supervision of packaging butter, cheese, eggs, poultry, and dressed domestic rabbits (7 CFR, Cum. Supp., § 55.1 et seq.), as amended, is hereby prescribed and promulgated:

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## PREREQUISITES TO PACKAGING PRODUCTS WITH GRADE IDENTIFICATION LABELS

55.57 Packing and packaging room and equipment shall be clean and sanitary.

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## MISCELLANEOUS

55.64 Fraud or misrepresentation.

55.65 Political activity.

55.66 Report of violations.

55.67 Interfering with a grader, inspector, or sampler.

55.68 Publications.

55.69 Identification.

AUTHORITY: §§ 55.1 to 55.69, inclusive, issued under Public Law 422, 79th Congress.

## DEFINITIONS

§ 55.1 *Meaning of words.* Words in the regulations in this part in the singular form shall be deemed to import the plural and vice versa, as the case may demand.

§ 55.2 *Terms defined.* For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, as follows:

(a) "Act" means the following provisions of the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Congress), or any future act of Congress conferring like authority:

\* \* \* For enabling the Secretary to investigate and certify, in one or more jurisdictions, to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, canned, or otherwise processed, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may

prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered \* \* \*

(b) "Department" means the United States Department of Agriculture.

(c) "Secretary" means the Secretary of the Department or any other officer or employee of the Department to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

(d) "Administration" means the Production and Marketing Administration of the Department.

(e) "Administrator" means the Administrator of the Production and Marketing Administration of the Department, or any other officer or employee of the Department to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

(f) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(g) "Interested party" means any person financially interested in a transaction involving any grading, appeal grading, or regrading of any product.

(h) "Applicant" means an interested party who requests any grading service, appeal grading, or regrading with respect to any product.

(i) "Grader" means any employee of the Department authorized by the Secretary, or any other person to whom a license has been issued by the Secretary, to investigate and certify, in accordance with the act and this part, to shippers of products and other interested parties the class, quality, and condition of such products.

(j) "Sampler" means any employee of the Department authorized by the Secretary, or any other person to whom a license has been issued by the Secretary, to draw samples of products for grading by a grader or for lot analysis under the act and this part.

(k) "Inspector" means any employee of the Department authorized by the Secretary, or any other person to whom a license has been issued by the Secretary, to inspect and certify the condition and wholesomeness of products.

(l) "Supervisor of packaging" means any employee of the Department authorized by the Secretary, or any other person to whom a license has been issued by the Secretary, to supervise the packaging and grade labeling of products.

(m) "Products" means butter, cheese (whether natural or processed), milk, cream, milk products (whether dry, evaporated, or condensed), eggs (whether shell, liquid, frozen, or dried), egg products, poultry (whether live, dressed, drawn, or eviscerated), dressed domestic rabbits, and such other perishable farm products as the Secretary may designate.

(n) "Office of grading" means the office of any grader, sampler, or inspector.

(o) "Grading certificate" means a statement, either written or printed, issued by a grader, pursuant to the act and this part, relative to the class, quality, and condition of products.

(p) "Sampling report" means a statement, either written or printed, issued by

a sampler, identifying samples taken by him for grading.

(q) "Grading" means (1) the act of determining, according to the regulations, the class, quality, or condition of any product by examining each unit thereof or a representative sample drawn by a grader or sampler; (2) the act of issuing a grading certificate; or (3) the act of identifying, when requested by the applicant, any product by means of official identification pursuant to the act and this part.

(r) "Class" means any subdivision of a product based on essential physical characteristics that differentiate between major groups of the same kind, species, or method of processing.

(s) "Quality" means the inherent properties of any product which determine its relative degree of excellence.

(t) "Condition" means any condition (including, but not being limited to, the state of preservation, cleanliness, soundness, wholesomeness, or fitness for human food) of any product which affects its merchantability.

(u) "Sampling" means the act of taking samples of any product for grading.

(v) "Official identification" means the symbol represented by a stamp, label, seal, mark, or other device approved by the Administrator, affixed to any product or to any container thereof, stating that the product was graded or inspected and indicating the class, quality, grade, or condition of such product as determined by a grader.

(w) "Regulations" means the provisions in this part.

(x) "Grading service" or "continuous inspection" means (1) any grading, in accordance with the act and the regulations, of any product, (2) continuous supervision, in any official plant, of the preparation or packaging of any product, (3) any regrading of any previously graded product, or (4) any appeal grading of any previously graded product.

(y) "Official plant" means any plant in which the facilities and methods of operation therein have been found by the Administrator to be suitable and adequate for grading service in accordance with this part.

#### ADMINISTRATION

§ 55.3 *Authority.* The Administrator shall perform, for and under the supervision of the Secretary, such duties as the Secretary may require in the enforcement or administration of the provisions of the act and this part.

#### GRADING SERVICE

§ 55.4 *Kind of service.* Any grading service performed in accordance with this part may be for class, quality, and condition.

§ 55.5 *Where grading service is offered.* Any product may be graded, inspected, and sampled wherever a grader, sampler, or inspector is available and the facilities and the conditions are satisfactory for the conduct of the grading service.

§ 55.6 *Filing of application.* An application for grading, inspection, or sampling of a specified lot of any product

shall be regarded as filed only when made pursuant to this part.

#### APPLICATION FOR GRADING, INSPECTION, AND SAMPLING

§ 55.7 *Who may obtain grading, inspection, and sampling service.* An application for grading, inspection, or sampling service may be made by any interested person, including, but not being limited to, the United States, any State, county, municipality, or common carrier, and any authorized agent of the foregoing.

§ 55.8 *How to make application.* An application for any grading service may be made in any office of grading, or with any grader, sampler, or inspector at or nearest the place where the service is desired. Such application for service may be made orally (in person or by telephone), in writing, or by telegraph. If an application for grading service is made orally, the office of grading, grader, sampler, or inspector with whom such application is made, or the Administrator, may require that the application be confirmed in writing.

§ 55.9 *Form of application.* Each application for grading, inspecting, or sampling a specified lot of any product shall include such information as may be required by the Administrator in regard to the product and the premises where such product is to be graded, inspected, or sampled.

§ 55.10 *Granting of application.* An application for continuous inspection may be approved only with respect to an official plant.

§ 55.11 *When application may be rejected.* Any application for grading service may be rejected by the Administrator for noncompliance by the applicant with the act or this part; and such applicant shall be immediately notified of the reasons for such rejection.

§ 55.12 *When application may be withdrawn.* An application for grading service may be withdrawn by the applicant at any time before the service is performed upon payment, by the applicant, of all expenses incurred by the Administration in connection with such application.

§ 55.13 *Authority of applicant.* Proof of the authority of any person applying for any grading service may be required in the discretion of the Administrator.

§ 55.14 *Accessibility and condition of product.* Each product for which grading service is requested shall be so conditioned and placed as to permit a proper determination of the class, quality, or condition of such product.

§ 55.15 *Disposition of graded product.* Any product which has been graded may be returned to the applicant at his expense or disposed of in such manner as the Administrator may approve.

§ 55.16 *Basis of grading service.* Products shall be graded in accordance with such standards, methods, and instructions as may be issued, or approved, by the Administrator. The supervision of packaging graded products shall be

in accordance with such instructions as may be issued, or approved, by the Administrator.

§ 55.17 *Order of service.* Grading service shall be performed, insofar as practicable, in the order in which applications therefor are made except that precedence may be given to any such applications which are made by the United States (including, but not being limited to, any instrumentality or agency thereof) and to any application for an appeal grading.

§ 55.18 *Grading certificates and sampling report forms.* Grading certificates (including appeal grading certificates and regrading certificates) and sampling report forms shall be issued on forms approved by the Administrator.

§ 55.19 *Grading certificate issuance.* Each grader and each inspector shall issue a grading certificate covering each product graded; but in no case shall a grader or inspector sign any certificate covering any product not graded by him.

§ 55.20 *Disposition of grading certificates.* The original of any grading certificate, issued pursuant to § 55.19, and not to exceed three copies thereof, shall, immediately upon issuance, be delivered or mailed to the applicant or person designated by him. One copy shall be filed in the office of grading serving the area in which the grading service was performed, and all other copies shall be filed in such manner as the Administrator may approve. Additional copies of any such certificate may be supplied to any interested party as provided in § 55.42.

§ 55.21 *Advance information.* Upon request of an applicant, all or part of the contents of any grading certificate issued to such applicant may be telephoned or telegraphed to him, or to any person designated by him, at his expense.

#### APPEAL GRADING AND REGRADING

§ 55.22 *When appeal grading may be requested.* An application for an appeal grading may be made by any interested party who is dissatisfied with any determination stated in any grading certificate, if the identity of the samples, or the product, has not been lost; and such application for an appeal grading shall be made within two days following the day on which the grading was performed. Upon approval by the Administrator, the time within which an application for an appeal grading may be made may be extended.

§ 55.23 *How to obtain appeal grading.* Appeal grading may be obtained by filing a request therefor (a) with the Administrator, (b) with the grader or inspector who issued the grading certificate with respect to which the appeal grading is requested, (c) with the immediate superior of such grader or inspector, or (d) with the officer in charge of any office of grading. The application for appeal grading shall state the reasons therefor and may be accompanied by a copy of the aforesaid grading certificate or any other information the applicant may have secured regarding the product, at the time of grading, from which the

appeal is requested. Such application may be made orally (in person or by telephone), in writing, or by telegraph. If made orally, written confirmation may be required.

§ 55.24 *Record of filing time.* A record showing the date and hour when each such application for appeal grading is received shall be maintained in such manner as the Administrator may prescribe.

§ 55.25 *When an application for an appeal grading may be refused.* If it appears to the Administrator that the reasons for an appeal grading are frivolous or not substantial, or that the quality or condition of the products has undergone a material change since the grading from which the appeal is made, or the identical products graded cannot be made accessible for regrading, or the act or this part has not been complied with, the Administrator may refuse the applicant's request for the appeal grading; and such applicant shall be promptly notified of the reason for such refusal.

§ 55.26 *When an application for an appeal grading may be withdrawn.* An application for appeal grading may be withdrawn by the applicant at any time before the appeal grading is made upon payment, by the applicant, of all expenses incurred by the Administration in connection with such application.

§ 55.27 *Order in which appeal gradings are performed.* Appeal gradings shall be performed, insofar as practical, in the order in which applications, therefor are received; and any such application may be given precedence pursuant to § 55.17.

§ 55.28 *Who shall make appeal gradings.* An appeal grading of any graded product shall be made by any grader (other than the one from whose grading the appeal is made) designated for this purpose by the Administrator; and, whenever practical, such appeal grading shall be conducted jointly by two such graders.

§ 55.29 *Appeal grading certificate.* Immediately after an appeal grading has been completed, an appeal grading certificate shall be issued showing the results of such appeal grading; and such certificate shall supersede the grading certificate previously issued for the product involved. Each appeal grading certificate shall clearly identify the number and date of the grading certificate which it supersedes; and such supersedure shall be effective as of the time of issuance of the appeal grading certificate. The provisions of §§ 55.18 to 55.21, both inclusive, shall, whenever applicable, also apply to appeal grading certificates except that copies of such appeal grading certificates shall be furnished each interested party of record.

§ 55.30 *Application for regrading of a graded product.* An application for the regrading of any previously graded product may be made by any interested party. The provisions of this part relative to grading service shall apply to regrading service.

§ 55.31 *Regrading certificate.* Immediately after a regrading has been com-

pleted, a regrading certificate shall be issued showing the results of such regrading; and such certificate shall supersede the grading certificate previously issued for the product involved. Each regrading certificate shall clearly identify the number and date of the grading certificate which it supersedes; and such supersedure shall be effective as of the time of issuance of the regrading certificate. The provisions of §§ 55.18 to 55.21, both inclusive, shall, whenever applicable, also apply to regrading certificates except that copies of such regrading certificates shall be furnished each interested party of record.

§ 55.32 *Superseded certificates.* Whenever any grading certificate is superseded in accordance with this part, such certificate shall become null and void and, after the effective time of the supersedure, shall no longer represent the class, quality, or condition of the product described therein. If the original and all copies of such superseded certificate are not delivered to the person issuing the regrading or appeal grading certificate, he shall notify such persons as he considers necessary to prevent fraudulent use of the superseded certificate.

#### LICENSED GRADERS, INSPECTORS, SAMPLERS, AND SUPERVISORS OF PACKAGING

§ 55.33 *Who may be licensed.* Any person possessing proper qualifications, as determined by an examination for competency, may be licensed by the Secretary as a grader, inspector, sampler, or supervisor of packaging. Such examination shall be held at such time and in such manner as may be prescribed by the Administrator. All licenses issued by the Secretary shall be countersigned by the Chief, or Acting Chief, of the Dairy and Poultry Grading and Inspection Division of the Administration. Any prospective licensee, other than a Federal or State employee, shall, prior to the granting of the license, procure and deliver to the Administration a surety bond, issued by such surety as may be approved by the Administrator, in the amount of \$1,000 for the proper performance of the duties of such licensee under the act and this part.

§ 55.34 *Limited license may be issued.* To any person possessing proper qualifications, as determined by the Administrator, there may be issued a limited license by the Secretary to perform the following functions: (a) to candle and grade eggs on the basis of Official United States Standards for Quality of Individual Shell Eggs, issued by the Department on January 2, 1943, with respect to eggs purchased from producers or eggs to be packaged with official identification, and (b) to inspect liquid and frozen eggs that are produced under the supervision of an inspector. No person to whom a limited license is issued by the Secretary shall have the authority to issue any grading certificate; and all eggs (whether shell, liquid, or frozen) which are graded and inspected by any such person shall thereafter be check-graded and check-inspected by a grader or an inspector. All limited licenses, issued as aforesaid, shall be counter-

signed by the aforesaid Chief or Acting Chief.

§ 55.35 *Suspension of license.* Pending final action by the Secretary the aforesaid Chief or Acting Chief may, whenever he deems such action necessary, suspend any license or limited license, issued pursuant to this part, by giving notice of such suspension to the respective licensee or limited licensee, accompanied by a statement of the reasons therefor. Within seven days after the receipt of the aforesaid notice and statement of reasons by such licensee or limited licensee, he may file an appeal, in writing, with the Secretary supported by any argument or evidence that he may wish to offer as to why his license or limited license should not be suspended or revoked. After the expiration of the aforesaid seven day period and consideration of such argument and evidence, the Secretary will take such action as he deems appropriate with respect to such suspension or revocation.

§ 55.36 *Cancellation of license.* Upon termination of his services as a grader, inspector, sampler, or supervisor of packaging, each licensee and limited licensee shall surrender his license immediately for cancellation.

§ 55.37 *Surrender of license.* Each license and each limited license which is cancelled, suspended, or has expired shall immediately be surrendered by the licensee or limited licensee to the office of grading serving the area in which he is located.

#### FEEES AND CHARGES

§ 55.38 *Payment of fees and charges.* (a) Fees and charges for any grading service shall be paid by the interested party, making the application for such grading service, in accordance with the applicable provisions of this section and §§ 55.39 to 55.51, both inclusive; and, if so required by the grader, inspector, or sampler, such fees and charges shall be paid in advance.

(b) Fees and charges for any grading service performed by any grader, inspector, or sampler who is a salaried employee of the Department, shall, unless otherwise required pursuant to (c) of this section, be paid by the interested party making application for such grading service by check, draft, or money order payable to the Treasurer of the United States and remitted promptly to the Administration.

(c) Fees and charges for any grading service under a cooperative agreement with any State or person shall be paid in accordance with the terms of such cooperative agreement by the interested party making application for any such grading service.

§ 55.39 *On a fee basis.* (a) Unless otherwise provided herein, the fees to be charged and collected for any service (other than for an appeal grading) performed, in accordance with this part, on a fee basis shall be based on the applicable rates specified in §§ 55.44 to 55.49, both inclusive.

(b) In the event the aforesaid applicable rates are deemed by the Administrator to be inadequate fully to reim-



bürse the Administration for all costs and other items paid or incurred by the Administration in connection with such service, the fees for such service shall not be based on the rates specified in §§ 55.44 to 55.49, both inclusive, but shall be based on the time required to perform such service and the travel of each sampler, grader, inspector, and supervisor of packaging at the rate of \$3.00 per hour for the time actually required.

(c) If an applicant requests that any grading service be performed on a holiday or a non-work day, he may be charged for such service at a rate one and one-half times the rate which would otherwise be applicable for such service if performed other than on a holiday or non-work day.

§ 55.40 Fees for grading samples. The fee to be charged for the grading of each lot of samples of any product shall be based on the actual time required to perform the service and shall be at the rate of \$3.00 per hour, with a minimum charge of \$1.50 for each such lot.

§ 55.41 Fees for appeal grading. The fees to be charged for any appeal grading shall be double the fee specified in the grading certificate from which the appeal is taken: *Provided*, That the fee for any appeal grading requested by the United States, or any agency or instrumentality thereof, shall be the same as set forth in the grading certificate from which the appeal is taken. If the result of any appeal grading discloses that a material error was made in the grading appealed from, no fee shall be required.

§ 55.42 Fees for additional copies of grading certificates. Additional copies of any grading certificates, other than those provided for in § 55.20 hereof, may be supplied to any interested party upon payment of a fee of \$1.00 for each set of five, or fewer copies.

§ 55.43 Traveling expenses and other charges. Charges may be made to cover the cost of traveling and other expenses incurred by the Administration in connection with the performance of any grading service.

§ 55.44 Butter and cheese grading fees. For each grading or regrading of any lot of butter or cheese, the following fees, on the basis of the net weight of such lot or the actual number of churnings of butter or vats of cheese comprising such lot, shall be applicable:

(a) When all the packages in any such lot are not individually identified by churning of butter or vat of cheese, the following fees shall be effective:

|   |        |
|---|--------|
| For 500 pounds or less.....   | \$1.50 |
| For 501 to 1,500 pounds, inclusive.....   | 2.25   |
| For 1,501 to 3,000 pounds, inclusive.....   | 3.00   |
| For 3,001 to 6,000 pounds, inclusive.....   | 4.00   |
| For 6,001 to 10,000 pounds, inclusive.....  | 6.00   |
| For 10,001 to 15,000 pounds, inclusive.....   | 8.00   |
| For 15,001 to 20,000 pounds, inclusive.....   | 10.00  |
| For each additional 10,000 pounds, or fraction thereof, in excess of 20,000 pounds..... | 2.00   |

(b) When all the packages in any such lot are individually identified by churning of butter or vat of cheese, the following fees shall be effective:

For five or less churnings or vats (total weight less than 18,000 pounds)..... \$2.00  
 For each additional churning of vat in excess of five, an additional charge of..... .30

For any lot of butter or cheese weighing at least 18,000 pounds, the minimum charge shall be \$6.00

§ 55.45 Egg grading and inspection fees. For each grading or regrading of any lot of eggs, the following fees, on the basis of the number of packages in such lot, shall be applicable:

(a) *Shell eggs.*  
 For 10 packages or less..... \$1.50  
 For 11 to 25 packages, inclusive..... 2.25  
 For 26 to 50 packages, inclusive..... 3.00  
 For 51 to 100 packages, inclusive..... 4.50  
 For 101 to 200 packages, inclusive..... 6.50  
 For 201 to 300 packages, inclusive..... 8.00  
 For 301 to 420 packages, inclusive..... 10.00  
 For each additional 100 packages, or fraction thereof, in excess of 420 packages..... 1.50

(b) *Frozen eggs.* (1) Inspection for condition only:

For 50 packages or less..... \$2.00  
 For 51 to 100 packages, inclusive..... 2.75  
 For each additional 100 packages, or fraction thereof, in excess of 100 packages..... .50

(2) Inspection for condition and sampling for laboratory analysis:

For 50 packages or less..... \$3.00  
 For 51 to 100 packages, inclusive..... 3.75  
 For each additional 100 packages, or fraction thereof, in excess of 100 packages..... .75

When each individual package in any lot is examined, the fee shall be \$0.15 for each package.

§ 55.46 Dressed poultry and dressed domestic rabbits grading fees. For each grading or regrading of any lot of dressed poultry or dressed domestic rabbits, the following fees shall be applicable:

For 500 pounds or less..... \$1.50  
 For 501 to 1,500 pounds, inclusive..... 2.25  
 For 1,501 to 3,000 pounds, inclusive..... 3.00  
 For 3,001 to 6,000 pounds, inclusive..... 4.00  
 For 6,001 to 10,000 pounds, inclusive..... 5.25  
 For 10,001 to 20,000 pounds, inclusive..... 8.50  
 For each additional 10,000 pounds, or fraction thereof, in excess of 20,000 pounds..... 3.00

§ 55.47 Milk sampling fees. (a) for each sampling of any lot of dry milk, the following fees shall be applicable:

For 1,500 pounds or less..... \$1.75  
 For 1,501 to 3,000 pounds, inclusive..... 2.50  
 For 3,001 to 6,000 pounds, inclusive..... 3.25  
 For 6,001 to 10,000 pounds, inclusive..... 4.00  
 For each additional 10,000 pounds, or fraction thereof, in excess of 10,000 pounds..... 2.00

(b) For each lot of evaporated or condensed milk, the following fees shall be applicable:

For 50 packages or less..... \$1.75  
 For 51 to 200 packages, inclusive..... 2.50  
 For 201 to 400 packages, inclusive..... 3.25  
 For 401 to 600 packages, inclusive..... 4.00  
 For each additional 500 packages, or fraction thereof, in excess of 600 packages..... 1.00

§ 55.48 Fees for laboratory analyses. For each of the following laboratory analyses, pursuant to this part, of any dairy or poultry product, the fee referable thereto shall be applicable:

(a) *Dried eggs*

Solids..... \$1.50  
 Fat..... 2.00  
 Solubility..... .50  
 Palatability..... 1.50

(b) *Dry milk*

Sediment..... .50  
 Solids..... 1.50  
 Fat..... 2.00  
 Solubility..... .50  
 Total bacterial count (plate)..... 1.00  
 Titratable acidity..... .50  
 Flavor..... 1.50

(c) *Evaporated milk*

Solids..... 1.50  
 Fat..... 2.00  
 Flavor, color, body..... 1.50  
 Net weight..... .50

(d) *Sweetened condensed milk*

Solids..... 1.50  
 Fat..... 2.00  
 Sugar:  
 Polariscopes..... 2.00  
 Volumetric..... 3.00  
 Gravimetric..... 4.00  
 Net weight..... .50  
 Flavor, color, body..... 1.50

(e) *Bulk cheese*

Complete moisture test in duplicate... 4.00

(f) *Process cheese*

Moisture..... 2.00  
 Fat..... 2.00

(g) *Carter's spread*

Moisture..... 1.50  
 Fat..... 2.00  
 Salt..... 1.00

(h) *Butter oil*

Moisture..... 1.50  
 Fat..... 2.00

(i) *Butter*

Kohman test..... 2.00

(j) *Frozen whole eggs*

Solids..... 2.00  
 Fat..... 2.00

(k) *Frozen yolks, plain or sugared*

Solids..... 2.00  
 Fat..... 2.00  
 Volumetric test..... 3.00

(l) *Frozen whites*

Composite test..... 4.00

(m) *Dried albumen*

Flake, particle, size..... .50  
 Solids..... 1.50  
 Whipping test..... 3.00

<sup>1</sup> The specified rate shall apply except when the sample is tested for flavor or palatability only, in which case the fee shall be \$1.00.

§ 55.49 Additional charges. With respect to any grading service performed in a freight or express car or any other place where the entire lot of the product is not readily accessible to the grader, inspector, or sampler, if the time required for the performance of such service is greater than would otherwise be required if the entire lot were readily accessible, as aforesaid, a fee of \$4.00 shall be charged in addition to the applicable rates specified in §§ 55.44 to 55.48, both inclusive.

§ 55.50 On a contract basis. Fees to be charged and collected for any service, other than for an appeal grading, on a contract basis, shall be such as are provided in such contract. The fees to be

charged for any appeal grading shall be as provided in §§ 55.39 to 55.48, both inclusive.

§ 55.51 *Fees for grading service performed under cooperative agreement.* The fees to be charged and collected for any service performed under cooperative agreement shall be those provided for by such agreement.

MARKING, BRANDING, AND IDENTIFYING  
PRODUCT

§ 55.52 *Authority to use official identification.* Whenever the Administrator determines that the granting of authority to any person to package any product, graded pursuant to this part, and to use official identification, pursuant to §§ 55.53 to 55.63, both inclusive, will not be inconsistent with the act and this part, he may authorize such use of official identification. An application for such authority shall be submitted to the Administrator in such form as he may require.

§ 55.53 *Approval of official identification.* Any grade label, inspection mark, or packaging material which is to be used as official identification shall be used only in such manner as the Administrator may prescribe; and such label, inspection mark, and packaging material shall be of such form and contain such information as the Administrator may require. No grade label, inspection mark, or packaging material may be used in the identification of any graded or inspected product unless finished copies or samples of such grade label, inspection mark, and packaging material have been approved by the Administrator.

§ 55.54 *Information required on official identification label.* Each grade label which is to be used as official identification shall conspicuously indicate the U. S. grade of the product it identifies and shall include one of the following phrases: "Officially graded," "Federal-State graded," "Federal graded," or "Government graded." When required by the Administrator, the grade label shall also include all or any portion of the information set forth in (a) and (b) of this section.

(a) The grade identification label on butter packaging material shall be stamped or perforated with the date of grading and the number of the grading certificate issued on the product.

(b) When eggs have been graded pursuant to this part and are packaged, the grade identification label affixed to each such package shall have stamped thereon the date of grading unless such label is printed on the carton, in which case the date of grading shall be shown on the seal used to close the package.

§ 55.55 *Time limit for packaging graded butter and eggs with grade identification labels.* Any lot of butter or eggs which is graded pursuant to this part may be packaged only within the following prescribed time limit immediately following the respective grading:

|             | Days |
|-------------|------|
| Butter..... | 7    |
| Eggs.....   | 3    |

§ 55.56 *Supervisor of packaging required.* The official identification of any graded or inspected product, as provided in §§ 55.53, to 55.63, both inclusive, shall be done only under the supervision of a grader, inspector, or supervisor of packing. The authority to use grade identification labels may be granted by the Administrator only to applicants who make the services of a supervisor of packaging available for use in accordance with this part.

PREREQUISITES TO PACKAGING PRODUCTS  
WITH GRADE IDENTIFICATION LABELS

§ 55.57 *Packing and packaging room and equipment shall be clean and sanitary.* Each applicant who is granted the authority to package any product with a grade identification label and who operates, for such purpose, a butter printing and packaging room or an egg or poultry grading and packaging room shall maintain the room and the equipment therein in a clean and sanitary condition and, in addition, in accordance with the instructions of the Administrator.

§ 55.58 *Facilities for incubating butter samples required.* Each applicant granted the authority, as aforesaid, to package graded butter with grade identification labels shall provide and maintain a cabinet of suitable construction, equipped with temperature control, for the purpose of incubating samples of graded butter. Suitable facilities for the purpose of cleaning and sterilizing the equipment used in performing such incubation shall be also provided by such applicant.

§ 55.59 *Incubation of butter samples to determine keeping quality.* Samples of butter may be taken by a grader, pursuant to the instructions of the Administrator, from any lot of butter which is submitted for grading and packaging with grade identification labels, for the purpose of determining, by subsequent examination, whether such butter possesses satisfactory keeping quality, as determined by the grader in accordance with such standards as the Administrator may prescribe.

§ 55.60 *Butter of known unsatisfactory keeping quality shall not be eligible for packaging with grade identification labels.* Any butter produced in a creamery whose production of butter, within 30 days prior to current grading, has shown unsatisfactory keeping quality, as evidenced by the keeping quality test pursuant to § 55.59 hereof, shall not be packaged with any grade identification label until it is determined, by the grader, that such butter possesses satisfactory keeping quality.

§ 55.61 *Candling and grading requirements of shell eggs for packaging with grade identification labels.* Shell eggs shall not be packaged with any grade identification label unless such eggs are first candled and graded (a) by a grader or (b) by a limited licensee, pursuant to § 55.34, and thereafter check-graded by a grader.

§ 55.62 *When cold storage eggs may be packaged with grade identification labels.* Cold storage shell eggs may be

packaged with grade identification labels only after such shell eggs have been adequately tempered prior to grading. Their flavor and odor shall be pleasing and desirable, and not more than slightly lacking in freshness as evidenced by organoleptic examination.

§ 55.63 *When drawn or eviscerated poultry or domestic rabbits may be graded.* Drawn or eviscerated poultry or domestic rabbits may be graded and identified with grade identification labels setting forth the proper U. S. grade only when the respective product has been eviscerated in an official plant in accordance with the provisions of the rules and regulations of the Secretary of Agriculture governing the inspection and certification of dressed poultry and dressed domestic rabbits and edible products thereof for condition and wholesomeness (10 F.R. 12951).

MISCELLANEOUS

§ 55.64 *Fraud or misrepresentation.* Any wilful misrepresentation or deceptive or fraudulent practice found to be made or committed by any person in connection with:

(a) The making or filing of any application for any grading service, appeal, or regrading service;

(b) The use of any grading certificate, issued pursuant to this part, or the use of any official identification;

(c) The use of the words "Government graded," "Officially graded," "Federal-State graded," or words of similar import in the labeling or advertising of any product without stating in conjunction therewith the official U. S. grade of the product;

(d) The use of any of the aforesaid words or an official identification in the labeling or advertising of any product that has not been graded pursuant to this part;

(e) The use of a facsimile form which simulates in whole or in part any official identification for the purpose of purporting to evidence the U. S. grade of any product; or

(f) Any wilful violation of the regulations or the supplementary rules and instructions issued by the Administrator;

may be deemed sufficient cause for debarring such person from any or all benefits of the act after opportunity for hearing has been accorded him; and pending investigation and hearing the Administrator may, without hearing, direct that such person shall be denied the benefits of the act.

§ 55.65 *Political activity.* All graders, inspectors, and samplers are forbidden, during the period of their respective appointments or licenses, to take an active part in political management or in political campaigns. Political activities in city, county, state, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including, but not being limited to, temporary and cooperative employees and employees on leave of absence with or without pay. Wilful violation of this section will con-

stitute grounds for dismissal in the case of appointees and revocation of licenses in the case of licensees.

§ 55.66 *Report of violations.* Each grader, inspector, sampler, and supervisor of packaging shall report, in the manner prescribed by the Administrator, all violations and noncompliances under the act and this part of which such grader, inspector, sampler, or supervisor of packaging has knowledge.

§ 55.67 *Interfering with a grader, inspector, or sampler.* Any further benefits of the act may be denied any applicant who either personally or through an agent or representative interferes with or obstructs, by intimidation, threats, assault, or in any other manner, a grader, inspector, or sampler in the performance of his duties.

§ 55.68 *Publications.* Publications under the act and this part shall be made in the FEDERAL REGISTER, the Service and Regulatory Announcements of the Department, and such other media as the Administrator may approve for the purpose.

§ 55.69 *Identification.* All graders, inspectors, samplers, supervisors of packaging, and persons holding limited licenses shall each have in possession at all times, and present upon request, while on duty, the means of identification furnished by the Department to such person.

Issued at Washington, D. C., this 19th day of July 1946.

[SEAL] N. E. DODD,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 46-12375; Filed, July 19, 1946; 4:41 p. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 44, Amtd. 20]

PART 1465—FISH AND SHELLFISH

RESTRICTIONS ON 1946 PACK OF CANNED FISH

War Food Order No. 44, as amended (11 F.R. 3631, 5105, 5459), is further amended as follows:

1. By deleting the first sentence in § 1465.20 (b) (1) and inserting, in lieu thereof, the following: "No canner may sell or deliver any canned fish of his 1946 pack of any of the classes numbered 1 to 3, inclusive, and 5 to 9, inclusive (designated herein), except as permitted by the provisions of this order."

2. By deleting, from the provisions in (b) (2) of § 1465.20 the words "classes numbered 1 to 5, inclusive" and inserting, in lieu thereof, the words "classes numbered 1, 2, 3, and 5, respectively."

3. By deleting, from the provisions in (b) (8) of § 1465.20 the words "classes numbered 1 to 5, inclusive" and inserting, in lieu thereof, the words "classes numbered 1, 2, 3, and 5, respectively."

This order shall become effective at 12:01 a. m., p. s. t., July 19, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken

under War Food Order No. 44, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 44, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E. O. 9280, 7 F.R. 10179; E. O. 9577, 10 F.R. 8087)

Issued this 19th day of July 1946.

[SEAL] N. E. DODD,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 46-12376; Filed, July 19, 1946; 4:41 p. m.]

[WFO 63-12]

PART 1596—FOOD IMPORTS

PARTIAL REVISION OF APPENDIX A

Pursuant to the authority vested in me by War Food Order No. 63, as amended (10 F.R. 103, 8950, 10419; 11 F.R. 2630, 5105), Appendix A is hereby revised as follows:

1. By adding the following item thereto.

|                        |                                  |
|------------------------|----------------------------------|
| <i>Food</i>            | <i>Commerce Import Class No.</i> |
| Olive Oil, edible----- | 1424.000, 1425.000.              |

2. By deleting the following items therefrom.

|                          |                                  |
|--------------------------|----------------------------------|
| <i>Food</i>              | <i>Commerce Import Class No.</i> |
| Cohune nuts and kernels. | N. S. C.                         |

|                     |          |
|---------------------|----------|
| Cohune nut oil----- | N. S. C. |
|---------------------|----------|

|  |                       |
|--|-----------------------|
| Alewives and other pickled or salted fish, n. s. p. f. 1, 2. | 0073.300-0073.900 inc |
|--|-----------------------|

|  |           |
|--|-----------|
| Fish cakes, balls and pudding, in oil, or in oil and other substance 1, 2. | 0067.300. |
|--|-----------|

|                                 |           |
|---------------------------------|-----------|
| Fish paste and fish sauce 1, 2. | 0078.500. |
|---------------------------------|-----------|

|   |                        |
|---|------------------------|
| Herring (including sprats, pilchards, and anchovies), all types 1, 2. | 0070.000-0070,900 inc. |
|---|------------------------|

|                          |           |
|--------------------------|-----------|
| Oysters, canned 1, 2---- | 0081.100. |
|--------------------------|-----------|

|   |           |
|---|-----------|
| Clams (except razor clams) and clams in combinations with other substances (except clam chowder) canned 1, 2. | 0081.500. |
|---|-----------|

|                            |          |
|----------------------------|----------|
| Clams, razor, canned 1, 2. | 0081.400 |
|----------------------------|----------|

|  |          |
|--|----------|
| Lobsters (including spiny lobsters and crawfish) canned. | 0084.000 |
|--|----------|

|                               |          |
|-------------------------------|----------|
| Lobster paste and sauce 1, 2. | 0087.800 |
|-------------------------------|----------|

|   |          |
|---|----------|
| Beans, dried, except fava and mung beans 2. | N. S. C. |
|---|----------|

|                                    |           |
|------------------------------------|-----------|
| Chicpeas and garbanzos dried 1, 2. | 1200.000. |
|------------------------------------|-----------|

|  |                     |
|--|---------------------|
| Peas, dried, ripe and split, excluding maple peas 2. | 1197.000, 1198.000. |
|--|---------------------|

3. By revising the following items included therein to read as follows:

|   |          |
|---|----------|
| Beans, dried, except fava and mung beans 2. | N. S. C. |
|---|----------|

|                                    |           |
|------------------------------------|-----------|
| Chicpeas and garbanzos dried 1, 2. | 1200.000. |
|------------------------------------|-----------|

|  |                     |
|--|---------------------|
| Peas, dried, ripe and split, excluding maple peas 2. | 1197.000, 1198.000. |
|--|---------------------|

This revision shall become effective at 12:01 a. m., e. s. t., July 23, 1946.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087; W.F.O. 63, 10 F.R. 103, 8950, 10419, 11 F.R. 2630, 5105)

Issued this 19th day of July 1946.

[SEAL] E. A. MEYER,  
*Assistant Administrator, Production and Marketing Administration.*

[F. R. Doc. 46-12377; Filed, July 19, 1946; 4:41 p. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter I—Bureau of Employees' Compensation,<sup>1</sup> Federal Security Agency

ORGANIZATION

CROSS REFERENCE: See Orders 3 and 58 of the Federal Security Agency, in Notices section, *infra*.

Chapter III—Social Security Administration,<sup>2</sup> Federal Security Agency

ORGANIZATION

CROSS REFERENCE: See Orders 3 and 57 of the Federal Security Agency, in Notices section.

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Rev. SFAW Order 29]

PART 602—GENERAL ORDERS AND DIRECTIVES

FILING OF RECORDS AND REPORTS ON PRODUCTION AND DISTRIBUTION OF ANTHRACITE COAL

In order that SFAW may be adequately informed as to the production and distribution of solid fuel, it is necessary that SFAW Order No. 29, as amended, be continued in force until March 31, 1947, and be revised as follows:

§ 602.895 *Definitions.* (a) "Anthracite" means that coal which is generally referred to as Pennsylvania anthracite produced or prepared in the following ten counties in Pennsylvania: Carbon, Columbia, Dauphin, Lackawanna, Lebanon, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne; and for the purposes of this order is limited to the following sizes: broken, egg, stove, chestnut, pea, and any intermediate size between broken and pea, No. 1 buckwheat, No. 2 buckwheat (rice) and any size or mixture containing any of the foregoing sizes.

(b) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons.

(c) "Producer" means any person to the extent that he is engaged in the business of mining or preparing anthracite.

(d) "Wholesaler" means any person, except a lake dock operator, to the extent that he receives or purchases anthracite for distribution by any method of transportation to over-the-road truckers, retail dealers, lake and tide-

<sup>1</sup> Formerly U. S. Employees' Compensation Commission.

<sup>2</sup> Formerly Social Security Board.

water dock operators, or other wholesalers.

§ 602.896 *Information and reports to be filed.* Each producer and each wholesaler of anthracite shall maintain appropriate records and shall file with the Solid Fuels Administration for War, Washington 25, D. C., on or before the tenth day of August 1946 and the tenth day of each month thereafter, to and including March 10, 1947, a report in writing on Form S. F. A. No. 378 (Revised July 1946) indicating (a) the actual tonnage of anthracite produced, prepared or purchased, and the actual tonnage shipped during the preceding full calendar month, and (b) the actual tonnage of anthracite produced, prepared or purchased and the actual tonnage shipped, shown cumulatively from April 1, 1946, to the end of the calendar month for which the report is submitted.

§ 602.897 *Violations.* Any person who wilfully violates any provision of §§ 602.895 to 602.898, inclusive, or who by any act or omission falsifies records kept or information furnished in connection with §§ 602.895 or 602.898, inclusive, may be subject to prosecution under section 35 (A) of the Criminal Code (18 U. S. C. Sec. 80) or section 2 (a) (5) of the Second War Powers Act (56 Stat. 179).

§ 602.898 *Revocation of SFAW Order No. 29.* Sections 602.875 to 602.877 (SFAW Order No. 29, as amended), which are superseded by this Revised SFAW Order No. 29, is hereby revoked.

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

This revised order shall take effect immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; Section 2 (a), 54 Stat. 676, 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658.)

Issued this 18th day of July 1946.

WARNER W. GARDNER,  
*Acting Solid Fuels,  
Administrator for War.*

[F. R. Doc. 46-12406; Filed, July 22, 1946;  
10:37 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter XV—Board of War Communications

[Order 20-B]

#### PART 1717—PRIORITY FOR URGENT TELEPHONE TOLL CALLS ESSENTIAL TO THE WAR EFFORT OR PUBLIC SAFETY

Whereas, the Board of War Communications on October 8, 1942 (7 F.R. 8336), issued its Order No. 20 entitled "Priority for Urgent Telephone Toll Calls Essential to the War Effort or Public Safety" and

Whereas, the Board of War Communications has determined that under present conditions the said Order No. 20, which was amended by Board of War Communications Order No. 20-A, effective

April 22, 1946 (11 F.R. 5123), should be further amended to delete sub-section (c) of paragraph 1 thereof and other portions of said order referring to "Priority 3" calls and providing for the preferred handling of such calls;

Now, therefore, pursuant to the authority vested in the Board by Executive Orders No. 8964, dated December 10, 1941, and No. 9089, dated 6 March, 1942, *It is hereby ordered,* That paragraphs of Board of War Communications Order No. 20 numbered 1-5, be, and the same are hereby, amended, effective July 15, 1946, to provide as follows:

Sec.  
1717.1 Priorities.  
1717.2 Preferred callers.  
1717.3 Records.  
1717.4 Reports.  
1717.5 Violations.

AUTHORITY: §§ 1717.1 to 1717.5, inclusive, issued under E.O. 8964 and E.O. 9089, 3 CFR, Cum. Supp.

1. *Priorities.* On and after November 1, 1942, urgent toll calls placed with commercial telephone systems by the authorized persons or agencies designated in § 1717.2 shall upon request be given priority over all other toll calls in accordance with the provisions of, and in the order set forth in paragraphs (a) and (b) of this section:

(a) Priority 1 shall be given to calls which require immediate completion for war purposes or to safeguard life or property and which relate to one or more of the following matters:

(1) Arrangements for moving armed forces during combat operations.

(2) Extremely urgent orders to armed forces.

(3) Immediate dangers due to the presence of the enemy.

(4) Hurricane, flood, earthquake or other disaster materially affecting the war effort or public security.

Where necessary for the immediate completion of a call having Priority 1, any conversation in process (other than one having Priority 1) may be interrupted.

(b) Priority 2 shall be given to calls which require immediate completion for the national defense and security, the successful conduct of the war, or to safeguard life or property other than those specifically described in paragraph (a) of this section.

2. *Preferred callers.* The following persons and agencies are designated as authorized persons or agencies entitled to use telephone toll priorities where such call is required in the manner and for a purpose specified above.

The President of the United States, the Vice President, Cabinet officers, Members of Congress, Army, Navy, Aircraft Warning Service, Federal, State and Municipal Government Departments and Agencies, Embassies, Legations, and Commissions of the United Nations, Civilian Defense Organizations, Red Cross, State and Home Guards, essential war industries, essential services such as communications, transportation, power, water, fuel, press associations, newspapers, and health and sanitation services.

3. *Records.* A record shall be kept by all telephone carriers of all priority

calls, which record shall include the priority given and whether a conversation in process was interrupted. Such record shall be kept by the telephone carrier for two years after the date of the call.

4. *Reports.* Within thirty days after the end of each calendar month, the American Telephone and Telegraph Company shall file with the Board a report for the Bell System Companies showing the number of calls during the preceding calendar month given Priority 1 and 2 and the number of calls given Priority 1 for which other calls were interrupted;

5. *Violations.* The telephone facilities of any subscriber who wilfully obtains or attempts to obtain priority for a toll call by fraudulently designating such call as a priority call or by furnishing false information to any telephone carriers for the purpose of obtaining a priority, shall be subject to closure, removal or other appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS  
CHARLES R. DENNY,  
*Acting Chairman.*

Attest: July 2, 1946.

E. M. WEBSTER,  
*Commodore, U. S. Coast Guard,  
Acting Secretary.*

[F. R. Doc. 46-12411; Filed, July 22, 1946;  
10:55 a. m.]

## Chapter XXIV—Department of State

[SPA Reg. 8, Order 5]

### PART 8308—FOREIGN DISPOSAL

#### IMPORTATION OF SURPLUS GLYCERINE INTO UNITED STATES

The Director of War Mobilization and Reconversion has informed the Secretary of State that certain materials which have been declared to the Foreign Liquidation Commissioner as surplus property located in foreign areas are in critically short supply and urgently needed for reconversion in the United States, and has requested the Secretary of State to take such action as may be necessary and appropriate to permit the importation of such materials into the United States for use by American industry. Pursuant to the authority of the Surplus Property Act of 1944 (56 Stat. 765) and Executive Order No. 9689, issued January 31, 1946.

*It is hereby ordered,* That § 8308.15 of this part shall not apply to prevent the importation of surplus property specified in Schedule A attached hereto as the same now stands or may hereafter be amended or supplemented to include additional materials designated by the Director of the Office of War Mobilization and Reconversion as necessary for reconversion in the United States.

This order shall become effective July 22, 1946.

JAMES F. BYRNES,  
*Secretary of State.*

JULY 18, 1946.

## SCHEDULE A

737 long tons, more or less, of glycerine, dynamite grade, located in Australia.

[F. R. Doc. 46-12434; Filed, July 22, 1946; 11:56 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter II—Corps of Engineers, War Department

## PART 202—ANCHORAGE REGULATIONS

## NARRAGANSETT BAY, RHODE ISLAND

Pursuant to the provisions of Section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U.S.C. 471), Anchorages A, Conanicut Island, B, Coddingtong Cove, C, Rose Island, and D, Goat Island, in the East Passage of Narragansett Bay, Rhode Island, are hereby redefined, paragraph (a) of § 202.15, Title 33, Code of Federal Regulations, being amended as follows:

§ 202.15 *Narragansett Bay (including Newport Harbor) and Bristol Harbor, R. I.*—(a) *The Anchorage Grounds.* All bearings are referred to true meridian.

*East Passage of Narragansett Bay*<sup>1</sup>

(1) *Anchorage A, East of Conanicut Island.* To the westward of a line bearing 9° from the easternmost Dumpling to latitude 41°30'30" N., thence bearing 12° toward the black and red can buoy at Fiske Rock, thence bearing 311°30' from bell buoy 8A at Bishop Rock Shoal, thence bearing 351° from Rose Island Light; and to the southward of latitude 41°32'07" N, which parallel passes through a point 130 yards north of Gould Island Light; except that anchorage is forbidden in the approach of the Jamestown Ferry within a zone 300 yards wide to the southward of a line bearing 103° from a point 100 yards north of the existing ferry landing toward the spire of Trinity Church, Newport.

NOTE 1. That portion of the area to the northward of the approach of the Jamestown Ferry shall be restricted for the anchorage of vessels of the United States Navy. In that portion of the area to the southward of the approach of the Jamestown Ferry the requirements of the Navy shall predominate.

NOTE 2. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(2) *Anchorage B, Coasters Harbor Island to Coggeshall Point.* To the northward of a line bearing 303° from the north end of the breakwater west of Coasters Harbor Island toward the torpedo testing range buoy 1; to the eastward of a line bearing 19° from the easternmost Dumpling through bell buoy 12A northwest of Dyer Island, thence bearing 39° toward the lighted bell buoy 16 southwest of Arnold Point; to the southward of a line bearing 132° from the southeast corner of the pier at Homestead, Prudence Island; to the westward of a line bearing 205° and coinciding with the westerly limit of the prohibited area

<sup>1</sup> Chart filed with original document.

north of Coggeshall Point; and to the southward of a line bearing 132° through buoy N14A; except that anchorage is forbidden between the south limit of the cable area to Gould Island and latitude 41°32'15" N., between latitude 41°33'12" N. and latitude 41°33'30" N. which parallels pass through points 490 yards south and 117 yards north of the north end of Midway Pierhead, respectively, and in the cable area opposite Coggeshall Point.

NOTE 1. In this area the requirements of the Navy shall predominate.

NOTE 2. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(3) *Anchorage C, Rose Island.*—(i) *East of Rose Island.* To the westward of a line bearing 338° toward the black and red can buoy south of Gull Rocks; to the southward of a line bearing 248° through Buoy C5; to the eastward of a line bearing 158° through Mitchell Rock Buoy C3 to a point 100 yards south of Mitchell Rock Buoy C3; and to the northward of a line bearing 68° from a point 100 yards south of Mitchell Rock Buoy C3.

(ii) *North of Rose Island.* To the westward of a line bearing 351° from buoy C5 through the black and red can buoy north of Gull Rocks; to the southward of a line bearing 292° from the cupola at the Naval War College; to the eastward of a line bearing 199° from bell buoy 12A northwest of Dyer Island toward the eastern most Dumpling; and to the northward of latitude 41°30'22" N. which parallel passes through a point 230 yards north of buoy N8.

NOTE 1. In this area the requirements of the Navy shall predominate.

NOTE 2. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(4) *Anchorage D, West of Goat Island.* To the southward of a line bearing 247° from Newport Harbor Light; to the eastward of a line bearing 176°30' from Rose Island Aero Light toward the northerly radio tower at Fort Adams; and to the northward of a line bearing 117° from the cupola with gables at Jamestown to longitude 71°20' W., thence bearing 95° to Goat Island Shoal Light.

NOTE 1. In this area the requirements of the Navy shall predominate from May 1 to October 1, subject at all times to such adjustments as may be necessary to accommodate all classes of vessels which may require anchorage room.

NOTE 2. Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(5) *Anchorage E, South of Coasters Harbor Island.* \* \* \*

*West Passage of Narragansett Bay*

(Regs. 1 July 1946 (CE 800-2121 (Narragansett Bay, R. I.)—SPEWR))

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

[F. R. Doc. 46-12378; Filed, July 22, 1946; 10:02 a. m.]

## TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

## Chapter I—Veterans' Administration

## INSTRUCTIONS RELATING TO RATINGS AND AWARDS

For the purposes of effecting the provisions of Public Law No. 458, 79th Congress, the following instructions are issued:

1. Public Law No. 458, 79th Congress, provides in part as follows:

SECTION 1. That on and after the first day of April 1946, all initial ratings in claims for disability compensation or pension and awards based thereon under Public Law 2, Seventy-third Congress, March 20, 1933, and the Veterans Regulations issued pursuant thereto, as amended, shall be determined under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, whether the claim covers a period before or after that date. In any case in which the revised schedule authorizes an increase in the rating previously made by a rating board of original jurisdiction under the Schedule for Rating Disabilities, 1933, such increased rating and award based thereon will be effective as of the first day of April 1946.

SEC. 2. Nothing in the revised Schedule for Rating Disabilities, 1945, shall be construed as requiring any reduction or discontinuance of compensation in cases rated and awarded under the Schedule of Disability Ratings, 1925, or as requiring denial of entitlement to any statutory award or rating, but on and after the first day of April 1946, except as to statutory awards and ratings provided under the World War Veterans' Act, 1924, as amended, as restored with limitations by the Act of March 28, 1934, Public Law 141, Seventy-third Congress, as amended, awards in all cases shall be based upon the degree of disability determined in accordance with the revised schedule, 1945.

2. An initial rating for the purposes of section 1, Public No. 458, 79th Congress, is the first rating made in a case in which determination as to entitlement to disability compensation or pension for any disability under Public No. 2, and the regulations issued pursuant thereto, as amended, has not heretofore been made. All such ratings will be made under the 1945 Schedule for Rating Disabilities for periods both prior and subsequent to April 1, 1946, if otherwise in order, and likewise the awards based thereon. No other schedule will be applicable in this class of cases, except as provided in paragraph 6 hereof.

3. Ratings other than initial ratings as defined in paragraph 2 hereof, when otherwise in order, for periods prior to April 1, 1946, by reason of appellate decision or otherwise, will be made under the 1925 and 1933 Schedules when applicable for periods prior to April 1, 1946, and under the 1945 Schedule for periods on and after April 1, 1946; likewise, the awards based thereon.

4. a. The last sentence of section 1, Public No. 458, 79th Congress, requires that all service-connected pensionable cases under the Schedule for Rating Disabilities, 1933, be reviewed and rated under the Schedule for Rating Disabilities, 1945.

b. Increased ratings and awards based thereon, due solely to the application of the 1945 Schedule in the cases reviewed, should be effective from April 1, 1946.

5. a. The Deputy Administrator in each Branch Office will be responsible for determining the date the review of allowed cases will be initiated in each field station in his territory, without interference with the adjudication of new claims and routine reevaluations. He will report to the Assistant Administrator for Claims, Central Office, the dates determined upon for the several stations, and periodically of the progress of the review. The review will be conducted in order of C-number beginning with the lowest.

b. Ratings under the 1945 Schedule in cases reviewed will not be made in the absence of a report of examination by the Veterans Administration subsequent to discharge from active service, except in those instances where the condition is static and fixed and the rating agency considers the evidence adequate to evaluate the disability. If there is an examination by the Veterans Administration of record, further examination will not be requested to apply the 1945 Schedule unless the rating agency considers an examination necessary to properly rate the case.

6. a. The provisions of section 2, Public No. 458, 79th Congress, preclude any reduction in any 1925 Schedule evaluation or denial of any statutory award or rating, except where an amendment of an award under a 1925 Schedule evaluation is in order by reason of a change in physical or mental condition, the evaluation and amended award based thereon will be determined under the 1945 Schedule. This requires that evaluations under the 1925 Schedule and awards based thereon in effect April 1, 1946, will be continued until change in physical or mental condition warrants amendment of the 1925 Schedule rating, at which time the rating will be under the 1945 Schedule only, as well as the award based thereon, except when a statutory award or rating under the World War Veterans' Act, 1924, as amended, as restored by Public No. 141, 73d Congress, as amended, is in order, in which event the statutory award or rating will be continued, or made in the manner provided for initial ratings under paragraph 2 hereof. It is to be distinctly understood that the application of the foregoing shall not result in a diminution of the pension being paid on April 1, 1946 in any instance where the changed condition results in a greater degree of disability, whether viewed under the 1925 or 1945 Schedule.

b. In cases of presumptive service connection under Public No. 141, 73d Congress, in which the rating is made solely under the 1945 Schedule, the award based thereon will be 75% of the amount authorized by the rating.

7. Recapitulation of effective dates of evaluations and awards based thereon under the 1945 Schedule.

a. Initial ratings as defined in paragraph 2 hereof: Date following date of discharge from active service or date evidence shows entitlement, whichever is later, if claim filed within year from date of discharge, for periods both prior and subsequent to April 1, 1946. Date of receipt of claim or date evidence shows entitlement, whichever is later, if claim not filed within year from date of discharge.

b. Other than initial ratings or ratings as the result of the review required by the second sentence, section 1, Public No. 458, 79th Congress: Date following date of discharge, date evidence shows entitlement, or April 1, 1946, whichever is later, if claim was filed within year from date of discharge from active service; ratings for periods prior to April 1, 1946, and awards based thereon, will be under the 1925 or 1933 Schedules. Date of receipt of claim, date evidence shows entitlement, or April 1, 1946, whichever is later, if claim was not filed within a year from date of discharge; ratings for period prior to April 1, 1946, and awards based thereon will be under the 1925 or 1933 Schedules.

c. Ratings in cases reviewed to apply 1945 Schedule: April 1, 1946.

8. Reductions in evaluations by reason of the application of the 1945 Schedule will be effective as provided in § 2.1009 (e), Part 2, Adjudication, Veterans Claims.

9. a. When the 1945 Schedule is initially applied in a case, the case folder will be stamped, in the lower-right hand corner of the front cover, with the notation "Rated, 1945 S."

b. Rating sheets evidencing initial application of the 1945 Schedule to any case will carry the notation "Rated, 1945 S" followed by the numeral indicating the appropriate class, as defined below, thus "Rated 1945 S, Class 1" if the case involves increased rating due solely to the 1945 Schedule.

WHEN MONETARY BENEFITS WERE PREVIOUSLY CONTROLLED BY THE 1933 SCHEDULE

(1) Increased rating, due solely to 1945 Schedule, i. e., without change in physical or mental condition or in service connection status.

(2) Increased rating, under the 1945 Schedule, due partly or wholly to change in physical or mental condition, or in service connection status, or other reason.

(3) Decreased rating, due solely to the 1945 Schedule, i. e., without change in physical or mental condition or in service connection status.

(4) Decreased rating, under the 1945 Schedule, due partly or wholly to change in physical or mental condition, or in service connection status, or other reason.

(5) Confirmed rating, under the 1945 Schedule.

WHEN MONETARY BENEFITS WERE PREVIOUSLY CONTROLLED BY THE 1925 SCHEDULE

(6) Rerated, 1945 Schedule, monetary benefits increased.

(7) Rerated, 1945 Schedule, monetary benefits decreased.

(8) Rerated, 1945 Schedule, 1925 Schedule benefits continued.

WHEN MONETARY BENEFITS WERE NOT PREVIOUSLY BEING PAID

(9) Initial evaluation, 1945 Schedule.

(Public Law No. 458, 79th Cong.)

[SEAL]

OMAR N. BRADLEY,  
General, U. S. Army,  
Administrator.

JULY 16, 1946.

[F. R. Doc. 46-12369; Filed, July 19, 1946; 4:13 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter II—Children's Bureau, Federal Security Agency<sup>1</sup>

ORGANIZATION

CROSS REFERENCE: See Orders 3 and 57 of the Federal Security Agency, in Notices section.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2231½]

PART 4—DELEGATIONS OF AUTHORITY

COAL MINES ADMINISTRATOR

All of the powers, authority and discretion conferred upon the Secretary of the Interior by the provisions of Executive Order No. 9758 dated July 19, 1946 (*supra*), with respect to the coal mines of the Carter Coal Company, possession of which has been taken, to the same extent and with the same effect as the said powers, authority and discretion may be exercised directly by the Secretary of the Interior are hereby delegated to the Coal Mines Administrator and are to be exercised by him subject to such supervision and direction as the Secretary of the Interior shall from time to time determine.

WARNER W. GARDNER,  
Acting Secretary of the Interior.

JULY 20, 1946.

[F. R. Doc. 46-12435; Filed, July 22, 1946; 11:53 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Order 132-A]

PART 12—AMATEUR RADIO SERVICE

PORTABLE AND NON-PORTABLE AMATEUR STATIONS

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 11th day of July 1946.

Whereas the Commission by Order No. 132 dated April 10, 1946 (11 F.R. 5229) adopted certain provisions affecting the operation of portable and non-portable amateur stations at locations other than those specified in the station licenses; and

Whereas it now appears desirable to amend Order No. 132 to exempt amateur station licensees who have moved their stations to new locations within the same call area for which the station license was issued, from following the calling procedure referred to in § 12.93 of the Commission's rules;

It is ordered, That the ordering clauses of Order No. 132 be amended to read as follows:

1. The provision in § 12.92 of the Commission's rules exempting amateur radio station licensees who operate portable stations on frequencies above 25 Mc. from the requirements of prior notice to

<sup>1</sup> Formerly U. S. Children's Bureau, Department of Labor.

the-inspector of the district where operation is intended is suspended until further order of the Commission. On and after the date of this order, the operation of portable stations on frequencies above 25 Mc. shall be subject to the same requirements of prior notice as are specified for the operation of portable stations on frequencies below 25 Mc. in § 12.92.

2. The provisions of § 12.93 (a) of the Commission's rules regarding the operation of non-portable stations which have been moved from one permanent location to another not specified in the station license, are suspended until further order of the Commission.

3. The licensee of an amateur radio station may, on and after the date of this order, commence operation at a permanent location other than that specified in the station license if advance written notice is given to the inspector in charge of the district for which the station license was issued, and to the inspector in charge of the district in which the operation (on frequencies below or above 25 Mc.) is intended of the following particulars: the station call, the name of the licensee, and the proposed station location.

4. The operator of an amateur station located at a permanent location in a call area other than that specified in the station license shall follow the calling procedure referred to in § 12.93 (c).

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 46-12433; Filed, July 2, 1946;  
11:56 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter I—Interstate Commerce Commission**

**Subchapter B—Carriers by Motor Vehicle**

**PART 205—REPORTS**

**MONTHLY REPORTS OF CLASS I MOTOR CARRIERS OF PASSENGERS**

At a session of the Interstate Commerce Commission, Division 1, held at its Office in Washington, D. C., on the 15th day of July A. D. 1946.

The matter of statistical reports of Class I motor carriers of passengers being under consideration:

*It is ordered,* That the order of January 10, 1946, insofar as it relates to § 205.21 (Monthly Reports of Revenues, Passengers and Mileage) be and it hereby is vacated and set aside.

*It is further ordered,* That in all other respects (§ 205.11 Quarterly reports of passenger revenues, expenses and statistics) the order of January 10, 1946, shall remain in effect until further order of the Commission.

*And it is further ordered,* That a copy of this order be served upon all Class I motor carriers of passengers subject to the act and that notice be given to the 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, Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-12417; Filed, July 22, 1946;  
11:41 a. m.]

**Notices**

**DEPARTMENT OF THE INTERIOR.**

**Coal Mines Administrator.**

**DEPUTY COAL MINES ADMINISTRATOR**

**DESIGNATION OF AND DELEGATION OF POWERS**

Capt. N. H. Collisson, USNR, is hereby designated Deputy Coal Mines Administrator. Subject to such supervision and direction as the Coal Mines Administrator shall from time to time determine, authority is hereby delegated to said Deputy Coal Mines Administrator to exercise any and all powers, authority and discretion conferred upon me by the Secretary of the Interior by the provisions of Order No. 2208 dated June 5, 1946 and Order No. 2231½ dated July 20, 1946, with respect to all coal mines, possession of which has been taken or shall hereafter be taken hereunder to the same extent and with the same effect as the said powers, authority and discretion may be exercised directly by the Secretary of the Interior or the Coal Mines Administrator.

The powers, authority and discretion hereby delegated to Capt. Collisson are in addition to his present assignment as Executive Officer to the Coal Mines Administrator.

This order shall become effective immediately. July 20, 1946.

BEN MOREELL,  
Admiral, CEC, USN,  
Coal Mines Administrator.

Approved:

WARNER W. GARDNER,  
Acting Secretary of the Interior.

[F. R. Doc. 46-12436; Filed, July 22, 1946;  
11:53 a. m.]

Office of the Secretary.

[Order 2230½]

CARTER COAL CO.

**POSSESSION OF COAL MINES**

By virtue of the authority vested in me by the President of the United States by Executive Order 9758 dated July 19, 1946 (*supra*), and having determined that a strike or work stoppage has occurred or is threatened at each and all of the coal mines in McDowell County, West Virginia of the Carter Coal Company, 630 Fifth Avenue, New York 20, New York, I do hereby take possession of each and all such coal mines, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines.

This order and action taken thereunder is without prejudice to the contention that control and possession of said mines under Executive Order 9728 has been continuous and effective since May 22, 1946.

The Revised Regulations for the Operation of Coal Mines Under Government Control (11 F.R. 7567), heretofore issued by the Coal Mines Administrator, and such amendments or revisions thereof as may from time to time be issued, shall be applicable to the Mines possession of which is taken by this order.

The President of the aforesaid Carter Coal Company (or if there is no president, its chief executive officer) is hereby, and until further notice, designated Operating Manager for the United States for each mine of said company. Unless advice to the contrary is received within ten days, the aforesaid President (or chief executive officer) shall be deemed to have accepted such designation. As Operating Manager for the United States, he is authorized and directed to operate any and all such mines in accordance with the aforementioned Revised Regulations for the Operation of Coal Mines Under Government Control and such amendments or revisions thereof as may from time to time be issued, and to do all things necessary and appropriate for the operation of such mines and for the production, distribution and sale of their products.

The Operating Manager for the United States shall forthwith fly the flag of the United States at each of the mining properties of the Carter Coal Company and shall conspicuously display at each of such properties copies of a poster to be supplied by the Department of the Interior and reading:

**NOTICE**

In accordance with the Executive Order of the President of the United States, Government possession of this coal mine has been taken by the Order of the Secretary of the Interior.

J. A. KRUG,  
Secretary of the Interior.

This order shall become effective at 12:01 a. m., July 21, 1945.

WARNER W. GARDNER,  
Acting Secretary of the Interior.

JULY 20, 1946.

[F. R. Doc. 46-12421; Filed, July 22, 1946;  
11:53 a. m.]

**DEPARTMENT OF AGRICULTURE.**

**Production and Marketing Administration.**

**ALLOCATIONS OF GRAIN TO DISTILLERS OF BEVERAGE SPIRITS**

**NOTICE OF PUBLIC HEARING**

By virtue of the authority vested in the Secretary of Agriculture by Executive Order No. 9280 (7 F.R. 10179) and Executive Order No. 9577 (70 F.R. 8087), issued under authority vested in the President under Title III of the Second War Powers Act (56 Stat. 177), as amended and extended by Public Law 475, 79th Congress, approved June 29, 1946, notice

is hereby given of a public hearing to be held in the Auditorium, South Building, United States Department of Agriculture, Washington, D. C., beginning at 10:00 a. m., e. s. t., July 26, 1946, with respect to allocations of grain to distillers of beverage spirits under the provisions of War Food Order No. 141 (11 F.R. 2217, 3997), and with respect to the transfer of grain quotas under the said war food order. This public hearing is for the purpose of receiving information, recommendations and proposals with respect to the basis for allocations to distillers and the transfer of quotas between distillers.

Done at Washington, D. C., this 22d day of July 1946.

[SEAL] N. E. DODD,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 46-12409; Filed, July 22, 1946;  
11:12 a. m.]

#### Rural Electrification Administration.

[Administrative Order 1104]

#### ALLOCATION OF FUNDS FOR LOANS

JULY 12, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Project designation:           | Amount    |
|--------------------------------|-----------|
| Georgia 90H Candler.....       | \$358,000 |
| South Carolina 32G Calhoun.... | 237,000   |
| Wyoming 6H Goshen.....         | 367,000   |

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 46-12408; Filed, July 22, 1946;  
11:12 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket No. SA-120]

#### ACCIDENT OCCURRING AT READING, PA.

#### NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 86513 which occurred at Reading, Pennsylvania, on July 11, 1946.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Monday, July 29, 1946 at 10:00 a. m. (local time), in the Ballroom of the Abraham Lincoln Hotel, Reading, Pennsylvania.

Dated at Washington, D. C., July 19, 1946.

[SEAL] ROBERT J. CHRISP,  
*Presiding Officer.*

[F. R. Doc. 46-12407; Filed, July 22, 1946;  
10:43 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket 7667]

CAROLINA TELEPHONE AND TELEGRAPH CO.,  
AND EASTERN TELEPHONE CO.

#### ORDER SETTING FORTH HEARING DATE

In the matter of the joint application of the Carolina Telephone and Telegraph Company and the Eastern Telephone Company, for a certificate under section 221 (a) of the Communications Act of 1934, as amended. Docket No. 7667; File No. P-C-1105-A.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1946;

The Commission, having under consideration the joint application of the Carolina Telephone and Telegraph Company and the Eastern Telephone Company for a Certificate under section 221 (a) of the Communications Act, of 1934, as amended, that the proposed acquisition by the Carolina Telephone and Telegraph Company of the telephone plant and property of the Eastern Telephone Company will be of advantage to the persons to whom service is to be rendered and in the public interest;

*It is ordered,* That the said application be, and it is hereby, set for hearing in order to determine whether the proposed acquisition will be of advantage to the persons to whom service is to be rendered and in the public interest;

*It is further ordered,* That the hearing upon the said joint application be held in the offices of the Commission in Washington, D. C., beginning at 10:00 o'clock, eastern standard time, on the 6th day of August 1946, at which both evidence and argument shall be received with respect to the matters presented by such application;

*It is further ordered,* That the proceeding herein shall be conducted by Commissioners Walker and Hyde, or either of them;

*It is further ordered,* That notice of such hearing be given to the Governor and the Public Utilities Commission of the State of North Carolina, the Postmasters and the Town Councils of the Towns of Bethel and Robersonville, North Carolina, The Carolina Telephone and Telegraph Company and the Eastern Telephone Company, and that a copy of this order shall be caused to be published in a newspaper or newspapers having a general circulation in Pitt and Martin Counties, North Carolina.

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

[F. R. Doc. 46-12422; Filed, July 22, 1946;  
11:54 a. m.]

#### FEDERAL SECURITY AGENCY.

[Agency Order 3; Rev. July 16, 1946]

#### ORGANIZATION OF FEDERAL SECURITY AGENCY

Pursuant to authority contained in Reorganization Plan No. 2 of 1946, ef-

fective July 16, 1946 and in Reorganization Plans Nos. I and II, effective July 1, 1939, and Reorganization Plan No. IV, effective June 30, 1940, *It is hereby ordered,* That the organization of the Federal Security Agency shall be as follows:

1. *Administrator and Assistant Administrator.* The Federal Security Administrator has general supervision and direction of the Federal Security Agency. The Assistant Federal Security Administrator acts as Administrator during the absence or disability of the Administrator or in the event of a vacancy in that office, and performs such other duties as the Administrator directs.

2. *Staff Offices.* The staff offices of the Federal Security Agency, in addition to the immediate staff assistants to the Administrator, shall be:

Office of Administration  
Office of Inter-Agency and International Relations  
Office of Federal-State Relations  
Office of the General Counsel  
Office of Research  
Office of Information

the heads of which shall be responsible to the Administrator for the proper discharge of all duties, powers, and functions assigned to them.

3. *Operating branches.* The operating branches of the Federal Security Agency shall be:

*Public Health Service,* which shall be under the supervision and direction of the Surgeon General of the Public Health Service, who shall also supervise and direct the activities of:

Freedmen's Hospital  
Saint Elizabeths Hospital

*Social Security Administration,* which shall be under the supervision and direction of the Commissioner for Social Security, and shall include the activities formerly carried on by the Children's Bureau in the Department of Labor and by the Social Security Board.

*Office of Education,* which shall be under the supervision and direction of the Commissioner of Education who shall also supervise and direct the activities of the Agency in connection with the:

American Printing House for the Blind  
Columbia Institution for the Deaf  
Howard University

*Office of Special Services,* which shall be under the supervision and direction of the Commissioner for Special Services, and shall include the activities of the:

Bureau of Employees' Compensation  
Food and Drug Administration  
Office of War Property Distribution  
Office of Community War Services  
Office of Vocational Rehabilitation  
Employees' Compensation Appeals Board

The heads of the operating branches shall be responsible to the Administrator for the proper discharge of all duties, powers and functions assigned to them.

[SEAL] WATSON B. MILLER,  
*Federal Security Administrator.*

JULY 16, 1946.

[F. R. Doc. 46-12370; Filed, July 19, 1946;  
4:31 p. m.]



[Agency Order 57]

**COMMISSIONER FOR SOCIAL SECURITY;  
DESCRIPTION OF FUNCTIONS AND DUTIES**

1. The Commissioner for Social Security shall have and perform, under the general supervision and direction of the Administrator, all duties, powers and functions transferred by Reorganization Plan No. 2 of 1946 to the Administrator from the Social Security Board, the Chairman of the Social Security Board, the Secretary of Labor, the Chief of the Children's Bureau and the Children's Bureau, except that:

a. The Administrator shall serve as member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund. During the absence or disability of the Administrator, the Commissioner for Social Security shall serve as a member of the Board in his stead;

b. The annual report required to be submitted to the Congress by the Secretary of Labor relating to the administration of title V of the Social Security Act, as amended, and other work of the Children's Bureau shall be submitted by the Administrator;

c. Approval of conferences called by the Children's Bureau and authorization of expenses of attendance at meetings related to the work of the Children's Bureau, to the extent that approval or authorization is required under the Labor Appropriation Act, 1947, shall be given by the Administrator;

d. All duties, powers, and functions relating to the holding of hearings, the rendition of decisions, and the review of decisions in connection with administrative appeals from determinations made under title II of the Social Security Act, as amended, and affecting benefits, lump sums or wage records, including the administration of oaths and affirmations, the issuance of subpoenas, the examination of witnesses and the receipt of evidence, and all duties, powers, and functions relating to judicial review of decisions made upon appeal, which were transferred from the Social Security Board by Reorganization Plan No. 2 of 1946 are assigned to the Office of Appeals Council in the Social Security Administration and shall be exercised by the Appeals Council, the members and referees in accordance with applicable rules as from time to time amended by the Commissioner with the approval of the Administrator;

e. The functions heretofore performed by the Children's Bureau in the Department of Labor shall continue to be performed through the Children's Bureau in the Social Security Administration.

2. The Commissioner shall perform such duties, powers and functions himself or under his discretion and supervision, through such officers and employees of the Federal Security Agency as he may designate for the purpose and through such bureaus and offices in the Social Security Administration as may be established with the approval of the Administrator. Unless changed by or pursuant to the provisions of this and other agency orders, the various bureaus and offices formerly in the Social Security

Board and the Children's Bureau shall continue to perform the same functions, and their heads shall have and exercise the same duties and powers they had and exercised prior to July 16, 1946.

(Reorganization Plan No. 2 of 1946, effective July 16, 1946.)

[SEAL] WATSON B. MILLER,  
Federal Security Administrator.

JULY 16, 1946.

[F. R. Doc. 46-12371; Filed, July 19, 1946;  
4:31 p. m.]

[Agency Order 58]

**BUREAU OF EMPLOYEES' COMPENSATION  
AND EMPLOYEES' COMPENSATION APPEALS  
BOARD; DESCRIPTION OF FUNCTIONS AND  
DUTIES**

1. There is hereby established in the Office of Special Services a Bureau of Employees' Compensation under the immediate supervision and direction of a Director who shall be appointed by the Administrator and be responsible to the Commissioner for Special Services for the proper discharge of all duties, powers, and functions assigned to him. Subject to the provisions of this and other agency orders, all duties, powers, and functions of the United States Employees' Compensation Commission which were transferred to the Administrator by Reorganization Plan No. 2 of 1946 are assigned to the Director of the Bureau of Employees' Compensation, except as follows:

a. Estimates of appropriations necessary for the work of the Bureau and for the maintenance of the several compensation funds under its jurisdiction shall be made to the Bureau of the Budget in accordance with established procedure of the Federal Security Agency.

b. Annual and other reports and recommendations to the Congress shall be made by the Administrator.

2. a. There is hereby established in the Office of Special Services an Employees' Compensation Appeals Board consisting of three members appointed by the Administrator, one of whom shall be designated by the Administrator as Chairman of the Board and administrative officer. The Appeals Board shall be responsible to the Commissioner for Special Services for the proper discharge of all duties, powers, and functions assigned to it, except that the decisions of the Appeals Board shall not be subject to review or modification except by the Appeals Board.

b. In accordance with rules approved by the Administrator, the Employees' Compensation Appeals Board, and under its supervision such referees as it may designate for the purpose, shall have all necessary and appropriate powers to hold hearings and make decisions on appeals taken from determinations and awards with respect to claims of employees of the Federal Government or of the District of Columbia under the Federal Employees' Compensation Act, as amended, including the power to administer oaths and affirmations, issue

subpoenas, examine witnesses and receive evidence.

(Reorganization Plan No. 2 of 1946, effective July 16, 1946)

[SEAL] WATSON B. MILLER,  
Federal Security Administrator.

JULY 16, 1946.

[F. R. Doc. 46-12372; Filed, July 19, 1946;  
4:31 p. m.]

[Agency Order 61]

**VITAL STATISTICS; PERFORMANCE OF FUNCTIONS FORMERLY OF BUREAU OF THE CENSUS AND OF DIRECTOR OF BUREAU OF CENSUS**

By virtue of authority contained in Reorganization Plan No. 2 of 1946, effective July 16, 1946, the following order is issued:

The functions of the Bureau of the Census and the Director of the Bureau of the Census with respect to vital statistics, transferred to the Federal Security Administrator by Reorganization Plan No. 2 of 1946, shall be performed through a Division of Vital Statistics to be established in the Office of the Surgeon General in the Public Health Service.

[SEAL] WATSON B. MILLER,  
Federal Security Administrator.

JULY 16, 1946.

[F. R. Doc. 46-12373; Filed, July 19, 1946;  
4:31 p. m.]

[Agency Order 62]

**VENDING STAND PROGRAM FOR THE BLIND;  
TRANSFER OF FUNCTIONS OF OFFICE OF  
EDUCATION AND COMMISSIONER OF EDUCATION**

By virtue of authority contained in Reorganization Plan No. 2, 1946, effective July 16, 1946, the following order is issued:

The functions of the Office of Education and of the Commissioner of Education under the act of June 20, 1936 (49 Stat. 1559, 20 U.S.C.A. 107-107f) relating to the vending stand program for the blind, shall be performed under the supervision and direction of the Commissioner for Special Services by the Director of Vocational Rehabilitation and such officers and employees of the Office of Vocational Rehabilitation as the Director shall designate.

[SEAL] WATSON B. MILLER,  
Federal Security Administrator.

JULY 16, 1946.

[F. R. Doc. 46-12374; Filed, July 19, 1946;  
4:31 p. m.]

**INTERSTATE COMMERCE COMMISSION.**

[S. O. 544-A]

**UNLOADING OF MACHINERY AT NEW ORLEANS, LA.**

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 19th day of July, A. D. 1946.

Upon further consideration of Service Order No. 544 (11 F.R. 7696), and good cause appearing therefor: *It is ordered, That:*

(a) Service Order No. 544, *Machinery at New Orleans, La., on N. O. & N. E. R. R., be unloaded*, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

*It is further ordered*, That this order shall become effective at 12:01 a. m., July 20, 1946; that a copy of this order and direction shall be served upon the New Orleans and Northeastern Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-12412; Filed, July 22, 1946;  
11:41 a. m.]

[S. O. 548-A]

UNLOADING OF COMMODITIES AT UTICA,  
N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of July A. D. 1946.

Upon further consideration of Service Order No. 548 (11 F. R. 7819), and good cause appearing therefor: *It is ordered, That:*

(a) Service Order No. 548, *Commodities at Utica, New York, on N. Y. C. R.R., Be Unloaded*, be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

*It is further ordered*, That this order shall become effective at 12:01 a. m., July 20, 1946; that a copy of this order and direction shall be served upon The New York Central Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-12413; Filed, July 22, 1946;  
11:42 a. m.]

[S. O. 553]

UNLOADING OF PUNCH PRESSER AT BUFFALO,  
N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of July A. D. 1946.

It appearing, that car Rdg 7192 containing a punch presser at Buffalo, N. Y., on the Lehigh Valley Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Punch presser at Buffalo, N. Y., be unloaded.* (a) The Lehigh Valley Railroad Company, its agents or employees, shall unload immediately car Rdg 7192, containing a punch presser, now on hand at Buffalo, N. Y., consigned George Bender & Company.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Lehigh Valley Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-12414; Filed, July 22, 1946;  
11:41 a. m.]

[S. O. 554]

UNLOADING OF CARS AT HAWTHORNE, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of July A. D. 1946.

It appearing, that numerous cars, containing various commodities, at Hawthorne, Illinois, on The Belt Railway Company of Chicago, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Cars at Hawthorne, Ill., on The Belt Ry. Co. of Chicago, be unloaded.* (a) The Belt Railway Company of Chicago, its agents or employees, shall unload

immediately the following cars, containing various commodities, on hand at Hawthorne, Illinois, consigned Diamond "T" Motor Company:

| Initial and No.: | Contents          |
|------------------|-------------------|
| B&M 68333        | Radiators.        |
| MP 32563         | Steel rim.        |
| CBQ 120089       | Tires.            |
| NYC 155390       | Axles.            |
| CP 240855        | Do.               |
| PLE 30482        | Do.               |
| LNE 8161         | Engines           |
| N&W 48148        | Auto parts.       |
| ACL 21099        | Axles.            |
| PRR 510737       | Wheel bands.      |
| SLSF 161107      | Axles.            |
| DLW 51206        | Wheel rims.       |
| MILW 21474       | Auto parts.       |
| CNW 72292        | Engines.          |
| PRR 45936        | Do.               |
| MILW 20151       | Fenders.          |
| IC 18120         | Engines.          |
| MILW 718665      | Do.               |
| NP 23370         | Do.               |
| NYC 134217       | Axles.            |
| CNW 66038        | Auto parts.       |
| ACL 53813        | Do.               |
| PRR 58607        | Axles.            |
| ATSF 7025        | Auto parts.       |
| SLSF 151263      | Do.               |
| SP 64084         | Axles.            |
| NYC 62521        | Springs.          |
| MILW 361142      | Frames.           |
| MILW 80379       | Do.               |
| PRR 91285        | Tires.            |
| B&O 272131       | Axles.            |
| T&P 60729        | Wheel bands.      |
| GN 45407         | Engines.          |
| N&W 47592        | Axles.            |
| N&W 40171        | Engines.          |
| RDG 101278       | Do.               |
| WofA 17213       | Auto parts.       |
| NKP 13418        | Engines.          |
| CBQ 133022       | Misc. (trap car). |
| SOO 33588        | Steel stamps.     |
| PRR 566319       | Fuel tanks.       |
| MILW 709695      | Fenders.          |
| PRR 40649        | Engines.          |
| PRR 91137        | Axles.            |
| PRR 53139        | Engines.          |
| NP 29006         | Axles.            |
| PM 83659         | Auto parts.       |
| CRIP 140853      | Machinery.        |
| UP 351701        | Auto parts.       |
| NYC 177760       | Do.               |
| ATSF 10727       | Do.               |
| GN 42954         | Do.               |
| PRR 75475        | Do.               |
| SP 68028         | Do.               |
| PRR 60946        | Do.               |
| NP 5647          | Springs.          |
| MILW 360442      | Frames.           |
| MILW 361389      | Do.               |

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon The Belt Railway Company of Chicago and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement;

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-12415; Filed, July 22, 1946;  
11:41 a. m.]

[S. O. 555]

UNLOADING OF MACHINERY AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of July A. D. 1946.

It appearing, that car GTW 587446 containing saw mill machinery at New Orleans, Louisiana, on the New Orleans and Lower Coast Railroad Company has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

*Machinery at New Orleans, Louisiana, be unloaded.* (a) The New Orleans and Lower Coast Railroad Company, its agents or employees, shall unload immediately car GTW 587446 loaded with saw mill machinery now on hand at New Orleans, Louisiana for export.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the New Orleans and Lower Coast Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-12416; Filed, July 22, 1946;  
11:41 a. m.]

[S. O. 479, Corrected Special Permit 5]

REFRIGERATION OF POTATOES AT HIGHTSTOWN, N. J.

Pursuant to the authority vested in me by paragraph (d) of the first order-

ing paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration for cars WFE 63062 and FGE 34118, potatoes, shipped by F. H. Vahlsing & Co., from Hightstown, N. J., July 16, 1946, consigned to N. Geraci & Co., Tampa, Fla., routed P. R. R.-R., F. & P.-S. A. L.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of July 1946.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 46-12418; Filed, July 22, 1946;  
11:41 a. m.]

[S. O. 479, Special Permit 6]

REFRIGERATION OF POTATOES AT HIGHTSTOWN, N. J.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration on the following cars of potatoes shipped July 17, 1946, by F. H. Vahlsing from Hightstown, N. J.:

FOBX 4135 PRR-Sou to Ft. McClellan, An-niston, Ala.

FOBX 4138 PRR-RF&P-ACL to U. S. Naval Station, Green Cove Springs, railhead Duroc, Fla.

FOBX 4054 PRR-RF&P-ACL to U. S. Naval Station, Jacksonville, Fla. railhead, Yukon, Fla.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of July 1946.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 46-12419; Filed, July 22, 1946;  
11:42 a. m.]

[S. O. 479, Special Permit 7]

REFRIGERATION OF POTATOES FROM HIGHTSTOWN, N. J.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration for FGE 32866 and 33248, potatoes, shipped July 17, 1946, from Hightstown, N. J., by F. H. Vahlsing, Inc., to N. Geraci, Tampa, Fla., routed PRR-RF&P-Seaboard.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of July 1946.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 46-12420; Filed, July 22, 1946;  
11:42 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1313]

MOUNTAIN STATES POWER Co.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of July 1946.

Mountain States Power Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, has filed a declaration and amendments thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 regarding the proposed issue and sale to commercial banks, and not for resale to the public, of its Serial Notes in the aggregate principal amount of \$2,200,000, payable in sixteen semi-annual installments of \$137,500 each, commencing two and one-half years after date of issue, and bearing interest at a rate of 1.98% per annum. Declarant proposes to use the proceeds thereof (1) to reimburse, in part, its treasury for expenditures heretofore made for property additions, (2) to refund its short-term notes maturing September 30, 1946, in the principal amount of \$500,000, and (3) to finance, in part, its proposed construction program to December 31, 1947.

The declaration having been filed on June 4, 1946, a notice of filing having been duly given in the manner and form

prescribed by Rule U-23 under said act, which notice stated that requests for hearing should be filed on or before June 27, 1946; the Commission having received a request for hearing with respect to said declaration from Benton-Lincoln Rural Electrification Cooperative of Corvallis, Oregon, and said request for hearing being joined in by Lane County Electric Cooperative, Blachly Lane Cooperative Electric Association, Coos Electric Cooperative, Inc., and W. W. Abraham on behalf of Linn County Proposed PUD; all of such organizations and persons objecting to the proposed note issue by Mountain States; said objectors alleging, among other things, that portions of the proceeds of the proposed note issue will be used for uneconomic duplications of service to be constructed primarily for the purpose of frustrating the service planned by said objectors to areas which Mountain States had previously refused to serve and further alleging that such construction by Mountain States would make it uneconomic for said objectors to provide service for families not to be included in Mountain States' construction program;

It appearing to the Commission that the proposed issue and sale of notes have been approved by the Public Utilities Commissioner of the State of Oregon and the Department of Public Utilities of the State of Washington;

The Commission having carefully considered the said requests for hearing and it appearing to the Commission from an examination thereof that the matters therein referred to do not raise issues appropriately determinable by the Commission under the applicable provisions of the Public Utility Holding Company Act of 1935 and, accordingly, that a hearing thereon would serve no useful purpose and should be denied;

The Commission finding that the requirements of section 7 of the act are satisfied, that no adverse findings are necessary thereunder, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

*It is hereby ordered,* That the request for hearing by the Benton-Lincoln Rural Electrification Cooperative of Corvallis, Oregon, Lane County Electric Cooperative, Blachly Land Cooperative Electric Association, Coos Electric Cooperative, Inc., and W. W. Abraham on behalf of Linn County Proposed PUD, be, and the same hereby is, denied.

*It is further ordered,* Pursuant to Rule U-23 and the applicable provisions of the Act, and subject to the terms and conditions prescribed in Rule U-24, that said amended declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-12382; Filed, July 22, 1946;  
10:03 a. m.]

[File No. 70-1335]

SPRING BROOK WATER CO. AND NY PA NJ  
UTILITIES CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of July 1946.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission by NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company and a subsidiary of General Public Utilities Corporation, also a registered holding company, and NY PA NJ's wholly owned and inactive subsidiary, Spring Brook Water Company ("Spring Brook"), pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9 (a), 10, 12 (c) and 12 (f) and Rules U-42 and U-43 promulgated thereunder. All interested persons are referred to said joint declaration or application which is on file in the offices of this Commission for a statement of the transaction therein proposed which is summarized as follows:

Spring Brook proposes to transfer 80 shares of the \$1 par value common stock of Atlantic Utility Service Corporation (a former system service company now in the process of dissolution) to NY PA NJ as a partial payment of \$553.55 on account of indebtedness owed by Spring Brook to NY PA NJ. The price of \$553.55 represents the approximate liquidation value of the 80 shares of the Atlantic Utility Service Corporation common stock.

Notice is further given that any interested person may, not later than August 6, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 46-12379; Filed, July 22, 1946;  
10:03 a. m.]

[File No. 70-1331]

AMERICAN POWER & LIGHT CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of July A. D. 1946.

In the matter of American power & Light Company, Pacific Power & Light Company, Northwestern Electric Company; File No. 70-1331.

Notice is hereby given that a joint application and declaration and amendment thereto has been filed with this Commission under the Public Utility Holding Company Act of 1935 by American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and Pacific Power & Light Company ("Pacific") and Northwestern Electric Company ("Northwestern"), electric utility subsidiaries of American.

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

The joint application and declaration proposes (a) certain capital contributions by American to Northwestern and Pacific; (b) the merger of Northwestern with and into Pacific; (c) the retirement of the presently outstanding preferred stocks of Northwestern and Pacific through the issuance of new preferred stock by Pacific and by specified cash payments; (d) the issue and sale by Pacific of first mortgage bonds and serial notes and the use of the proceeds, together with other treasury cash, to redeem the outstanding long term debt of Pacific and Northwestern.

The merger of Northwestern, a Washington corporation, into Pacific, a Maine corporation, is to be effected through an Agreement and Act of Consolidation and Merger ("Merger Agreement") and in conformity with the statutes of the States of Washington and Maine, and is to be finally consummated through the series of steps set forth below:

1. American proposes to contribute to Northwestern 31,750 shares of Northwestern 31,750 shares of Northwestern's common stock, having a par value of \$35 per share, which contribution will be credited by Northwestern to Capital Surplus.

2. Northwestern proposes to dispose of the remaining balance of \$2,316,032, classified in Account 107—Electric Plant Adjustments—by charges of \$1,111,250 to capital surplus and \$1,204,782 to earned surplus.

3. American proposes to contribute to Pacific \$2,200,000 in cash, which contribution will be credited by Pacific to capital surplus.

4. Pacific proposes to dispose of the remaining balance of \$2,986,868, classified in Account 107—Electric Plant Adjustments—by charges of \$1,600,000 to capital surplus, \$1,242,909 to earned surplus and \$143,959 to deferred credit—Utility Plant Adjustments.

5. Thereafter, it is proposed that Northwestern be merged with and into Pacific, which company, as provided in the Merger Agreement, will amend its certificate of organization so that Pacific's authorized capital stock will consist of (a) 100,000 shares of preferred stock (new preferred stock), par value \$100 per share, the dividend rate to be determined by competitive bidding in the manner described below; and (b) 500,000 shares of common stock (new common stock), par value \$20 per share.

6. It is proposed to submit the Merger Agreement to the stockholders of the constituent companies at stockholders' meetings called for such purpose, and upon the favorable vote of the holders of two-thirds of the voting power of all shareholders of each corporation, which the applicants state is required by the laws of the States of Washington and Maine, respectively, the Merger Agreement will be put into effect.

7. Northwestern has issued and outstanding 47,411 shares (exclusive of 326 shares reacquired and held in treasury) of 7% non-callable first preferred stock (\$100 par value), and 395 shares of 6% non-callable preferred stock (\$100 par value). Pacific has issued and outstanding 56,424 shares (exclusive of 1,676 shares reacquired and held in treasury) of 7% preferred stock (\$100 par value), having a redemption price of \$115 per share, and 10,585 shares of \$6 preferred stock (without par value), having a redemption price of \$110 per share. It is proposed that the holders of the outstanding preferred stocks of Northwestern and Pacific (except those preferred stockholders who dissent from the action of their respective companies entering into the Merger Agreement) be entitled to receive, upon the effective date of the merger, the following:

(a) For each share of 7% and 6% preferred stocks of Northwestern, one share of the new preferred stock, plus an aggregate cash payment to the holder thereof consisting of (i) an amount equal to the difference between \$115 in cash for the 7% preferred stock and \$110 in cash for the 6% preferred stock and the public offering price of the new preferred stock to be determined by competitive bidding, as set forth below; and (ii) the accumulated dividend on each such share of 7% and 6% preferred stocks for the period from July 1, 1946 to August 1, 1946, plus an amount equal to the difference between the dividend payable on said 7% and 6% preferred stocks and the dividend payable on the new preferred stock, in each case from August 1, 1946 to the effective date of the Merger Agreement; and

(b) For each share of the 7% and \$6 preferred stocks of Pacific, one share of the new preferred stock, plus an aggregate cash payment to the holder thereof consisting of (i) an amount equal to the difference between the respective redemption prices (\$115 per share and \$110 per share) of said shares of 7% and \$6 preferred stocks of Pacific and the public offering price of the new preferred stocks and (ii) an amount equal to the difference between the dividend payable on said 7% and \$6 preferred stocks and the dividend payable on the new preferred stock, in each case from August 1, 1946 to the effective date of the Merger Agreement.

8. Northwestern has issued and outstanding 100,000 shares of common stock (\$35 par value), of which 31,750 shares American proposes to contribute to Northwestern, as described in paragraph 1 above, leaving a balance of 68,250 such shares held by American. Pacific has issued and outstanding 1,000,000 shares of common stock (without par value) held by American. It is

proposed that American transfer such shares of the common stock of Northwestern and Pacific owned by it to Pacific in exchange for 500,000 shares of New Common Stock of Pacific of a par value of \$20 per share.

9. The preferred stockholders of Northwestern who dissent from Northwestern's action in entering into the Merger Agreement will have the right to have their shares appraised and paid for in cash, in accordance with the applicable statutes of the State of Washington. All shares of preferred stocks of Pacific which are not exchanged for the new preferred stock will be redeemed at their respective redemption prices.

10. It is proposed that, prior to the date of the stockholders' meetings, referred to in paragraph 6 hereof, Pacific, pursuant to the requirements of Rule U-50, publicly invite bids for services, in the solicitation from stockholders of the constituent companies of their proxies authorizing a vote in favor of the Merger Agreement and for the purchase of so many of the 100,000 shares of new preferred stock as are not required for the exchange. The invitation for bids will specify a dividend rate to be a multiple of 1/20 of 1%, a minimum price to be paid to Pacific of \$101 per share and a maximum price of \$102.75 per share which shall be the public offering price.

11. It is proposed that in the event holders of the outstanding preferred stocks elect to take shares of new preferred stock in excess of 100,000 shares of new preferred stock (the total amount to be authorized), the new preferred stock be allotted on the following basis: (1) All preferred stockholders of Northwestern who do not dissent from the Merger Agreement will receive share for share for their preferred stock; and (2) the holders of preferred stock of Pacific will receive share for share for not to exceed 10 shares of their preferred shares, and for all shares in excess of 10 shares an allotment will be made pro-rata.

12. Northwestern has outstanding First Mortgage Bonds, 4% Series, due 1968, in the principal amount of \$6,700,000, all publicly held, and 4½% Debentures, due 1959, in the principal amount of \$2,100,000, all held by American. Pacific has outstanding first mortgage and Prior Lien Gold Bonds, 5% Series, due 1955, in the principal amount of \$20,500,000, all publicly held, and a 6% past-due note on which there is a balance of \$1,794,500, held by American. Incident to the proposed merger, Pacific proposes to retire all of the debt securities, described above, through (a) the use of treasury cash; (b) the proceeds of the issuance and sale of \$27,000,000 of first mortgage bonds, due 1976, of which \$24,900,000 will be issued and sold pursuant to the competitive bidding requirements of Rule U-50, and \$2,100,000 principal amount will be exchanged for a like principal amount of Northwestern's 4½% Debentures, due 1959, held by American, with respect to which an exemption from the provisions of Rule U-50 is requested; and (c) the issue and private sale of \$3,500,000 principal amount of serial notes, which will bear interest at a rate not in excess of 2%

per annum, payable in ten equal annual installments.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said application and declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

*It is ordered,* That a hearing on said matters under the applicable provisions of said act and the rules of this Commission thereunder be held on August 13, 1946, at 10:00 a. m., e. d. s. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held. At such hearing cause shall be shown why such application shall be granted and such declaration permitted to become effective. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner prescribed by its rules of practice, Rule XVII, on or before August 11, 1946.

*It is further ordered,* That William W. Swift or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That, without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed acquisitions and security issues and exchanges meet the applicable provisions of the act, particularly sections 7, 10 and 12 thereof.

2. Whether the mortgage bonds, serial notes and preferred stock proposed to be issued and sold by Pacific will be reasonably adapted to the security structure and earning power of Pacific, and necessary and appropriate to the economical and efficient operation of the business in which Pacific is presently engaged.

3. Whether the terms and conditions of the proposed offer of new preferred stock to the holders of the preferred stock of Northwestern and Pacific are fair and reasonable and appropriate in the public interest and the interest of investors and consumers.

4. Whether the proposed amendments to the Certificate of Organization of Pacific will result in an unfair or inequitable distribution of voting power among its security holders, or be otherwise detrimental to the public interest or the interest of investors and consumers.

5. Whether the proposed redemption of securities by Pacific is in accordance with the applicable sections of the act and whether it is necessary to enter any orders pursuant to sections 12 (c) or 12 (f) of the act with respect to such transactions.

6. Whether the proposed capital contributions by American to Northwestern and Pacific are in the public interest and the interest of investors and consumers.

7. Whether the accounting entries to be made in connection with the proposed transactions are proper and in conformity with the standards of the act and the rules promulgated thereunder.

8. Whether the State laws applicable to the proposed transactions have been complied with.

9. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers, and consistent with all applicable requirements of the act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the applicable statutory standards.

10. Whether the proposed transactions are detrimental to the carrying out of the provisions of section 11 (b) of the act and whether the proposed transactions constitute steps in compliance with the order of the Commission, dated August 24, 1942, requiring the dissolution of American.

*It is further ordered*, That jurisdiction be, and is hereby, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings, to consolidate with these proceedings other filings or matters pertaining to the merger, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

*It is further ordered*, That notice of said hearing be given to American, Northwestern, Pacific, the Department of Public Utilities of Washington, the Public Utilities Commissioner of Oregon, the Federal Power Commission, the Cities of Portland, Astoria and Bend, Oregon, and the Cities of Vancouver, Walla Walla and Yakima, Washington, by registered mail; and that notice of said hearing shall be given to all other persons by publication in the FEDERAL REGISTER.

*It is further ordered*, that Pacific and Northwestern shall give notice of this hearing to their respective stockholders (in so far as the identity of such stockholders is known or available to them) by mailing to each of said persons a copy of this notice at least 15 days prior to the date of this hearing.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 46-12380; Filed, July 22, 1946;  
10:03 a. m.]

[File No. 70-1328]

UNITED CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 17th day of July 1946.

The United Corporation (United), a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder regarding the following proposed transactions:

United proposes to pay in full on its outstanding 1,214,699 shares of \$3 cumulative preference stock all accumulated dividends, which, as of July 1, 1946, amounted to \$7.50 per share, or a total of \$9,110,243. United's entire balance in earned surplus, amounting to \$4,995,949 as of July 1, 1946, will be utilized for this purpose and the remaining part of the aggregate amount of such dividend, amounting to \$4,114,294, will be charged to unrestricted capital surplus, which as of July 1, 1946 amounted to \$33,207,317.

The proposed transaction is described as a facilitating step in a program contemplated by United to effectuate further partial compliance with the Commission's order of August 14, 1943, directing United to change its capitalization to one class of stock, namely, common stock, and to take such action as will cause it to cease to be a holding company. The other contemplated transactions which are not before us for approval at this time involve (a) the payment, as of October 1, 1946, of a quarterly dividend on the preference stock of 75¢ per share, or an aggregate amount of \$911,024.25; and (b) the filing of plans pursuant to section 11 (e) of the act providing for the disposition of the bulk of United's holdings of the common stock of Niagara Hudson Power Corporation by offering to United's common stockholders the right to purchase such securities, and providing for the elimination of the remaining 1,214,699 shares of United's \$3 cumulative preference stock by paying to the holders thereof \$50 per share, plus accrued dividends, if any.

The company states that the plan for disposing of its holdings of the common stock of Niagara Hudson Power Company will be legally simplified, if in advance of such an offering, the dividends in arrears on the preference stock are declared and paid.

Said declaration having been filed on the 27th day of June 1946, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

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

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of the act, that the aforesaid declaration

be, and the same hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to the further conditions that:

1. No dividends shall be declared or paid on the common stock of The United Corporation without prior approval of this Commission as long as any of the \$3 cumulative preference stock of the corporation remains outstanding: *Provided, however*, That this condition shall not in any manner restrict the right of the corporation to give to its common stockholders rights to purchase any of the securities owned by the corporation.

2. The following description of earned surplus shall be used in published accounts of the corporation, as long as any shares of the \$3 cumulative preference stock remain outstanding:

Earned surplus, subsequent to July 1, 1946, as of which date dividend arrears on Preference Stock were paid and charged to earned surplus to the extent of the balance in such surplus (\$4,995,949) and the remainder (\$4,114,294) to capital surplus.

3. The corporation shall notify each holder of the preference stock of the extent to which the dividend, authorized by this order, is paid out of capital surplus.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 46-12381; Filed, July 22, 1946;  
10:04 a. m.]

#### OFFICE OF ALIEN PROPERTY TODIAN.

[Vesting Order 4536, Amdt.]

HUGO MULLER

Vesting Order Number 4536, dated January 19, 1945, (File D-28-8386; E. T. Sec. 9757), is hereby amended as follows and not otherwise:

By deleting the words "Muller, first name unknown, brother of Hugo Muller, deceased", wherever they appear in said vesting order, and substituting therefor the words "Arthur Ernst Muller".

All other provisions of said Vesting Order Number 4536 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-12345; Filed, July 19, 1946;  
9:58 a. m.]

[Vesting Order 6576]

HENRY SPRING

In re: Bonds owned by and Debt owing to Henry Spring; F-28-3902-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9085, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Henry Spring, whose last known address is Kornbergstrasse 12, Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Three U. S. Treasury 2¼% bonds each of \$1000.00 face value, bearing the numbers 108684D, 108685E and 108683C, issued in name of bearer and presently in the custody of Schoellkopf, Hutton & Pomeroy, Inc., 70 Niagara Street, Buffalo, N. Y., together with any and all rights thereunder and thereto,

b. One U. S. Treasury 2¼% bond of \$5000.00, face value, bearing the number of 30439K, issued in the name of bearer and presently in the custody of Schoellkopf, Hutton & Pomeroy, Inc., 70 Niagara Street, Buffalo, New York, together with any and all rights thereunder and thereto, and

c. All those debts or other obligations owing to Henry Spring by Schoellkopf, Hutton & Pomeroy, Inc., 70 Niagara Street, Buffalo, New York, including particularly but not limited to a portion of the sum on deposit with Marine Trust Co., Buffalo, New York, in an account entitled Schoellkopf, Hutton & Pomeroy, Inc., Customers' Account, maintained at the Statler Branch Office of the aforesaid bank located at Buffalo, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12321; Filed, July 19, 1946;  
9:54 a. m.]

[Vesting Order 6579]

GEORGE J. TSUTAKAWA

In re: Bank account, bond and claim owned by George J. Tsutakawa, also known as Geo. J. Tsutakawa.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That George J. Tsutakawa, also known as Geo. J. Tsutakawa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to George J. Tsutakawa, also known as Geo. J. Tsutakawa, by The National Bank of Commerce of Seattle, Second Avenue at Spring Street, Seattle, Washington, arising out of a savings account, Account Number 102477, entitled Geo. J. Tsutakawa, and any and all rights to demand, enforce and collect the same,

b. One United States Defense Savings Bond, Series E, of \$1000 face value, bearing the number M1697287E, registered in the name of Mr. George Tsutakawa, 928 24th Avenue South, Seattle, Washington, presently in the custody of the Safe-keeping Department, International Branch, Seattle-First National Bank, 526 Jackson Street, Seattle 4, Washington, together with all rights thereunder and thereto, and

c. That certain debt or other obligation owing to George J. Tsutakawa, also known as Geo. J. Tsutakawa, by Tsutakawa and Company, Inc., Seattle, Washington, a corporation organized under the laws of the State of Washington, in the amount of \$247.83, as of October 31, 1942, 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 aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12322; Filed, July 19, 1946;  
9:54 a. m.]

[Vesting Order 6582]

LUISE WEGENER

In re: Bank account, stock and bonds owned by Luise Wegener; D-28-6926-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Luise Wegener, whose last known address is Strassburger Str. 69, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Luise Wegener, by City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, arising out of a savings

account, Account Number 9717, entitled Luise Wegener by John C. Meiners, and any and all rights to demand, enforce and collect the same.

b. Two (2) shares of common capital stock of Southwestern Public Service Company, Amarillo, Texas, a corporation organized under the laws of the State of New Mexico, evidenced by Certificates Numbers NC/O 8622 and NC/O 8624, for one share each, and registered in the name of Luise Wegener, together with all declared and unpaid dividends thereon,

c. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, issued in the name of Bearer, presently in the custody of John C. Meiners, 100 West Monroe Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

d. One (1) Clarmon Building Corporation Refunding Leasehold Mortgage Income Bond due December 1, 1945, of \$500 face value, bearing the number D 415, registered in the name of Luise Wegener, 100 West Monroe Street, Chicago, Illinois, presently in the custody of John C. Meiners, 100 West Monroe Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

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

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Prop-

erty Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

EXHIBIT A

*Number and Description of Bearer Bonds,  
Due Date, Face Value, and Bond Number*

1. One (1) Iowa Public Service Company 5% Debenture; March 1, 1968; \$1,000; M 1263.
2. One (1) Associated Gas & Electric Company Gold Debenture Bond, Consolidated Refunding 5% Series; October 1, 1968; \$1,000; M 46694.
3. One (1) Hartford Building Corporation 6½% Leasehold Bond; August 1, 1935; \$1,000; M 126.

[F. R. Doc. 46-12323; Filed, July 19, 1946;  
9:55 a. m.]

[Vesting Order 6720]

HERMAN SCHMID ET AL.

In re: Bank account owned by Herman Schmid, Emma Sigel Bantlin, Marie Sigel Schmid, Pauline Silber, Elise Sigel Stoll, Louise Sigel Krohmer, Karl Sigel, Louise Koch, Berta Sigel Winter, also known as Bertha Sigel Winter, and Gottlieb Silber, Jr., also known as Gottlieb Sigel, Jr.; F-28-14185-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Herman Schmid, Emma Sigel Bantlin, Marie Sigel Schmid, Pauline Silber, Elise Sigel Stoll, Louise Sigel Krohmer, Karl Sigel, Louise Koch, Berta Sigel Winter, also known as Bertha Sigel Winter, and Gottlieb Silber, Jr., also known as Gottlieb Sigel, Jr., whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of Marine Trust Company of Buffalo, 237 Main Street, Buffalo, New York, arising out of a thrift account, Account 5185, entitled A. Emily Schudt, Atty., and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Marine Trust Company of Buffalo, 237 Main Street, Buffalo, New York, arising out of a thrift account, Account Number 9291, entitled A. Emily Schudt, and any and all rights to demand, enforce and collect the same,

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

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 24, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12324; Filed, July 19, 1946;  
9:55 a. m.]

[Vesting Order 6723]

ALBERT REICHEL

In re: Estate of Albert Reichel, deceased; File D-28-9878; E. T. sec. 13953.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: (a) All right, title, interest and claim of any kind or character whatsoever of Sister, name unknown, of Albert Reichel, deceased, in and to the estate of Albert Reichel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,



*National and Last Known Address*

Sister, name unknown, of Albert Reichel, deceased, Germany.

That such property is in the process of administration by Clara Simerville, 644 Harrison Street, Bend, Oregon, as Administratrix of the estate of Albert Reichel, deceased, acting under the judicial supervision of the County Court for Deschutes County, State of Oregon;

(b) All right, title, interest and estate, both legal and equitable, of the sister, name unknown, of Albert Reichel, deceased, in and to that certain real property described as follows: Lot 10 in Block 20 and Lot 11 in Block 20, City of Bend, County of Deschutes, State of Oregon,

together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

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 aforementioned national of a designated enemy country, Germany;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 24, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12325; Filed, July 19, 1946; 9:55 a. m.]

[Vesting Order 6750]

ANDREW HAMMER

In re: Estate of Andrew Hammer, deceased; File D-28-10206; E. T. sec: 14546.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Joseph Hammer, Maria Klinger, Cazilia Prissingner and Theresia Hagenreiner, and each of them, in and to the Estate of Andrew Hammer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Joseph Hammer, Germany.  
Maria Klinger, Germany.  
Cazilia Prissingner, Germany.  
Theresia Hagenreiner, Germany.

That such property is in the process of administration by Nick Erickson, as Administrator, acting under the judicial supervision of the County Judge's Court of Broward County, Florida;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a

hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12326; Filed, July 19, 1946; 9:55 a. m.]

[Vesting Order 6753]

ROBERT KITTELBERGER

In re: Estate of Robert Kittelberger, deceased; File D-28-10424; E. T. sec. 14819.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Kittelberger and Liselotte Washmuth, and each of them, in and to the Estate of Robert Kittelberger, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Karl Kittelberger, Germany.  
Liselotte Washmuth, Germany.

That such property is in the process of administration by Ray S. Smith, as Administrator, acting under the judicial supervision of the Probate Court of Garland County, Arkansas;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12327; Filed, July 19, 1946;  
9:55 a. m.]

[Vesting Order 6754]

EMMY LOH

In re: Estate of Emmy Loh, deceased; File D-28-10187; E. T. sec. 14522.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Werner Knappertsbush, Ewald Knappertsbush, Heinrich Knappertsbush and Gustav Knappertsbush, and each of them, in and to the Estate of Emmy Loh, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Werner Knappertsbush, Germany.  
Ewald Knappertsbush, Germany.  
Heinrich Knappertsbush, Germany.  
Gustav Knappertsbush, Germany.

That such property is in the process of administration by Maria Gesser, as Executrix, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12328; Filed, July 19, 1946;  
9:55 a. m.]

[Vesting Order 6757]

FRANZ F. ROEBER

In re: Estate of Franz F. Roerber, deceased; File D-28-10144; E. T. sec. 14448.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dr. Horst Roerber and his surviving issue and Dr. George Roerber and his surviving issue, and each of them, in and to the Estate of Franz F. Roerber, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Dr. Horst Roerber and his surviving issue, Germany.  
Dr. George Roerber and his surviving issue, Germany.

That such property is in the process of administration by Charles H. Hartwig, as Executor of the Estate of Franz F. Roerber, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Humboldt;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12329; Filed, July 19, 1946;  
9:56 a. m.]

[Vesting Order 6760]

BERTA SCHATTNER

In re: Estate of Berta Schattner, deceased; File No. D-28-9109, E. T. sec. No. 11742.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Reinhard Heckhausen, Adele Heckhausen, Reinhard Heckhausen, Franz Heckhausen, Paula Heckhausen, Margret Heckhausen, and Adele Heckhausen, and each of them, in and to the Estate of Berta Schattner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Reinhard Heckhausen (father of Berta Schattner, deceased), Germany.  
Adele Heckhausen, Germany.  
Reinhard Heckhausen (brother of Berta Schattner, deceased), Germany.  
Franz Heckhausen, Germany.  
Paula Heckhausen, Germany.  
Margret Heckhausen, Germany.  
Adele Heckhausen, Germany.

That such property is in the process of administration by the Public Adminis-

trator of New York County, as Administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc 46-12330; Filed, July 19, 1946;  
9:56 a. m.]

[Vesting Order 6807]

JOHANN GREBNER AND KATIE SCHRAMM

In re: Bank account owned by Johann Grebner and Katie Schramm.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johann Grebner and Katie Schramm, whose last known addresses are Stollberg, I. E. Rundsdlung, 606 M. Saxony and Stuttgart, Germany, respectively, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Continental Industrial Bank, 39 Public Square, N. W., Cleveland 13, Ohio, arising out of a blocked account, Account Number 2732, entitled Calhoun, McLeod & Fricke, Attorneys in Fact for Katie Schramm and Johann Grebner, 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, Johann Grebner and Katie Schramm, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-12331; Filed, July 19, 1946;  
9:56 a. m.]

[Vesting Order 6828]

LOUISA HRUZIK

In re: Bank account owned by Louisa Hruzik, also known as Luise Hrwzik and as Luise Hruzik. F-28-11484-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Louisa Hruzik, also known as Luise Hrwzik, and as Luise Hruzik whose last known address is 1 Pfannschmieden, Kolberg, 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 Louisa Hruzik, also known as Luise Hrwzik and as Luise Hruzik by The San Francisco Bank, 526 California Street, San Francisco, California, arising out of a savings account, Account Number 764258, entitled Luise Hruzik, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property, or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12332; Filed, July 19, 1946;  
9:56 a. m.]

[Vesting Order 6829]

HERMAN HUETTE

In re: Bank account owned by Herman Huette. F-28-23894-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Herman Huette, whose last known address is Detmold, 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 Herman Huette, by American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, Account Number 7660, entitled Herman Huette, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if

and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12333; Filed, July 19, 1946;  
9:56 a. m.]

[Vesting Order 6832]

KARL JANISCH

In re: Bank account owned by Karl Janisch. F-28-1374-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Karl Janisch, whose last known address is Schadowstrasse 4-5, Berlin, N. W. 7, 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 Chase National Bank of the City of New York, 18 Pine Street, New York 15, N. Y., arising out of an account, entitled S 88216 Custody Funds—Transfer Department—Blocked Nationals Account, 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, Karl Janisch, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12334; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6833]

JENNY JOACHIM

In re: Bank account owned by Jenny Joachim, also known as Jennie Sara Joachim. F-28-4951-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Jenny Joachim, also known as Jennie Sara Joachim, whose last known address is Stenzelstrasse 7, Berlin-Wilmersdorf, 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 Jenny Joachim, also known as Jennie Sara Joachim, by Union Bank & Trust Co. of Los Angeles, 760 South Hill Street, Los Angeles, California, arising out of a term savings account, Account Number 85691, entitled Jenny Joachim, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12335; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6834]

MARIA ANNA KALBERLAH

In re: Bank account owned by Maria Anna Kalberlah. F-28-11575-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Maria Anna Kalberlah, whose last known address is Hillersee, 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 Maria Anna Kalberlah, by The Ninth Bank and Trust Company, Front and Norris Streets, Philadelphia 25, Pennsylvania, arising out of a certificate of deposit account, Account Number 234, entitled Maria Anna Kalberlah 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12336; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6835]

PAUL KAPFF

In re: Bank account owned by Paul Kapff. F-28-1024-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Paul Kapff, whose last known address is 12 Lindenstrasse, Stuttgart-N,

Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Paul Kapff, by The New York Trust Company, 100 Broadway, New York, New York, arising out of a Checking Account, entitled Paul Kapff, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12337; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6836]

JOHANNA KECK

In re; Bank account owned by Johanna Keck. F-28-11598-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Johanna Keck, whose last known address is Hanover, Linden, Fortunastr 30, 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 Security National Bank, Brookings, South Dakota, arising out of a savings account, entitled, Johanna Keck, Carl Greve, Agent, 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, Johanna Keck, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12338; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6837]

MARIE KESTING AND MINNIE KESTING

In re; Bank account owned by Marie Kesting and Minnie Kesting. F-28-23144-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Marie Kesting and Minnie Kesting whose last known address is Detmold, Germany, are residents of Germany and are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Marie Kesting and Minnie Kesting, by Mercantile Home Bank & Trust Co., 1119 Walnut Street, Kansas City, Missouri, arising out of a blocked account, entitled Marie and Minnie Kesting, and any and all rights to demand, enforce and collect the same,

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

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12339; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6839]

TONWERK DER STADT KLINGENBERG

In re; Bank account owned by Tonwerk der Stadt Klingenberg. F-28-24069-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tonwerk der Stadt Klingenberg, the last known address of which is Klingenberg am Main, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has, or since the effective date of Executive Order No. 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 National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of an escrow account, entitled Letter of instructions dated December 19, 1940 signed by Adolphe Hurst & Co., Inc., 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, Tonwerk der Stadt Klingenberg, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the inter-

est and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12340; Filed, July 19, 1946;  
9:57 a. m.]

[Vesting Order 6840]

GERTRUD KLUDAS

In re: Bank account owned by Gertrud Kludas. F-28-23180-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gertrud Kludas, whose last known address is Hamburg 26 Holmannenwey, 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 Crocker First National Bank of San Francisco, One Montgomery Street, San Francisco, California, arising out of a savings account, Account Number 20728, entitled Tom F. Chapman or I. F. Chapman, Trustees for Gertrud Kludas, 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, Gertrud Kludas, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12341; Filed, July 19, 1946;  
9:58 a. m.]

[Vesting Order 6842]

JOSEPHINE KORNELL

In re: Bank account owned by Josephine Kornell. F-28-17546-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Josephine Kornell, whose last known address is Volkach near Wurzburg, Bavaria, 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 Josephine Kornell, by The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a savings account, Account Number 761801, entitled Josephine Kor-

nell, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12342; Filed, July 19, 1946;  
9:58 a. m.]

[Vesting Order 6843]

MARGARETHE KRAUS

In re: Bank account owned by Margarethe Kraus. F-28-23870-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Margarethe Kraus, whose last known address is Oberursel in Taunus,

Kirchgasse 10, 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 Margarethe Kraus, by The First National Trust and Savings Bank of San Diego, San Diego, California, arising out of a Savings Account, Account Number 86456, entitled Margarethe Kraus, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-12343; Filed, July 19, 1946; 9:58 a. m.]

[Vesting Order 6844]

GERTA KREKELER

In re: Bank account owned by Gerta Krekeler. F-28-23869-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gerta Krekeler, whose last known address is Hindenburgstrasse 129 Duisburg, 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 Gerta Krekeler, by The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago, Illinois, arising out of a Savings Account, Account Number 1,350,169, entitled Gerta Krekeler, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-12344; Filed, July 19, 1946; 9:58 a. m.]

[Vesting Order 6709]

KIKUJIRO MORII

In re: Estate of Kikujiro Morii, deceased. File No. D-39-18488; E. T. sec. 14632; H-391.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Sanao Morii, Mrs. Osana Motozuna, Mrs. Chisato Fujii, Mrs. Satomi Fujita, and Mr. Kano Morii, and each of them, in and to the estate of Kikujiro Morii, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

*Nationals and Last Known Address*

Mrs. Sanao Morii, Japan.  
Mrs. Osana Motozuna, Japan.  
Mrs. Chisato Fujii, Japan.  
Mrs. Satomi Fujita, Japan.  
Mr. Kano Morii, Japan.

That such property is in the process of administration by Koson Yamashiro, as administrator of the estate of Kikujiro Morii, deceased, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any



claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 21, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12384; Filed, July 22, 1946;  
10:24 a. m.]

[Vesting Order 6747]

ROMAN DABROWSKI

In re: Estate of Roman Dabrowski, deceased. File D-28-10153; E. T. sec. 14449.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of J. Dabrowski, in and to the Estate of Roman Dabrowski, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

J. Dabrowski, Germany.

That such property is in the process of administration by Ben H. Brown, as Administrator of the Estate of Roman Dabrowski, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12385; Filed, July 22, 1946;  
10:24 a. m.]

[Vesting Order 6763]

HELEN H. TAUBLER

In re: Estate of Helen H. Taubler, also known as Helena Taubler and Helen H. Taebler, deceased. File No. D-28-9503, E. T. sec. No. 12862.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Blanka Fuerst in and to the Estate of Helen H. Taubler, also known as Helena Taubler and Helen H. Taebler, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Blanka Fuerst, Germany.

That such property is in the process of administration by the Public Administrator of New York County, as Administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12386; Filed, July 22, 1946;  
10:25 a. m.]

[Vesting Order 6831]

HANS J. ILLING

In re: Bank account owned by Hans J. Illing, also known as Hans Joachim Illing. F-28-4985-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hans J. Illing, also known as Hans Joachim Illing, whose last known address is Dresden, 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 San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a savings account, Account Number 760610, entitled Edmund F. Russ, Trustee for Hans J. Illing, 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, Hans J. Illing, also known as Hans Joachim Illing, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and

certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12387; Filed, July 22, 1946;  
10:25 a. m.]

[Vesting Order 6848]

MANTARO KUGA

In re: Interest in bank account owned by Mantaro Kuga, also known as M. Kuga. F-39-24-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mantaro Kuga, also known as M. Kuga, whose last known address is 25 Kogashira-machi 1-chome, Kurume, Fukuoka Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: An undivided one-half interest in that certain debt or other obligation of First National Bank of Portland, Portland, Oregon, arising out of a Bancontrol Collection Funds Account, entitled Foreign Funds Control, maintained at the branch office, of the aforesaid bank located at Hood River, Hood River County, Oregon, 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, Mantaro Kuga, also known as M. Kuga, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12388; Filed, July 22, 1946;  
10:25 a. m.]

[Vesting Order 6849]

CLARA KUSTER

In re: Bank account owned by Clara Kuster. D-66-724-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

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

2. That the property described as follows: That certain \$2,395.87 owing to Clara Kuster by Jefferson-Gravois Bank of St. Louis, St. Louis, Missouri, arising out of a Blocked Bank Account, entitled In re Estate of Amelia Stamm—Heirs subject to National Act; Blocked A/C Clara Kuster, 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 aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12389; Filed, July 22, 1946;  
10:25 a. m.]

[Vesting Order 6850]

**MICHAEL LANGEMAIER**

In re: Bank account owned by Michael Langemaier. F-28-23151-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Michael Langemaier, whose last known address is Munich-Denning, 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 Crocker First National Bank of San Francisco, One Montgomery Street, San Francisco 20, California, arising out of a savings account, Account Number 6590, entitled Tom F. Chapman, Trustee for Michael Langemaier, 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, Michael Langemaier, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL]

**JAMES E. MARKHAM,**  
*Alien Property Custodian.*

[F. R. Doc. 46-12390; Filed, July 22, 1946; 10:26 a. m.]

[Vesting Order 6851]

**HUGO LATZ**

In re: Bank account owned by Hugo Latz. F-28-4175-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hugo Latz, whose last known address is N. W. 40, Paulstrasse 32, Berlin, 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 Hugo Latz, by Union Bank & Trust Co. of Los Angeles, 760 South Hill Street, Los Angeles, California, arising out of a term savings account, Account Number 85623, entitled Hugo Latz, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL]

**JAMES E. MARKHAM,**  
*Alien Property Custodian.*

[F. R. Doc. 46-12391; Filed, July 22, 1946; 10:26 a. m.]

[Vesting Order 6852]

**MRS. MARTA HEYNE LEHMANN**

In re: Bank account owned by Mrs. Marta Heyne Lehmann. F-28-23165-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Marta Heyne Lehmann, 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 of Brookline Trust Company, 1341 Beacon Street, Brookline 46, Massachusetts, arising out of a savings account, Account Number 42512, entitled Ernst Lowenberg, Trustee for Marta Heyne Lehmann, 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 Mrs. Marta Heyne Lehmann, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12392; Filed, July 22, 1946;  
10:26 a. m.]

[Vesting Order 6853]

KARL FREDERICK LEHMER

In re: Bank account owned by Karl Frederick Lehmer. F-28-19794-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Karl Frederick Lehmer, whose last known address is Kassel 1/Hessen, Orleanstr. 26, 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 Security-First National Bank of Los Angeles, 6th and Spring Streets, Los Angeles, California, arising out of a Commercial Account, entitled Marie Lehmer Heerde and Bruno Heerde as Trustees for Karl Frederick Lehmer, maintained at the branch office of the aforesaid bank located at Fifth and Spring Streets, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

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

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12393; Filed, July 22, 1946;  
10:26 a. m.]

[Vesting Order 6855]

ADOLPH LIPSCHUTZ

In re: Bank account owned by Adolph Lipschutz. F-28-13002-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Adolph Lipschutz, whose last known address is Strasse 7, Kestner Hannover, 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 Adolph Lipschutz, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a Checking Account, entitled Adolph Lipschutz, maintained at the branch office of the aforesaid bank located at Sixth and

Spring Streets, Los Angeles, California, and any and all rights to demand, enforce and collect the same.

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

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12394; Filed, July 22, 1946;  
10:27 a. m.]

[Vesting Order 6853]

ALMA MEBIUS

In re: Bank account owned by Alma Mebius, also known as Alma Mebuis. F-28-7199-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alma Mebius, also known as Alma Mebus, whose last known address is Berlin, 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 San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a savings account, Account Number 760608, entitled Edmund F. Russ, Trustee for Alma Mebius, 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, Alma Mebius, also known as Alma Mebus, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12395; Filed, July 22, 1946;  
10:27 a. m.]

[Vesting Order 6858]

E. MERCK

In re: Debt owing to E. Merck.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That E. Merck, the last known address of which is Darmstadt, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 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, in the amount of \$82.56, which was owing to E. Merck by Merck & Co., Inc., Rahway, New Jersey, and which amount was deposited in the Alien Property Custodian Collection Fund, Account Number 896027, in the Federal Reserve Bank, New York, New York, in the form of a check, Number B10644, dated December 31, 1945, of Merck & Co., Inc., payable to the Alien Property Custodian, 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 aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return

such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12396; Filed, July 22, 1946;  
10:27 a. m.]

[Vesting Order 6859]

BARBARA MULLER

In re: Bank account owned by Barbara Muller, also known as Barbara Mueller; F-28-4035-E-1, F-28-4035-E-2.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Barbara Muller, also known as Barbara Mueller, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to I. F., and/or Tom Chapman, by Bank of America National Trust and Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 5298, entitled I. F., and/or Tom Chapman, Trustees for Barbara Muller, maintained at the Market-New Montgomery branch office of the aforesaid bank, located at San Francisco 20, California, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Barbara Muller, also known as Barbara Mueller, by Commonwealth Bank, Detroit, Michigan, arising out of a commercial account, Account Number C10-928, entitled Barbara Mueller, 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, Barbara Muller, also known as Barbara Mueller, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12397; Filed, July 22, 1946;  
10:27 a. m.]

[Vesting Order 6860]

GEORGE MURKEN

In re: Bank account owned by George Murken. F-28-23314-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That George Murken, whose last known address is Huttenbusch, No. 22, Kreis Osterholz near Bremen, 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 George Murken, by South Brooklyn Savings Bank, 6424 18th Ave-

nue, Brooklyn 4, New York, arising out of a savings account, Account Number 9300, entitled Hinrich Murken in trust for George Murken, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12398; Filed, July 22, 1946;  
10:27 a. m.]

[Vesting Order 6861]

MASA NAKAUCHI

In re: Bank account owned by Masa Nakauchi. F-39-2063-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Masa Nakauchi, whose last known address is Minatoku, Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Masa Nakauchi, by Trust Company of North America, 115 Broadway, New York, New York, arising out of a Blocked Bank Account, entitled Masa Nakauchi, 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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 28, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12399; Filed, July 22, 1946;  
10:27 a. m.]

[Vesting Order 6883]

AUGUSTE D. SCHLESINGER

In re: Trust under the Will of Auguste D. Schlesinger, deceased. File D-63-283; E. T. sec. 7050.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Eleonore von Crailsheim, and her husband, issue, administrators, executors, legatees, devisees, distributees, heirs and next of kin, names unknown, and each of them, in and to the trusts created by Article "Seventh", called "Household Fund Trust" and Article Ninth", of the Last Will and Testament of Auguste D. Schlesinger, deceased,

is property payable or deliverable to, or claimed by, the nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Eleonore von Crailsheim, and her husband, issue, administrators, executors, legatees, devisees, distributees, heirs and next of kin, names unknown, Germany.

That such property is in the process of administration by the President and Directors of the Manhattan Company, as Successor Trustee, acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein con-

tained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12402; Filed, July 22, 1946; 10:28 a. m.]

[Vesting Order 6869]

JOHN BUGEL

In re: Estate of John Bugel, deceased. File No. D-28-9664; E. T. sec. 13448.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emma Betsch in and to the Estate of John Bugel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Emma Betsch, Germany.

That such property is in the process of administration by Harry L. Hedger, County Treasurer of the County of Nassau, as Administrator of the Estate of John Bugel, deceased, acting under the judicial supervision of the Surrogate's Court, Nassau County, New York;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12400; Filed, July 22, 1946; 10:27 a. m.]

[Vesting Order 6876]

EMMA LEFKOWITZ

In re: Estate of Emma Lefkowitz, also known as Emma Lefkowitz, deceased. File No. D-34-854; E. T. sec. 14111.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Joseph Rimai and Ella Rimai, and each of them, in and to the Estate of Emma Lefkowitz, also known as Emma Lefkowitz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Joseph Rimai, Hungary.  
Ella Rimai, Hungary.

That such property is in the process of administration by Gyoza Rimai, as Administrator, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such nationals are persons 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 (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indi-

cate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12401; Filed, July 22, 1946;  
10:28 a. m.]

[Vesting Order 6931]

MARY ESSELBORN

In re: Estate of Mary Esselborn, deceased. File No. 017-18887.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Gatha Weisser, a/k/a Agatha Weisser, or Mathilde Weisser Hall, Ophelia Weisser, and Joseph Weisser, her issue, in and to the estate of Mary Esselborn, deceased.

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Gatha Weisser, a/k/a Agatha Weisser, or Mathilde Weisser Hall, Ophelia Weisser, and Joseph Weisser, Germany.

That such property is in the process of administration by Bernard Rottler, as Executor of the estate of Mary Esselborn, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 3, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12403; Filed, July 22, 1946;  
10:28 a. m.]

[Vesting Order 6932]

EDWARD HERKNER

In re: Estate of Edward Herkner, deceased. File No. D-28-9786; E. T. sec. 13765.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:  
All right, title, interest and claim of any kind or character whatsoever of Heinrich Herkner, Franz Pfefferle, and Anna Pfefferle, and each of them, in and to the estate of Edward Herkner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Heinrich Herkner, Germany.  
Franz Pfefferle, Germany.  
Anna Pfefferle, Germany.

That such property is in the process of administration by the German Society of the City of New York, as Executor of the Estate of Edward Herkner, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York,

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 3, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-12404; Filed, July 22, 1946;  
10:29 a. m.]