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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

CIVIL AERONAUTICS BOARD

Under authority of § 6.1 (a) of Executive Order No. 9830, and at the request of the Civil Aeronautics Board, § 6.137 (g) is amended to read as set out below, effective upon publication in the FEDERAL REGISTER.

§ 6.137 *Civil Aeronautics Board.* * * *

(g) A Director and two Assistant Directors of the Economic Bureau; Director of the Bureau of Safety Regulation; Director of the Bureau of Safety Investigation; and until December 31, 1949, Assistant Director of the Bureau of Safety Regulation and Assistant Director of the Bureau of Safety Investigation.

(Sec. 6.1 (a), E. O. 9830, 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] FRANCES PERKINS,
Acting President.

[F. R. Doc. 49-47; Filed, Jan 4, 1949; 8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

DRIED FRUIT EXPORT PROGRAM (FISCAL YEAR 1949); SUPPLEMENTARY STATEMENT

As a result of questions submitted by exporters and prospective exporters who desire to participate in the current dried fruit export program, the Department, without in any way modifying the provisions of the program made effective as of the 26th day of November 1948 (13 F. R. 7323), hereby issues certain interpretations of the program.

A statement in the FEDERAL REGISTER of December 23, 1948 (13 F. R. 8248), has redesignated Part 506, Dried Fruit Export Program (13 F. R. 7323) in Chapter V of Title 6 of the Code of Federal Regulations as "Subpart—Dried Fruit Export Program (Fiscal Year 1949)" in "Part 518, Fruits and Berries, Dried and Processed" in Chapter IV of said Code. Sections 506.1 to 506.13 have been redesignated as §§ 518.1 to 518.13.

Sec.
518.21 Time of filing application.
518.22 Contracts made prior to November 26, 1948.
518.23 Computation of price.
518.24 Reference to list of producers.
518.25 Certification when some tonnage purchased below minimum prices.
518.26 Certification by cooperative marketing association.
518.27 Duplicate original inspection certificate.
518.28 Certification when names of buyer and consignee are different.

AUTHORITY: §§ 518.21 to 518.28 issued under sec. 32, 49 Stat. 774, as amended, sec. 112 (f), P. L. 472, 80th Cong., 62 Stat. 137; 7 U. S. C. 612c.

§ 518.21 *Time of filing application.* Application for participation in the program pursuant to § 518.2 may be filed by an exporter before or after he makes a sale upon which he expects to submit a claim for export payment under this program.

§ 518.22 *Contracts made prior to November 26, 1948.* Since this program has been established in order to encourage the exportation of dried prunes and raisins as stated in § 518.1, and it appears that certain contracts for the exportation of these commodities had been made prior to November 26, 1948 (the effective date of this offer) but deliveries have not been made, in whole or in part, under such contracts because of maritime strikes or other reasons and there is a possibility that such contracts might be cancelled, the following rules shall apply.

(a) In the event that a buyer cancels a contract entered into prior to November 26, 1948, for a legally valid reason, a subsequent contract with that buyer which conforms to the provisions of the dried fruit export program is eligible as a basis for claim under the program.

(b) In the event that a buyer cancels, without a legally valid reason therefor, a contract entered into prior to November 26, 1948, and specifying a sale price

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

which does not reflect an export payment under the dried fruit export program, export payment under such program will not be made with respect to any subsequent contract made by the same buyer with the same seller or with another seller until after the buyer has made a purchase of the same quantity of the same kind of dried fruit as that which was affected by such cancellation, provided that such purchase was followed by delivery of the quantity purchased. The exporter shall obtain and furnish to the Department a written statement from the buyer with whom he is negotiating a contract that the quantity which the buyer is contracting to purchase is not a substitute for part or all of another quantity covered by a previous contract, made at a price not reflecting an export payment under this program, which that buyer had cancelled without a legally valid reason, and if the buyer did cancel such a contract the statement shall specify the reason. Exporters participating in this program are requested to communicate to the Director, Fruit and Vegetable Branch, the details of contracts with foreign buyers for export to any approved country designated in § 518.3 of the dried fruit export program which were entered into prior to November 26, 1948, and pursuant to which deliveries have not yet been made in full. Such details will be kept confidential by the Department but the Department will, upon request, advise a prospective seller whether his contemplated sale appears to be in substitution of a sale made to the same buyer by another seller prior to November 26, 1948, under which full delivery has not been made.

(c) The Department's attention has been called to the second paragraph in the section headed "Responsibility," in Form A, effective October 1, 1926, "Export Dried Fruit Contract Adopted by Dried Fruit Association of California and California Dried Fruit Export Association," which deals with delays beyond the control of the seller. If a seller brings himself within the language of that paragraph and as a result a sale which he made to a foreign buyer prior to November 26, 1948, is automatically cancelled, a sale made by the same seller or by other sellers to the same buyer after November 26, 1948, will notwithstanding such cancellation entitle the seller to export payment if the sale otherwise complies with the provisions of this program.

(d) If a foreign buyer has cancelled his contract made prior to November 26, 1948, under circumstances which make it uncertain whether a sale made to the same buyer after November 26, 1948, will qualify for an export payment under this program, and the seller in order to protect himself either (1) sells to the buyer at a price reflecting the export payment and provides that the buyer shall pay him an amount equal to the export payment if the seller fails to obtain the payment from the Department, or (2) sells to the buyer at a price which does not reflect the export payment and provides that he will remit to the buyer the amount of the export payment upon the Department's approving the export payment under this program, such a sale made after November 26, 1948, will qualify for export payment under this program if the Department determines that it was made in good faith and that it otherwise complies with, and did not evade, the provisions of this program, subject to the condition, however, that proof of such remittance by the seller shall be submitted to the Department prior to its making the export payment. To enable the Department to approve the export payment, the exporter shall submit all required proof except proof of the making of the remittance, and a fully prepared but unsigned voucher for payment. After the approval by the Department, the exporter shall submit proof of the making of the remittance and an original and three copies of a signed voucher in accordance with § 518.6.

§ 518.23 *Computation of price.* An exporter who sells to a foreign buyer on a price basis other than free along ship or free on board vessel, United States port, can comply with the dried fruit export program by certifying on the copies of the sales contract accompanying his claim, or on a statement attached thereto, the gross price in cents per pound f. a. s. United States port, which is the equivalent of the price invoiced to the buyer, and by showing in such certification the charges on the basis of which such f. a. s. price is computed from the price invoiced to the buyer. Such certification must be signed by a person authorized to represent the exporter in such matter but need not be notarized.

§ 518.24 *Reference to list of producers.* After an exporter has submitted a list of producers in accordance with § 518.4 he may make reference to such list in certifications filed with subsequent claims in accordance with such section and need not file the same list again.

§ 518.25 *Certification when some tonnage purchased below minimum prices.* In the event that the exporter had purchased some tonnage at or above the prices specified in § 518.4 and some tonnage below such prices, he may comply with that section by certifying that the fruit exported was from the former tonnage only and by filing a list of the producers from whom such fruit was so purchased.

§ 518.26 *Certification by cooperative marketing association.* A cooperative marketing association may comply with the requirement of § 518.4 about stating the prices at which the fruit was acquired from producers by certifying that it has credited such prices to all its members who delivered dried fruit of the type or types on which the claim for an export payment is made.

§ 518.27 *Duplicate original inspection certificate.* An exporter can comply with the requirement in paragraph (c) in § 518.6, with respect to inspection certificates, by filing a duplicate original inspection certificate signed by the inspector who issued it and one copy of the inspection certificate.

§ 518.28 *Certification when names of buyer and consignee are different.* If the bill of lading shows the name of a person, acting as agent for the buyer, different from that appearing on the contract under which the bill of lading is made, the exporter should accompany his claim on the exportation covered by such bill of lading, with a certification that the shipment under that bill of lading is to the buyer named in the contract and is made pursuant to that contract.

Dated this 30th day of December 1948.

[SEAL] RALPH S. TRIGG,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 49-38; Filed, Jan. 4, 1949; 8:45 a. m.]

PART 672—WOOL

REDESIGNATION OF SECTION

CROSS REFERENCE: For the redesignation of § 2307.22 of Chapter XXI, Title 7, as § 672.1, see F. R. Doc. 49-70, Title 7, Chapter XXI, *infra*.

TITLE 7—AGRICULTURE

Chapter XXI—Organization, Functions and Procedures

Subchapter C—Production and Marketing Administration

DISCONTINUANCE OF CODIFICATION

The codification of the following parts and sections of this chapter is hereby discontinued:

Part 2300—Production and Marketing Administration.
Part 2301—Office of the Administrator.
Part 2302—Cotton Branch.
Part 2303—Dairy Branch.
Part 2304—Fats and Oils Branch.
Part 2305—Fruit and Vegetable Branch.
Part 2306—Grain Branch.
Part 2307—Livestock Branch; §§ 2307.1 to 2307.3, 2307.10 to 2307.21.
Part 2308—Poultry Branch.
Part 2309—Price Support and Foreign Supply Branch.
Part 2310—Sugar Branch.
Part 2311—Tobacco Branch.
Part 2320—Audit Branch.
Part 2321—Budget and Management Branch.
Part 2322—Compliance and Investigation Branch.
Part 2323—Information Branch.
Part 2324—Agricultural Conservation Programs Branch.
Part 2325—Fiscal Branch.
Part 2326—Food Distribution Programs Branch.
Part 2328—Marketing Facilities Branch.
Part 2329—Marketing Research Branch.
Part 2330—Shipping and Storage Branch.

The following redesignation of section number is made:

Section 2307.22 is redesignated as § 672.1 of Part 672 of Chapter IV, Title 6.

Future amendments to descriptions of organization and delegations of final authority will appear in the Notices section of the FEDERAL REGISTER.

Dated: December 31, 1948.

[SEAL] RALPH S. TRIGG,
Administrator, Production and Marketing Administration.

[F. R. Doc. 49-70; Filed, Jan. 4, 1949; 8:53 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 150—ARREST AND DEPORTATION

Subchapter D—Nationality Regulations

PART 362—REGISTRY OF ALIENS UNDER NATIONALITY ACT OF 1940

ISSUANCE OF ALIEN REGISTRATION RECEIPT CARDS TO ALIENS WHOSE ENTRIES INTO UNITED STATES ARE REGULARIZED

DECEMBER 3, 1948.

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

1. The first sentence of § 150.6 (g) is amended by adding "62 Stat. 1206" to the parenthetical citation and by inserting the word "from" before the words "the United States" in both subparagraphs (2) and (3), so that the sentence will read:

§ 150.6 *Hearing.* • • •

(g) *Application for suspension of deportation, for departure in lieu of deportation, or for preexamination.* At any time during the hearing the alien may apply, under the provisions of section 19 (c) of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671, 56 Stat. 1044, 62 Stat. 1206; 8 U. S. C. 155 (c)):

(1) On Form I-55 in triplicate, for suspension of deportation; or

(2) On Form I-255 in triplicate, for the privilege of departing from the United States at his own expense in lieu of deportation; or

(3) On Form I-255 in triplicate, for the privilege of departing from the United States at his own expense in lieu of deportation and the privilege of preexamination under Part 142 of this chapter. • • •

2. Section 150.6 (g) is further amended by inserting after the second sentence a new sentence reading as follows: "If the alien applies for suspension of deportation, he shall furnish two photographs of himself, as prescribed in § 364.1 of this chapter."

3. The last sentence of paragraph (a) of § 150.10 is amended to read as follows: "Such application may be made by filing Forms I-256 and I-55, properly filled in and executed in triplicate, together with two photographs as prescribed in § 364.1 of this chapter, at the office of the Immigration and Naturalization Service having jurisdiction over the applicant's place of residence."

4. Part 150 is further amended by adding thereto a new section as follows:

§ 150.14 *Suspension of deportation; issuance of alien registration receipt card.* In any case in which an application for suspension of deportation under section 19 (c) of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671, 56 Stat. 1044, 62 Stat. 1206; 8 U. S. C. 155 (c)), is approved and deportation proceedings are canceled, a new alien registration receipt card on Form I-151, showing that the applicant has acquired the status of a lawful permanent resident alien, shall be issued and mailed to the applicant by the Commissioner.

5. Section 362.12 is amended to read as follows:

§ 362.12 *Alien registration receipt card; delivery.* In any case in which the application is granted, a new alien registration receipt card on Form I-151, showing that the applicant has acquired the status of a lawful permanent resident alien, shall be issued and mailed to the applicant by the Commissioner.

6. Section 362.13 is revoked.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date are inapplicale for the reason that the rules hereby prescribed pertain solely to agency procedure.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 327, 54 Stat. 1150, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 727)

WATSON B. MILLER,
Commissioner of Immigration and Naturalization.

Approved:

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 49-34; Filed, Jan. 4, 1949; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

MISCELLANEOUS AMENDMENTS

The following amendments and revisions, which alter slightly the form of the supplements to which they pertain, are adopted in order to (1) implement a recent amendment to the Civil Aeronautics Act which, together with provisions of the Civil Air Regulations, enables the Civil Aeronautics Administration to issue safety "rules," (2) comply with recently revised publication regulations issued by the Administrative Committee of the Federal Register, and (3) establish uniformity in the appearance of rules, policies, and interpretations issued by the Civil Aeronautics Administration. The amendments and revisions do not change the substance of the supplements or impose additional burdens upon interested persons. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary, and is not required.

[Supp. 1, Amdt. 1]

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

Supplement 1 to this part, published on May 28, 1947, in 12 F. R. 3434-3438, is amended by:

1. Eliminating "0" from section and part number references beginning with "0";

2. Eliminating "of the Civil Air Regulations" and "Civil Air Regulations" and substituting "of this chapter," where required by the Administrative Committee of the Federal Register.

3. Eliminating CFR and F. R. citations which follow section numbers;

4. Substituting "(CAA Interpretations)" for "(CAA Interpretation)";

5. Substituting "(CAA Policies)" for "(CAA Statement of Policy)";

6. Making CAA policies and CAA interpretations supplement the sections to which they pertain rather than supplement paragraphs of the sections;

7. Changing the paragraphs under § 3.123 *Climb.* • • • (CAA Interpretations) to begin:

Normal Climb Conditions

1. In connection with • • •

Balked Landing Conditions

2. The Administrator will • • •

combining under paragraph "2" the two unnumbered paragraphs published as an

interpretation under "Balked Landing Conditions";

8. Numbering the paragraphs under § 3.132 *Trim.* • • • (CAA Interpretations): "1", "2 (a) (b) (c) (d) (e)", and "3 (a) (b)";

9. Eliminating paragraph numbering under § 3.13330 *Three-control airplanes.* • • • (CAA Policies);

10. Numbering the paragraphs under § 3.202 *Strength and deformations.* • • • (CAA Policies): "1", "2", and "3"; removing the sentence starting "The Administrator • • • :" from paragraph "1" and placing it at the beginning of paragraph "2";

11. Numbering the last two paragraphs under § 3.2131 *Rolling conditions.* • • • (CAA Policies) Aileron Rolling Conditions: "(a)" and "(b)";

12. Numbering the paragraphs under § 3.230 *Primary flight controls and systems.* • • • (CAA Policies): "1" and "2"; combining under paragraph "1" the first two unnumbered paragraphs published as a policy, and combining under paragraph "2" the second two unnumbered paragraphs published as a policy;

13. Numbering the first two paragraphs under § 3.2421 *Level landing.* • • • (CAA Policies): "1" and "2"; placing in paragraph "1" the first sentence in paragraph "2".

14. Numbering the paragraphs under § 3.310 *Material strength properties and design values.* • • • (CAA Policies): "1", "2 (a) (1) (2) (3) (4) (b) (1) (2)," "3," and "4";

15. Numbering the first two paragraphs under § 3.3610 *Shock absorption tests.* • • • (CAA Policies) Landing Gear Drop Tests: "1" and "2";

16. Numbering the paragraphs under § 3.40 *General.* • • • (CAA Policies): "1, 2, (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (1), (2), 3."

17. Numbering the paragraphs under § 3.5222 *Fuel quantity indicator.* • • • (CAA Interpretations): "1" and "2";

18. Numbering the last two paragraphs under § 3.632 *Performance information.* • • • (CAA Policies): "(a)" and "(b)."

[Supp. 2, Revision]

PART 4a—AIRPLANE AIRWORTHINESS

Supplement 2 to this part, published on July 22, 1948, in 12 F. R. 4182, is revised to read:

§ 4a.755–T *Airplane operating manual.* • • •

(CAA Policies)

CAA Policies regarding airplane flight manuals which apply to § 4a.755–T are published under § 4b.62 of this chapter, *infra.*

[Supp. 2, Amdt. 1; Supp. 3, Amdt. 1]

PART 4b—AIRPLANE AIRWORTHINESS TRANSPORT CATEGORIES

1. Supplement 2 to this part, published on May 28, 1947, in 12 F. R. 3438–3439, is amended by:

a. Substituting "(CAA Policies)" for "(CAA Statement of Policy)";

b. Eliminating "0" from section number references beginning with "0";

c. Eliminating "of the Civil Air Regulations" and "of Civil Air Regulations";

d. Eliminating CFR citations which follow section numbers;

e. Making CAA policies supplement § 4b.40 rather than supplement paragraph (b) of that section;

f. Making a separate paragraph of the last sentence in paragraph "(a)";

g. Numbering and lettering the paragraphs "1, 2, 3, (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (1), (2), 4, (a), (b), (c), 5, 6";

h. Substituting "4 (a) and (b)" for "b (1) and (2)", "4 (a)" for "b (1)", and "4 (b)" for "b (2)" in renumbered paragraph 5.

2. Supplement 3 to this part, published on July 22, 1948, in 13 F. R. 4182–4185, is amended by:

a. Substituting "(CAA Policies)" for "CAA Specifications";

b. Eliminating "0" from section and part number references beginning with "0";

c. Eliminating "CAR" and substituting "§" or "part";

d. Adding after section and part numbers, "of this chapter", where required by the Administrative Committee of the Federal Register.

[Supp. 1, Amdt. 1]

PART 16—AIRCRAFT RADIO EQUIPMENT AIRWORTHINESS

Supplement 1 to this part, published on July 24, 1948, in 13 F. R. 4251, is amended by changing the caption under § 16.30 *Design and tests.* • • • to read:

(CAA Rules)

Cross-Pointer Indicators

[Supp. 1, Amdt. 1]

PART 40—AIR CARRIER OPERATING CERTIFICATION

Supplement 1 to this part, published on June 24, 1948, in 13 F. R. 3459–3460, is amended by changing the caption under § 40.291 *Air carrier operating skill.* • • • to read:

(CAA Rules)

Route Proving Flights

[Supp. 1, Revision; Supp. 2, Amdt. 1; Supp. 3, Revision]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

1. Supplement 1 to this part, published on June 24, 1948, in 13 F. R. 3460, is revised to read:

§ 41.508 *Route operation proving flights.* • • •

(CAA Rules)

CAA Rules regarding route proving flights which apply to § 41.508, except as hereinafter stated, are published under § 40.291 of this chapter, *supra.* In paragraph 3, entitled "*Application*", sentence 1, substitute "30" for "15".

§ 41.509 *Aircraft proving tests.* • • •

(CAA Rules)

CAA Rules regarding aircraft proving tests which apply to § 41.509, except as hereinafter stated, are published under § 61.791 of this chapter, *infra.* In paragraph 3, entitled "*Application*", sentence 1, substitute "30" for "15".

2. Supplement 2 to this part, published on July 24, 1948, in 13 F. R. 4251–4252, is amended by changing the caption to read:

§ 41.500 *Operations manual.* • • •

(CAA Rules)

Copies of Operations Manual

3. Supplement 3 to this part, published on October 5, 1948, in 13 F. R. 5808, is revised to read:

§ 41.510 *Reports.* • • •

(CAA Rules)

CAA Rules regarding mechanical hazard and difficulty reports which apply to § 41.510 are published under § 61.90 of this chapter, *infra.*

§ 41.511 *Irregularity report.* • • •

(CAA Rules)

CAA Rules regarding mechanical hazard and difficulty reports which apply to § 41.511 are published under § 61.90 of this chapter, *infra.*

PART 42—NONSCHEDULED AIR CARRIER CERTIFICATION AND OPERATION RULES

[Supp. 1, Revision; Supp. 2, Revision; Supp. 3, Revision]

1. Supplement 1 to this part, published on December 5, 1947, in 12 F. R. 8111, is revised to read:

§ 42.37 *Instrument approach and landing rules.* • • •

(CAA Rules)

CAA Rules regarding standard instrument approach procedures (including landing minimums) which apply to § 42.37 are published under Part 609 of this title, *infra.*

2. Supplement 2 to this part, published on March 19, 1948, in 13 F. R. 1423, is revised to read:

§ 42.341 *Take-off.* • • •

(CAA Rules)

CAA Rules regarding standard instrument approach procedures (including take-off minimums) which apply to § 42.341 are published under Part 609 of this title, *infra.*

§ 42.342 *Landing.* • • •

(CAA Rules)

CAA Rules regarding standard instrument approach procedures (including landing minimums) which apply to § 42.342 are published under Part 609 of this chapter, *infra.*

3. Supplement 3 to this part, published on July 24, 1948, in 13 F. R. 4252, is revised to read:

§ 42.42 *Manual.* • • •

(CAA Rules)

Copies of Operations Manual

Two copies of the operations manual shall be delivered by the air carrier to the district office of the Civil Aeronautics Administration serving the principal operations base of the air carrier.

[Supp. 1, Amdt. 1]

PART 43—GENERAL OPERATION RULES

Supplement 1 to this part, published on December 24, 1947, in 12 F. R. 8767, is amended by:

1. Changing the caption to read:

§ 43.22 *Inspections.* * * *

(CAA Rules)

Annual Inspection

2. Changing paragraph "(2)", sentence 2 to read: "Such representative may be either an agent employed by the Civil Aeronautics Administration or a Designated Aircraft Maintenance Inspector."

3. Substituting paragraph numbering "1, (a), (b), 2, 3" for "(a), (1), (2), (b), (c)".

[Supp. 2, Revision; Supp. 3, Revision; Supp. 4, Revocation; Supp. 5 Amdt. 1]

PART 60—AIR TRAFFIC RULES

1. Supplement 2 to this part, published on November 19, 1947, in 12 F. R. 7801, is revised to read:

§ 60.107 *Minimum safe altitudes.* * * *

(CAA Rules)

CAA Rules regarding instrument flight rule altitude minimums which apply to § 60.107 are published under Part 610 of this title, *infra*.

2. Supplement 3 to this part, published on December 5, 1947, in 12 F. R. 8111, is revised to read:

§ 60.306 *Instrument approach procedure.* * * *

(CAA Rules)

CAA Rules regarding standard instrument approach procedures which apply to § 60.306 are published under Part 609 of this title, *infra*.

3. Supplement 4 to this part, published on January 15, 1948, in 13 F. R. 195, is revoked.

4. Supplement 5 to this part, published on June 15, 1948, in 13 F. R. 3227, is amended by substituting "(CAA Rules)" for "CAA Specifications".

[Supp. 1, Amdt. 1; Supp. 2, Amdt. 1; Supp. 3, Revision; Supp. 4, Amdt. 1; Supp. 5, Amdt. 1]

PART 61—SCHEDULED AIR CARRIER RULES

1. Supplement 1 to this part, published on August 21, 1947, in 12 F. R. 5609, is amended by:

a. Substituting "(CAA Rules)" for "(CAA Statement of Policy)";

b. Renumbering and relettering the paragraphs "1, (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), 2, (a), (b), (c)".

2. Supplement 2 to this part, published on June 24, 1948, in 13 F. R. 3460, is amended by changing the caption under § 61.791 *Air carrier aircraft proving period.* * * * to read:

(CAA Rules)

Aircraft Proving Tests

3. Supplement 3 to this part, published on March 19, 1948, in 13 F. R. 1423, is revised to read:

§ 61.752 *Approach and landing limitations.* * * *

(CAA Rules)

CAA Rules regarding standard instrument approach procedures which apply to § 61.752 are published under Part 609 of this title, *infra*.

4. Supplement 4 to this part, published on July 24, 1948, in 13 F. R. 4252, is amended by substituting "(CAA Rules)" for "CAA Specifications".

5. Supplement 5 to this part, published on May 28, 1948, in 13 F. R. 2849, is amended by:

a. Substituting "(CAA Rules)" for "CAA Specifications".

b. Renumbering and lettering the paragraphs "1, (a), (b), (c), (d), (e), (f), 2, (a), (b), (c), (d), 3, 4."

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

These amendments, revisions, and revocation shall become effective upon publication in the FEDERAL REGISTER.

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

[F. R. Doc. 49-43; Filed, Jan. 4, 1949; 8:46 a. m.]

Chapter II—Civil Aeronautics Administration

[Amdt. 2]

PART 570—GENERAL REGULATIONS OF WASHINGTON NATIONAL AIRPORT

[Amdt. 1]

PART 571—AERONAUTICAL RULES FOR THE WASHINGTON NATIONAL AIRPORT

The following amendments, which renumber sections of the parts to which they pertain, are adopted in order to comply with recently revised publication regulations issued by the Administrative Committee of the Federal Register and to establish uniformity in the appearance of rules issued by the Civil Aeronautics Administration. The amendments do not change the substance of the parts or impose additional burdens upon interested persons. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary, and is not required.

1. The sections of Part 570 are renumbered to read:

Sec.	
570.1	Definitions.
570.2	General rules and regulations.
570.3	Airport administrator.
570.4	Restricted areas.
570.5	Particular areas.
570.6	Observation terrace and balcony.
570.7	Conduct of business or commercial activity.
570.8	Soliciting.
570.9	Taxicabs.
570.10	Advertisements.
570.11	Commercial photography.
570.12	Use of roads and walks.
570.13	Dogs.
570.14	Lost articles.
570.15	Discrimination or segregation.
570.16	Motor vehicle regulations.
570.17	General.
570.18	Motorized equipment.
570.19	Operator's certificate.
570.20	Speed.
570.21	Operation rules.
570.22	Accident reports.
570.23	Parking.
570.24	Motor vehicle lights.
570.25	Repair of motor vehicles.
570.26	Buses.
570.27	General rules of conduct.
570.28	Disorderly conduct.
570.29	Gambling.
570.30	Sanitation.
570.31	Preservation of property.
570.32	Airport and equipment.
570.33	Weapons, explosives and inflammable material.
570.34	Fire hazards.
570.35	Cleaning of aircraft.
570.36	Open flame operations.
570.37	Storage.
570.38	Storage of inflammable material.
570.39	Lubricating oils.
570.40	Waste.
570.41	Smoking.
570.42	Cleaning fluids.
570.43	Floor care.
570.44	Doping.
570.45	Fueling operations.
570.46	Radio operation.
570.47	Motor vehicle operation in hangar.
570.48	Obligations of tenants.
570.49	Signs and bulletin boards.
570.50	Workmen's compensation.
570.51	First aid equipment.
570.52	Storage of equipment.
570.53	Fire apparatus.
570.54	Penalties.

AUTHORITY: §§ 570.1 through 570.54 issued under sec. 2, 54 Stat. 688.

2. The sections of Part 571 are renumbered to read:

Sec.	
571.1	General aeronautical rules.
571.2	Definitions.
571.3	Radio contact.
571.4	Report of arrival.
571.5	Aircraft operation rules.
571.6	Aircraft equipment rules.
571.7	Landing area.
571.8	Taxiing rules.
571.9	Landing and take-off rules.
571.10	Visual signal procedures.
571.11	Penalties.

AUTHORITY: §§ 571.1 through 571.11 issued under sec. 2, 54 Stat. 688.

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

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

[F. R. Doc. 49-44; Filed, Jan. 4, 1949; 8:46 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

[3d Gen. Rev. of Export Regs., Amdt. 33]

PART 372—GENERAL LICENSES

GENERAL LICENSE G-UNO

Part 372, General Licenses, is amended by adding thereto a new § 372.26 to read as follows:

§ 372.26 *General license "G-UNO."* (a) A general license designated "G-UNO" is hereby established authorizing, subject to the other provisions of this section, the exportation of office supplies,

equipment, material, and other articles necessary to carry on the official business of the United Nations Organization.

(b) Shipments under the provisions of this general license may be made only by officials of the Transportation Service of the United Nations Organization and must be consigned to the United Nations Organization, its organs, or any of its specialized agencies.

(c) No exportation may be made under this general license from any port of exit except New York, N. Y., Baltimore, Md., Portland, Oreg., and San Francisco, Calif.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: December 24, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-55; Filed, Jan. 4, 1949; 8:50 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. P. L. 14]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

OTHER INDUSTRIAL MACHINERY

Section 399.1 *Appendix A—Positive List of Commodities* is amended by adding to the Positive List the following commodities:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits
775050	Other industrial machinery: Electrolytic cells (commonly called fluorine cells) (formerly 775098).		GIEQ	None
	Industrial chemicals (exclusive of medicinal chemicals, U. S. P. and N. F.):			
839080	Anhydrous hydrofluoric acid	Pound	ACID	100
839100	Freons, 11 and 12	Pound	SALT	100
839100	Other freons	Pound	SALT	25
839500	Fluorine		SALT	None
839500	Genetrons		SALT	25
839900	Fluorocarbons (completely fluorinated materials)		SALT	25

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

This amendment shall become effective December 31, 1948.

Dated: December 24, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-56; Filed, Jan. 4, 1949; 8:50 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. P. L. 15]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

GENERAL MERCHANDISE

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

The entry on the Positive List for general merchandise valued at less than $50, Schedule B No. 999910, is amended by revising the dollar value limit to read as follows:

Dept. of Commerce Schedule B No.	Commodity	
999910	General merchandise valued at less than $25. This commodity number is applied to: (a) All single items of Schedule B commodities valued at less than $25. (b) All totals of Schedule B commodities, single items of which are valued at less than $25, including shipments to postmasters or other agents for distribution at destination.	Export controls applicable to each commodity under this classification are those which apply to the commodity when exported under its individual Schedule B No.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: December 22, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-57; Filed, Jan. 4, 1949; 8:50 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter L—Irrigation Projects; Operation and Maintenance

PART 127—WIND RIVER PROJECT, WYOMING

FARM UNITS AND DELIVERY POINT

Sections 127.4 and 127.5, Title 25, Part 127 are hereby amended to read as follows:

§ 127.4 *Farm units.* For the purpose of the regulations in this part and the delivery of water, a farm unit is defined as an original allotment, homestead entry or assignment of unallotted tribal land. Assignments of unallotted tribal land shall be made whenever practicable to conform to existing Wind River irrigation facilities. Where an established farm unit already has more than one delivery point, service may be continued to the existing delivery points. Leases covering more than one farm unit may have water delivery at the regularly established farm unit delivery points.

§ 127.5 *Delivery point.* The general rule of the project shall be one delivery point at the upper boundary of the farm unit and the project shall maintain the lateral system to that extent. In special cases where from a cost or topographic standpoint it is impracticable for the landowner or lessee to irrigate the entire irrigable area of his tract from one delivery point, the Project Engineer is authorized to establish additional delivery points but in no instance shall more than one delivery point be established and maintained when the landowner or lessee can at a reasonable expense provide for delivery by the construction of suitable head ditches.

(38 Stat. 583; 25 U. S. C. 385)

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

DECEMBER 24, 1948.

[F. R. Doc. 49-36; Filed, Jan. 4, 1949; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

[T. D. 5680]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CLAIMS FOR REFUND

Correction

In Federal Register Document No. 48-11458, appearing on page 9328, of the issue for Friday, December 31, 1948, the title of Thomas J. Lynch should be "Acting Secretary of the Treasury."

TITLE 30—MINERAL RESOURCES

Chapter IV—Oil and Gas Division, Department of the Interior

REDESIGNATION OF CHAPTER

EDITORIAL NOTE: Chapter IV—Oil and Gas Division, Department of the Interior is redesignated Chapter III and Parts 401 and 403 are redesignated Parts 301 and 302, respectively.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[1949 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

QUARTER BEGINNING JANUARY 1, 1949

JANUARY 1, 1949.

§ 129.12 *Calendar year 1949—(a) Quarter beginning January 1, 1949.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning January 1, 1949, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

The value of foreign monetary units, as shown below in terms of United States money, is the ratio between the legal gold content of the foreign unit and the legal gold content of the United States dollar. It should be noted that this value, with respect to most countries, varies widely from the present exchange rates. Countries not having a legally defined gold monetary unit, or those for which current information is not available, are omitted]

Country	Monetary unit	Value in terms of U. S. money	Remarks
Canada and Newfoundland	Dollar	$1.6931	Redemption of notes into gold suspended. Export of gold prohibited except under license.
Colombia	Peso	.5714	Present gold content of 0.56424 grams of gold 9/10 fine established by law of Nov. 19, 1938, effective Nov. 30, 1938. Obligation to sell gold suspended Sept. 24, 1931.
Costa Rica	Colon	.1781	Parity of 0.158267 fine gram gold established by decree law effective Mar. 22, 1947.
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic	Peso	1.0000	By Monetary Law No. 1528 effective October 9, 1947, gold content of peso equal to 0.888671 gram fine.
Ethiopia	Dollar	.4025	New unit established by Proclamation of the Emperor on May 25, 1945, effective July 23, 1945.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
Guatemala	Quetzal	1.0000	Decree No. 203 of Dec. 10, 1945, defined the monetary unit as 15 5/21 grains gold 9/10 fine. Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Hungary	Forint	.0852	New unit based on 13,210 forint per kilogram fine gold, effective July 1946.
Ireland	Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932; exchange control established Jan. 23, 1945.
Philippines	Peso	.5000	Act of Mar. 16, 1935; agreement between U. S. and Philippines concerning trade and related matters based on Philippine Trade Act of 1946.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Union of Soviet Socialist Republics	Ruble	.1981	On basis of 5.6807 rubles per gram of fine gold.
Uruguay	Peso	.6583	Present gold content of 0.585018 grams fine established by law of Jan. 18, 1938. Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U. S. C. 372)

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

[F. R. Doc. 49-69; Filed, Jan. 4, 1949; 8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter II—National Guard and State Guard, Department of the Army

REDESIGNATION OF CHAPTER

EDITORIAL NOTE: Chapter II—National Guard and State Guard, Department of the Army is redesignated Chapter I and Part 201 is redesignated Part 101.

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 28—LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

WAGES AND OVERTIME COMPENSATION AND APPLICABILITY

On July 12, 1948, the regulations in Part 28, Chapter I, Title 36, Code of Federal Regulations, were amended and on July 17, 1948, the amendments were published in the FEDERAL REGISTER (13 F. R. 4101). These amendments were adopted after a public hearing held in San Francisco, California, on September 16 and 17, 1947, notice of which hearing had been published in the FEDERAL REGISTER on August 15, 1947 (12 F. R. 5520). The regulations were further amended on August 6, 1948, by providing that their effective date shall be on and after January 1, 1949 (August 11, 1948; 13 F. R. 4636).

Among the amendments adopted on July 12, 1948, was the following portion of § 28.5 (b): "No less than one and one-half times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 40 per week." Thereafter, objections to the adoption of this quoted amendment and requests that the words "40 per week" be changed to "48 per week" were received from the Western Conference National Park Concessioners, the Glacier Park Transport Company, the Rocky Mountain Motor Company, the Sequoia and Kings Canyon National Parks Company, the Yellowstone Park Company, and the Yosemite Park and Curry Company.

By notice dated October 8, 1948, and published in the FEDERAL REGISTER on October 14, 1948 (13 F. R. 6019), it was announced that a public hearing would be held on November 30, 1948, commencing at 10 a. m., in Room 409, New Custom House, Denver, Colorado, for the purpose of receiving the views of interested parties with respect to the aforesaid objections and requests. In addition, provision was made for the submission of written statements by November 24, 1948, and that time was extended at the hearing to December 11, 1948. Pursuant to the notice, a hearing was held in Denver, Colorado, on November 30 and December 1, 1948, and written statements have been received.

After due consideration, the following order is issued pursuant to section 3 of the act of August 25, 1916, as amended (39 Stat. 535; 16 U. S. C., sec. 3), and section 3 of the act of March 3, 1891, as amended (26 Stat. 843; 16 U. S. C., sec. 363):

1. Paragraph (b) of § 28.5, Part 28, Chapter I, Title 36, Code of Federal Regulations, is hereby amended to read as follows:

§ 28.5 *Wages and overtime compensation.* * * *

(b) (1) Until December 31, 1949, no less than one and one-quarter times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 48 per week.

(2) From January 1, 1950, to and including December 31, 1951, no less than one and one-half times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 44 per week.

(3) On and after January 1, 1952, no less than one and one-half times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 40 per week.

(4) This paragraph shall not, however, apply to employees of motor bus carriers with respect to whom the Interstate Commerce Commission has established maximum hours regulations, pursuant to section 204 of the Motor Carriers Act of 1935, as amended (49 U. S. C., sec. 304).

2. Section 28.3, Part 28, Chapter I, Title 36, Code of Federal Regulations, is hereby amended by adding a paragraph (h) as follows:

§ 28.3 *Applicability.* * * *

(h) The following employees, when approved by the Director: Employees for whom relief is clearly impracticable because of peculiar conditions arising from the fact that operations are carried on in areas having no resident population or are located at long distances from a supply of available labor; employees whose employment requires special or technical training or skill, where no person capable of providing relief is available within a reasonable distance; employees in small units accessible only by trail or remote from centers of activity, or operating on a small volume of business primarily for the convenience of the public.

(39 Stat. 535, as amended, 26 Stat. 843, as amended; 16 U. S. C. 3, 363)

Issued this 31st day of December 1948.

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 49-48; Filed, Jan. 4, 1949; 8:49 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter V—Coast and Geodetic Survey, Department of Commerce

REDESIGNATION OF CHAPTER

EDITORIAL NOTE: Chapter V—Coast and Geodetic Survey, Department of Commerce is redesignated Chapter III and Parts 501 and 503 are redesignated Parts 301 and 302.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

REVISION OF REGULATIONS

Correction

In Federal Register Document No. 48-10441, appearing at page 6997 of the issue for Saturday, November 27, 1948, after the word "guaranteed" in the ninth line of § 36.4300 there should be inserted "or insured."

NOTICES

DEPARTMENT OF THE INTERIOR

Geological Survey

[Survey Order 173]

CHANGE IN ORGANIZATION STRUCTURE NOMENCLATURE

As of January 1, 1949, the term "Division" shall be used in lieu of the present term "Branch" and the term "Branch" shall be used in lieu of the present term "Division," with two exceptions:

(a) The present Atlantic, Central, Rocky Mountain, and Pacific Divisions of the Topographic Branch shall become Regions of the Topographic Division.

(b) The present Divisions of the Geologic Branch shall be abolished and their constituent Sections shall become Branches of the Geologic Division.

In order to conform to the above change in nomenclature, former § 200.65 of Title 30, Chapter II, Part 200, codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby amended to read as follows:

SEC. 65. *Construction, supply, and service contracts.* (a) Effective January 1, 1949, authority to enter into contracts for construction, supplies, or services in conformity with applicable regulations and statutory requirements and subject to the availability of appropriations, and with respect to any such contract, to issue change orders and extra work orders pursuant to the contract, to enter into modifications of the contract which are legally permissible, and to terminate the contract if such action is legally authorized, is hereby delegated as follows:

(1) Irrespective of the amount involved, to the Acting Director, the Assistant Director, and the Executive Officer.

(2) With respect to contracts not exceeding $5,000 in amount, to the Chiefs and Acting Chiefs of the Geologic Division, the Topographic Division, the Water Resources Division, and the Conservation Division, the Purchasing Agent of the Geological Survey, and to persons designated as Agent Cashiers while on duty in Alaska and elsewhere outside the continental limits of the United States.

(3) With respect to contracts not exceeding $500 in amount, to Regional Geologists and Project Chiefs in the Geologic Division, Region Engineers, District Engineers, and Project Engineers in the Topographic Division, District Chemists, District Engineers, District Geologists, and other heads of field offices in the Water Resources Division, Regional Supervisors and Deputy Supervisors, District Engineers of the Water and Power Branch, and Regional Geologists in the Conservation Division, and persons officially designated as acting in the absence of any of the officers mentioned in this subparagraph. (20 Stat. 394, 43 U. S. C. 31; 43 CFR 4.100, 13 F. R. 5824)

W. H. BRADLEY,
Acting Director.

[F. R. Doc. 49-35; Filed, Jan. 4, 1949; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 1728]

LOAN ANNOUNCEMENT

DECEMBER 21, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
West Virginia 8E Hardy	$105,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-41; Filed, Jan. 4, 1949; 8:46 a. m.]

[Administrative Order 1729]

LOAN ANNOUNCEMENT

DECEMBER 21, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Washington 18N Spokane	$465,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-39; Filed, Jan. 4, 1949; 8:45 a. m.]

[Administrative Order 1730]

LOAN ANNOUNCEMENT

DECEMBER 22, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 71G Clay	$120,000

[SEAL] WILLIAM J. NEAL,
Acting Administrator.

[F. R. Doc. 49-40; Filed, Jan. 4, 1949; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 39]

VILCO, INC., ET AL.

ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of Vilco, Inc., Hans S. Victor, Aribert J. Vasco, 41 Park Row, New York, New York.

This proceeding was instituted on November 16, 1948, by the transmission of a charging letter to the above-named respondents, wherein the Office of International Trade charged respondents with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, by making or attempting to make certain exportations of streptomycin from the United States to China without having obtained export licenses therefor and under the false representation that such shipments were being made by various named consignors to various named consignees under general license GLV, whereas in fact said shipments were all being made by and for the benefit of respondents to and for the benefit of a single importer in China.

It appears that respondents, after receiving the above-mentioned charging letter and upon being confronted with the evidence available to the Office of International Trade in support of such charges, submitted to the Office of International Trade, with the advice of counsel and through such counsel, a statement to the effect that they do not desire to contest the charges and that they consent to the entry of an order revoking all outstanding export licenses issued to them and denying to them the right to obtain or use, or to participate in the obtaining or using of export licenses, including general licenses other than the general licenses GO and GRO, for a period of three months from the date of such order, and, further, that such order shall extend to any firm, corporation, or other business organization in which any of said respondents shall have a controlling interest or hold a position of responsibility.

It further appears that the statement submitted by respondents, together with an investigation report prepared by the Bureau of Customs and other evidence secured in the matter by the Office of International Trade, have been submitted for review to the Compliance Commissioner of the Office of International Trade; that respondent Hans S. Victor has personally appeared with his counsel and has been informally examined by the Compliance Commissioner; and that the Compliance Commissioner has found from the record in this matter, and from the above-mentioned personal examination, that respondent Hans S. Victor is the President and sole owner of respondent Vilco, Inc., that respondent Aribert J. Vasco is the Export Manager for the corporation, and that the charges as contained in the charging letter of November 16, 1948, have been substantially admitted and established. The Compliance Commissioner has accordingly found that respondents have violated the provisions of section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, and that the proposed suspension of license privileges is reasonable. The Compliance Commissioner has therefore recommended that the consent of respondents to such suspension of license privileges be approved and that such suspension be ordered.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the investigation report of the Bureau of Customs, the evidence collected, and the record in this matter, and it appears that such findings are reasonable, and that such recommendations should be adopted. Now, therefore, *It is ordered*, As follows:

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

(2) Respondents and each of them are hereby denied the privilege of obtaining or using, or participating directly or indirectly in the obtaining or using of export licenses, including general licenses other than the general licenses GO and GRO, for a period of three months from the date of this order.

(3) Such denial of export license privileges shall extend not only to respondents but also to any firm, corporation, or other business organization in which any of said respondents shall have a controlling interest or hold a position of responsibility.

Dated: December 24, 1948.

JOHN W. EVANS,
Director,
Commodities Division.

[F. R. Doc. 49-54; Filed, Jan. 4, 1949; 8:50 a. m.]

ATOMIC ENERGY COMMISSION

PERSONNEL SECURITY CLEARANCE

CRITERIA FOR DETERMINING ELIGIBILITY

The United States Atomic Energy Commission has adopted basic criteria for the guidance of the responsible officers of the Commission in determining eligibility for personnel security clearance. These criteria are subject to continuing review, and may be revised from time to time in order to insure the most effective application of policies designed to maintain the security of the project in a manner consistent with traditional American concepts of justice and rights of citizenship.

The Commission is revising its hearing procedure entitled "Interim Procedure" for the review of cases of denial of security clearance and for the conduct of hearings for employees desiring such review. The Interim Procedure announced April 15, 1948, places considerable responsibility on the Managers of Operations and it is to provide uniform standards for their use that the Commission has adopted the criteria described herein.

Under the Atomic Energy Act of 1946, it is the responsibility of the Atomic Energy Commission to determine whether the common defense and security will be endangered by granting security clearance to individuals either employed by the Commission or permitted access to restricted data. As an administrative precaution, the Commission also requires that at certain locations there be a local investigation, or check on individuals employed by contractors on work not involving access to restricted data (Commission authorization to be so employed is termed "security approval").

Under the act of the Federal Bureau of Investigation has the responsibility for making an investigation and report to the Commission on the character, associations and loyalty of such individuals. In determining any individual's eligibility for security clearance other information available to the Commission should also be considered, such as whether the individual will have direct access to restricted data, or work in proximity to exclusion areas, his past association with the atomic energy program, and the nature of the job he is expected to perform. The facts of each case must be carefully weighed and determination made in the light of all the information presented whether favorable or unfavorable. The judgment of responsible persons as to the integrity of the individuals should be considered. The decision as to security clearance is an over-all, common-sense judgment, made after consideration of all the relevant information, as to whether or not there is risk that the granting of security clearance would endanger the national defense or security. If it is determined that the common defense and national security will not be endangered, security clearance will be granted; otherwise, security clearance will be denied.

Cases must be carefully weighed in the light of all the informatiton, and a determination must be reached which gives due recognititon to the favorable as well as unfavorable information concerning the individual and which balances the cost to the program of not having his services against any possible risks involved. In making such practical determination, the mature viewpoint and responsible judgment of Commission staff members, and of the contractor concerned are available for consideration by the Manager of Operations.

To assist in making these determinations, on the basis of all the information in a particular case, there are set forth below a number of specific types of derogatory information. The list is not exhaustive, but it contains the principal types of derogatory information which indicate a security risk. It will be observed that the criteria are divided into two groups, Category (A) and Category (B).

Category (A) includes those classes of derogatory information which establish a presumption of security risk. In cases falling under this category, the Manager of Operations has the alternative of denying clearance or referring the case to the Director of Security in Washington.

Category (B) includes those classes of derogatory information where the extent of activities, the attitudes or convictions of the individual must be weighed in determining whether a presumption of risk exists. In these cases the Manager of Operations may grant or deny clearances; or he may refer such cases to the Director of Security in Washington.

Category (A). Category (A) includes those cases in which there are grounds sufficient to establish a reasonable belief that the individual or his spouse has:

1. Committed or attempted to commit, or aided or abetted another who committed or attempted to commit any act of sabotage, espionage, treason or sedition;

2. Established an association with espionage agents of a foreign nation; with individuals reliably reported as suspected of espionage; with representatives of foreign nations whose interests may be inimical to the interests of the United States. (Ordinarily this would not include chance or casual meetings; nor contacts limited to normal business or official relations.)

3. Held membership in or joined any organization which has been declared to be subversive by the Attorney General, provided the individual did not withdraw from such membership when the organization was so identified, or otherwise establish his rejection of its subversive aims; or, prior to the declaration by the Attorney General, participated in the activities of such an organization in a capacity where he should reasonably have had knowledge as to the subversive aims or purposes of the organization;

4. Publicly or privately advocated revolution by force or violence to alter the constitutional form of Government of the United States.

Category (A) also includes those cases in which there are grounds sufficient to establish a reasonable belief that the individual has:

5. Deliberately omitted significant information from or falsified a Personnel Security Questionnaire or Personal History Statement. In many cases, it may be fair to conclude that such omission or falsification was deliberate if the information omitted or misrepresented is unfavorable to the individual;

6. Violated or disregarded security regulations to a degree which would endanger the common defense or national security;

7. Been adjudged insane, been legally committed to an insane asylum, or treated for serious mental or neurological disorder, without evidence of cure;

8. Been convicted of felonies indicating habitual criminal tendencies;

9. Been or who is addicted to the use of alcohol or drugs habitually and to excess, without adequate evidence of rehabilitation.

Category (B). Category (B) includes those cases in which there are grounds sufficient to establish a reasonable belief that with respect to the individual or his spouse there is:

1. Sympathetic interest in totalitarian, fascist, communist, or other subversive political ideologies;

2. A sympathetic association established with members of the Communist Party; or with leading members of any organization which has been declared to be subversive by the Attorney General. (Ordinarily this will not include chance or casual meetings, nor contacts limited to normal business or official relations.)

3. Identification with an organization established as a front for otherwise subversive groups or interests when the personal views of the individual are sympathetic to or coincide with subversive "lines";

4. Identification with an organization known to be infiltrated with members of subversive groups when there is also information as to other activities of the individual which establishes the probability that he may be a part of or sympathetic to the infiltrating element, or when he has personal views which are sympathetic to or coincide with subversive "lines";

5. Residence of the individual's spouse, parent(s), brother(s), sister(s), or offspring in a nation whose interests may be inimical to the interests of the United States, or in satellites or occupied areas thereof, when the personal views or activities of the individual subject of investigation are sympathetic to or coincide with subversive "lines" (to be evaluated in the light of the risk that pressure applied through such close relatives could force the individual to reveal sensitive information or perform an act of sabotage);

6. Close continuing association with individuals, (friends, relatives or other associates) who have subversive interests and associations as defined in any of the foregoing types of derogatory information. A close continuing association may be deemed to exist if:

(1) Subject lives at the same premises with such individual;

(2) Subject visits such individual frequently;

(3) Subject communicates frequently with such individual by any means.

7. Association where the individuals have enjoyed a very close, continuing association such as is described above for some period of time, and then have been separated by distance; provided the circumstances indicate that a renewal of contact is probable;

Category (B) also includes those cases in which there are grounds sufficient to establish a reasonable belief that with respect to the individual there is;

8. Conscientious objection to service in the Armed Forces during time of war, when such objections cannot be clearly shown to be due to religious convictions;

9. Manifest tendencies demonstrating unreliability or inability to keep important matters confidential; wilful or gross carelessness in revealing or disclosing to any unauthorized person restricted data or other classified matter pertaining either to projects of the Atomic Energy Commission or of any other governmental agency; abuse of trust, dishonesty; or homosexuality.

While security clearance would ordinarily be denied in each of the foregoing categories (A), and (B), security approval, as distinguished from security clearance, might be warranted in those types of derogatory information mentioned under Category (B) above.

The categories outlined hereinabove contain the criteria which will be applied in determining whether information disclosed in investigation reports shall be regarded as substantially derogatory. Determination that there is such information in the case of an individual establishes doubt as to his eligibility for security clearance.

The criteria outlined hereinabove are intended to serve as aids to the Manager of Operations in resolving his responsibility in the determination of an individual's eligibility for security clearance. While there must necessarily be an adherence to such criteria, the Manager of Operations is not limited thereto, nor precluded in exercising his judgment that information or facts in a case under his cognizance are derogatory although at variance with, or outside the scope of the stated categories. The Manager of Operations upon whom the responsibility rests for the granting or denial of security clearance, and for recommendation in cases referred to the Director of Security, should bear in mind at all times, that his action must be consistent with the common defense and national security.

UNITED STATES ATOMIC ENERGY COMMISSION,
CARROLL L. WILSON,
General Manager.

[F. R. Doc. 49-42; Filed, Jan. 4, 1949; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 1789 et al.]

CAPITAL AIRLINES, INC., ET AL.; MILWAUKEE-CHICAGO-NEW YORK RESTRICTIONS CASE

NOTICE OF HEARING

In the matter of applications of Capital Airlines, Inc. (formerly Pennsylvania Central Airlines), Northwest Airlines, Inc., and American Airlines, Inc., Dockets Nos. 1789, 1790, 2272, and 3583, for amendment of certificates of public convenience and necessity, and the proceeding instituted by Board Order Serial No. E-1904, pursuant to section 401 (h) of the Civil Aeronautics Act of 1938, as amended, Docket No. 3469.

For further details of operations proposed, parties are referred to the applications on file with the Civil Aeronautics Board in the respective dockets, the Prehearing Conference Report dated November 8, 1948, and Board Orders Serial No. E-1904, dated August 26, 1948, and Serial No. E-2277, dated December 9, 1948.

Notice is hereby given that pursuant to the Civil Aeronautics Act of 1938, as amended, the said proceedings have been consolidated for hearing by order of the Board, Serial No. E-2277, dated December 9, 1948, and they hereby are assigned for public hearing on January 24, 1949, at 10:00 a. m. (eastern standard time), in Conference Room A, Departmental Auditorium, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Warren E. Baker.

Without limiting the scope of the issues presented by said proceedings, particular attention will be directed to the following matters and questions:

1. Does public convenience and necessity require the amendment of the certificate and the modification or elimination of restrictions contained therein as requested by the applicant?

2. Does the public convenience and necessity require the amendment of the certificate of Capital Airlines for route No. 14 as proposed in Board Order Serial No. E-2277 dated December 9, 1948?

3. If the public convenience and necessity require the proposed service or services involved above where applicable

and a selection of carriers is necessary, which carrier or carriers are required by the public interest to perform the service or services to be authorized?

Notice is further given that any person other than the parties and interveners of record as of this date desiring to be heard in this proceeding may file with the Board on or before January 24, 1949, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert aud such person may appear and participate in the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of section 1002 (i) of the Civil Aeronautics Act of 1938, as amended.

Dated at Washington, D. C., December 31, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49–59; Filed, Jan. 4, 1949; 8:50 a. m.]

[Docket No. 3244]

TRANSOCEAN AIRLINES, INC.; ENFORCEMENT PROCEEDING

NOTICE OF HEARING

In the matter of the suspension and revocation of Letter of Registration No. 803 issued to Transocean Airlines, Inc., instituted by a show cause order Serial No. E–1105 dated January 6, 1948, issued by the Board.

For further details of the proceeding, parties are referred to Board Order Serial No. E–1841, dated August 3, 1948, and the Prehearing Conference Report in the subject proceeding served October 1, 1948, all on file with the Civil Aeronautics Board in the subject docket.

Notice is hereby given that pursuant to the Civil Aeronautics Act of 1938, as amended, the above-entitled proceeding is hereby designated for public hearing on February 2, 1949, at 10:00 a. m. (eastern standard time), in Room 1011, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Warren E. Baker.

Without limiting the scope of the issues presented in said proceeding, particular attention will be directed to the following matters and questions:

1. Has Respondent violated section 401 (a) of the Civil Aeronautics Act of 1938, as amended, in engaging in foreign air transportation of passengers since September 10, 1947?

2. If such violation is established, was it knowing and wilful?

3. If such violation is established, whether knowing and wilful or otherwise, should the Board issue an order to cease and desist or other order to compel compliance with the Act and requirements thereunder?

4. If such knowing and wilful violation is established, should the Letter of Registration heretofore issued to Respondent by the Board be revoked?

Notice is further given that any person other than the parties and interveners of record as of December 30, 1948, desiring to be heard in this proceeding may file with the Board on or before February 2, 1949, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert and such person may appear and participate in the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of section 1002 (i) of the Civil Aeronautics Act of 1938, as amended.

Dated at Washington, D. C., December 31, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49–60; Filed, Jan. 4, 1949; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9204]

WAAB AND WMTW

ORDER DESIGNATING APPLICATION FOR ORAL ARGUMENT

In the matter of application for consent to assignment of licenses of Stations WAAB, Worcester, Massachusetts, and WMTW, Portland, Maine. File No. BAL–747.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of December, 1948;

The Commission having under consideration the above-entitled application for assignment of the licenses of Stations WAAB, Worcester, Massachusetts, and WMTW, Portland, Maine, from The Yankee Network, Incorporated to Radio Enterprise, Inc.;

Whereas, said application sets forth a leasing agreement whereby the proposed assignor will lease the physical facilities of stations WAAB and WMTW to the proposed assignee on certain terms stated in the agreement and the Commission, not being satisfied that a grant of the application on the terms contained in said leasing agreement would be in the public interest or that the proposed assignee would be financially able to operate the stations under such agreement and desiring to have further information with respect to this matter; and

Whereas, the proposed assignor and proposed assignee have requested, through their attorneys in a letter dated December 16, 1948, that, in lieu of holding a hearing on the application, the Commission grant to said parties the right to oral argument before the Commission en banc upon all matters of law and fact involved in said application and thereafter issue a final order in the case with findings of fact and conclusions, granting or denying the application;

It is ordered, That said application, including all amendments thereto which may be filed with and accepted by the Commission prior to the day of oral argument, be, and it is hereby, designated for oral argument at 2 o' clock p. m., eastern standard time, January 7, 1949, at the Commission's offices in Washington, D. C. with the understanding that the Commission shall, follow such oral argument, issue a final order with findings of fact and a conclusion granting or denying said application.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–61; Filed, Jan. 4, 1949; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G–1160]

TENNESSEE GAS TRANSMISSION CO.

ORDER SUSPENDING RATE SCHEDULE AND FIXING DATE OF HEARING

It appears to the Commission that:

(a) Tennessee Gas Transmission Company (Tennessee) filed with this Commission on November 30, 1948, a revision to its FPC Gas Schedules, designated "First Revised Sheet No. 22", to become effective on January 1, 1949. Said revision states that the quality of gas is to be determined at the temperatures and pressures in Tennessee's pipeline.

(b) The Hope Natural Gas Company, by letter, has objected to the proposed modification of the terms of the FPC Gas Schedules.

(c) Tennessee, in support of the proposed revision first above described, contends that its specifications for the gas deliverable to its customers, including Hope Natural Gas Company, relates to the temperature and pressures existing in its own pipe line system and not to the pressures and temperatures of its customers which may be the cause of the creation of objectionable conditions.

The Commission finds that: It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed revision of the FPC Gas Schedules affecting the quality of the gas to be delivered thereunder, and that the said proposed revision of the schedules be suspended pending such hearing and decision thereon.

The Commission orders:

(A) A public hearing be held commencing January 31, 1949, at 10 o'clock a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the revision provided for in First Revised Sheet No. 22 to FPC Gas Schedules of Tennessee Gas Transmission Company, as the proposed revision affects the quality of gas delivered to Hope Natural Gas Company.

(B) Pending such hearing and decision thereon, First Revised Sheet No. 22 referred to in paragraph (a) hereof, and submitted by Tennessee Gas Transmission Company, be and it hereby is suspended and use deferred until June 1, 1949, or until such time as said revised sheet may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the

Commission's rules of practice and procedure.

Date of issuance: December 30, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 49-37; Filed, Jan. 4, 1949; 8:45 a. m.]

FEDERAL SECURITY AGENCY

Social Security Administration

CERTIFICATION OF STATE UNEMPLOYMENT COMPENSATION LAWS TO SECRETARY OF TREASURY

Pursuant to section 1603 (a) of the Internal Revenue Code as amended, the unemployment compensation laws of the following States have heretofore been approved:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, Delaware.

In accordance with the provisions of section 1603 (c) of the Internal Revenue Code, the President's Reorganization Plan No. 2 effective July 16, 1946, and the authority delegated to the Commissioner for Social Security by the Federal Security Administrator, I, as Commissioner for Social Security, hereby certify the foregoing States to the Secretary of the Treasury for the taxable year 1948.

Dated: December 31, 1948.

[SEAL] ARTHUR J. ALTMEYER,
Commissioner for Social Security.

Approved: December 31, 1948.

OSCAR R. EWING,
Administrator.

[F. R. Doc. 49-46; Filed, Jan. 4, 1949; 8:47 a. m.]

CERTIFICATION OF STATE LAWS TO SECRETARY OF TREASURY PURSUANT TO SECTION 1602 (b) (1) OF THE INTERNAL REVENUE CODE

Whereas, as Commissioner for Social Security, I have heretofore certified to the Secretary of the Treasury the unemployment compensation laws of the States hereinafter enumerated with respect to the taxable year 1948, as provided in section 1603 of the Internal Revenue Code, as amended; and

Whereas, I hereby find that reduced rates of contributions were allowable under the laws of each of said States with respect to the taxable year 1948 only in accordance with the provisions of subsection (a) of section 1602 of said Code:

Now therefore, pursuant to section 1602 (b) (1) of said Code, the President's Reorganization Plan No. 2 effective July 16, 1946, and the authority delegated to the Commissioner for Social Security by the Federal Security Administrator, I, as Commissioner for Social Security, hereby certify to the Secretary of the Treasury the Unemployment Compensation Law of each of the following States for the taxable year 1948:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, Delaware.

Dated: December 31, 1948.

[SEAL] ARTHUR J. ALTMEYER,
Commissioner for Social Security.

Approved: December 31, 1948.

OSCAR R. EWING,
Administrator.

[F. R. Doc. 49-45; Filed, Jan. 4, 1949; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Application 5]

AMERICAN TRUCKING ASSOCIATIONS, INC. (NATIONAL MOTOR FREIGHT CLASSIFICATION) AND SILVER FLEET MOTOR EXPRESS, INC.

APPLICATION FOR APPROVAL OF AGREEMENT

DECEMBER 31, 1948.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: The Silver Fleet Motor Express, Inc., 216 East Pearl Street, Louisville, Ky.

Agreement involved: An agreement between and among common carriers by motor vehicle, members of the American Trucking Associations, Inc., and between and among such carriers on the one hand, and, on the other, certain common carriers by railroad, and by water and certain freight forwarders, relating to classifications, and rules and regulations, and procedures for the joint consideration, initiation or establishment thereof.

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

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

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-58; Filed, Jan. 4, 1949; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2968]

BRAGER-EISENBERG, INC.

ORDER CANCELING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of December A. D. 1948.

Brager-Eisenberg, Inc., pursuant to Section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, $1.00 Par value, from registration and listing on the Baltimore Stock Exchange:

The Commission on October 6, 1948 having ordered that a hearing be held in this matter on November 8, 1948, at Baltimore, Maryland; and

The Commission on October 27, 1948 having ordered that this hearing be postponed until January 10, 1949; and

Brager-Eisenberg, Inc., having filed on December 6, 1948 a request for expiration of the registration of this security on the Baltimore Stock Exchange, pursuant to the provisions of Rule X-12D2-1 (c);

It is ordered, That the hearing scheduled for January 10, 1949, on the application referred to in the first paragraph above, be and the same is hereby canceled.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-52; Filed, Jan. 4, 1949; 8:49 a. m.]

[File No. 54-129]

KINGS COUNTY LIGHTING CO.

ORDER RELEASING JURISDICTION OVER LEGAL FEE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of December 1948.

The Commission having by order dated January 9, 1947, approved an amended plan, as modified, filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by Kings County Lighting Company, a subsidiary of Long Island Lighting Company, a registered holding company; and

Said order having reserved, among other things, jurisdiction over the reasonableness and appropriate allocation of all fees and expenses incurred in connection with the amended plan, as modified; and

An application having been filed by Charles G. Blakeslee, counsel for the

company, in which he requests payment by Kings County Lighting Company of $10,000 as a fee and no amount for reimbursement for expenses; and

The Commission having considered the record and finding that the said request is not unreasonable:

It is ordered, That the application of Charles G. Blakeslee, as amended for Kings County Lighting Company, is approved so as to permit Kings County Lighting Company to pay him $10,000 as a fee and nothing in reimbursement of expenses.

It is further ordered, That the jurisdiction heretofore reserved over all other fees and expenses be, and hereby is, continued.

By the Commission.

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

[F. R. Doc. 49-50; Filed, Jan. 4, 1949; 8:49 a. m.]

[File No. 70-1996]

NEW ENGLAND ELECTRIC SYSTEM ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of December A. D. 1948.

In the matter of New England Electric System, New England Power Company, Eastern Massachusetts Electric Company, File No. 70-1996.

New England Electric System ("NEES"), a registered holding company, and its subsidiary companies, New England Power Company ("NEPCO") and Eastern Massachusetts Electric Company ("Eastern Massachusetts") having filed a joint application-declaration and amendments thereto, pursuant to sections 6 (b), 9 (b) (1), 10 and 12 (f) of the Public Utility Holding Company Act of 1935, with respect to the following transactions:

It is proposed to merge Eastern Massachusetts, which is primarily an electric transmission company, with NEPCO, which is primarily an electric generating and transmission company supplying substantially all the electric energy requirements of Eastern Massachusetts. For this purpose, NEPCO proposes to issue 83,242 shares of common stock of the par value of $20 per share and of the aggregate par value of $1,664,840 in exchange for all of the outstanding capital stock of Eastern Massachusetts, consisting of 66,594 shares of the par value of $25 per share and of the aggregate par value of $1,664,850, which will be canceled. NEES presently owns all of the common stock of NEPCO and all of the capital stock of Eastern Massachusetts and, as a result of the merger, NEPCO will acquire all of the utility and other assets of Eastern Massachusetts and will be subject to all of its liabilities. In this connection, NEES requests the approval of the Commission under Instruction 8C of the Uniform System of Accounts for Public Utility Holding Companies to record its investment in the common stock of NEPCO to be held after the proposed merger in the amount of $25,889,819.81, which amount is equal to the aggregate amounts at which NEES presently carries the stocks of NEPCO and Eastern Massachusetts on its books, namely, $23,000,000 and $2,889,819.81, respectively, and it appearing to the Commission that it is appropriate to grant such request;

The application-declaration states that the expenses to NEPCO, Eastern Massachusetts, and NEES in connection with services performed by New England Power Service Company, an affiliated service company, at the actual cost thereof, are estimated at $6,000, $1,000, and $300, respectively. In addition, NEPCO will pay a filing fee of $832 to the Commonwealth of Massachusetts.

The Department of Public Utilities of the Commonwealth of Massachusetts has approved the issuance by NEPCO of said 83,242 shares of common stock and that State Commission and the Federal Power Commission have approved the merger of Eastern Massachusetts with NEPCO.

Applicants-Declarants having requested that the Commission issue its order granting the application and permitting the declaration to become effective without a hearing thereon and that the order become effective forthwith upon the issuance thereof, and it appearing to the Commission that it is appropriate to grant such requests;

The application-declaration having been filed on November 3, 1948, and amendments thereto having been filed on December 2, 1948, December 20, 1948, and December 29, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that nothing herein should be construed as constituting approval of the accounting entries proposed by NEPCO or as affecting the authority of other agencies having jurisdiction over such accounting matters, and the Commission finding with respect to said application-declaration, as amended, that the requirements of the applicable sections of the act and the rules thereunder are satisfied, and observing no basis for adverse findings thereunder:

It is hereby ordered, Pursuant to Rule U-23 and to the applicable provisions of the Act and subject to the terms and conditions contained in Rule U-24, that the aforesaid application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

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

[F. R. Doc. 49-49; Filed, Jan. 4, 1949; 8:49 a. m.]

[File No. 70-2005]

NORTH AMERICAN LIGHT & POWER CO. ET AL.

MEMORANDUM FINDINGS, OPINION, AND ORDER GRANTING AND PERMITTING JOINT APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of December A. D. 1948.

In the matter of North American Light & Power Company, The Kansas Power and Light Company, Missouri Power & Light Company, File No. 70-2005.

North American Light & Power Company ("Light & Power"), a registered holding company, and a subsidiary of The North American Company, ("North American"), also a registered holding company, and Light & Power's subsidiaries, The Kansas Power and Light Company ("Kansas") and Missouri Power & Light Company ("Missouri"), have filed a joint application-declaration with the Commission pursuant to the applicable sections of the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder.

Light & Power which owns all the outstanding common stock of Kansas and Missouri proposes:

(a) To borrow $5,000,000 from Bankers Trust Company of New York, pursuant to a "Credit Agreement", which provides for the issuance, as evidence of such borrowing, of a promissory note payable on or before one year after date thereof and bearing interest at the rate of 2¼%, per annum, payable quarterly. Under the agreement the note may be prepaid in whole or in part without penalty provided that a premium of 1% per annum computed for the unexpired life of the amount prepaid shall be payable on prepayments out of funds made available through borrowings; and

(b) To use the proceeds of such borrowing together with treasury funds: (1) To purchase 700,000 shares of Kansas common stock, $5 per value, for $3,500,000; (2) to purchase 440,000 shares of Missouri common stock, $5 par value, for $2,200,000; and (3) to discharge its presently outstanding bank loan in the principal amount of $2,200,000.

Kansas will use the proceeds from the issuance and sale of 700,000 shares of its common stock to retire an outstanding bank loan in the principal amount of $2,000,000, and will apply the balance toward its construction expenditures and those of its subsidiary, Kansas Electric Power Company, which expenditures, it is estimated, will aggregate $36,825,874 for the years 1948, 1949 and 1950.

Missouri will apply the proceeds from the issuance and sale of 440,000 shares of its common stock for the payment toward its construction expenditures which, it is estimated, will aggregate $10,865,000 for the years 1948, 1949 and 1950.

The applicants-declarants have secured orders of the Public Service Commission of Missouri and the State Corporation Commission of Kansas permit-

ting the proposed transactions in so far as those Commissions have jurisdiction with respect to such transactions.

After appropriate notice a public hearing was held at which certain interested stockholders of North American were represented and expressed opposition solely to the proposal by Light & Power to raise the required funds by means of the $5,000,000 bank loan. Requested findings and briefs were waived but oral argument was held before the Commission at the request of such stockholders. The Commission has considered the record and makes the findings herein on the basis of such record.

On July 27, 1948, after hearings thereon, we approved substantially similar proposals by these same companies. "North American Light & Power Company et al.," — S. E. C. —, Holding Company Act Release No. 8379. At that time we permitted Light & Power to borrow $3,000,000 for nine months which money was used, together with treasury funds, to purchase $5,000,000 of Kansas common stock and $2,000,000 of Missouri common stock. Since the date of the earlier hearings, Kansas and Missouri have substantially revised their estimates with respect to the construction expenditures which will be required for the years 1948, 1949 and 1950. As a consequence more money will have to be raised by those companies than was anticipated at the time we granted our approval to the earlier transactions and the present proposals are preliminary to contemplated future public financing.

In our earlier Findings and Opinion we adverted to the problem of whether the proposed borrowing by Light & Power would satisfy the standards of section 7 of the act in view of the fact that Light & Power is under order to liquidate and dissolve and the further fact that a plan of dissolution and liquidation had been approved by us and the United States District Court. Subsequent to the date of those Findings and Opinion, the District Court's order was affirmed by the Court of Appeals for the Third Circuit. However, the plan has not as yet been declared fully effective and the record indicates that consummation may require some further delay.

We held in the earlier case that the standards of section 7 were satisfied by Light & Power's proposed bank loan saying:

> Under ordinary circumstances we doubt whether we would be able to make the affirmative findings required by section 7 (c) in a situation such as Light & Power finds itself. However, there are particular circumstances in this case which must be considered. Under the plan for liquidation and dissolution of Light & Power, North American will receive all the assets of Light & Power after satisfaction of the interest of the public holders of the common stock of Light & Power and North American will expressly assume all of Light & Power's remaining liabilities. Thus, if the pending plan for liquidation and dissolution is consummated prior to the maturity of the proposed note, North American will assume the balance due thereon. The record, in this respect, indicates that North American will have sufficient cash resources under these circumstances to permit prompt payment of the note. In the event the dissolution of Light & Power does not occur until after maturity of the proposed promissory note, the record indicates that Light & Power will have sufficient cash resources not only to meet the obligation but will also in all probability be able to prepay the loan prior to its maturity.[10] Accordingly, we have concluded that we may make an appropriate finding pursuant to section 7 (c) (2) (D) and that no adverse findings are required under section 7 (d).

It appears that on the whole, there is no substantial difference between the present proposals and those which we considered earlier nor between the situation concerning the plan of Light & Power which existed then as compared to that which now exists. Moreover, the record indicates that the contemplated transactions will not in any way serve as a detriment to prompt compliance with our outstanding orders under section 11. Accordingly, for the reasons expressed herein as well as for those in our earlier decision, we conclude that the presently proposed borrowing by Light & Power, under the circumstances here presented, satisfies the standards of section 7 of the act.

We are also of the view that the proposed acquisitions of additional common stock of Kansas and Missouri meet the standards of section 10 of the act. However, in view of our outstanding section 11 orders dated December 31, 1941, and April 14, 1942, respectively requiring the dissolution of Light & Power and the divestment by North American of its direct and indirect interest in Light & Power and each of its subsidiary companies, we shall provide herein that the additional securities of Kansas and Missouri being acquired by Light & Power and indirectly by North American shall be held subject to the requirements of our outstanding section 11 orders and our order approving the plan for Light & Power.

The proposed issuance and sale by Missouri of its common stock are solely for the purpose of financing its business and have been expressly authorized by the Missouri Commission. Accordingly, we grant an exemption from the provisions of section 7 of the act pursuant to the third sentence of section 6 (b). We do not pass upon whether the proposed issuance and sale of common stock by Kansas is similarly exempt although such transactions have been permitted by the Kansas Commission and are for the purpose of financing that Company's business. We find that such proposals satisfy section 7 of the act and consequently it is immaterial whether Kansas is entitled to a section 6 (b) exemption. The sales by Kansas and Missouri of their common stock are exempt from the competitive bidding requirements of Rule U-50 since we have approved the acquisition of such securities pursuant to section 10 of the act.

[10] Light & Power has estimated that as a consequence of dividend receipts from subsidiaries (which are unavailable for interest and dividend payments by Light & Power pending court enforcement of its liquidation plan), its cash balance will be increased to approximately $3,300,000 at the end of 1948. In addition to its net earnings, Light & Power appears to be in a position to secure additional cash resources from the sale of portfolio securities.

Applicants-declarants estimate that the fees and expenses to be incurred in connection with the proposed transactions will amount to $2,500 for Light & Power, $6,375 for Kansas, and $4,700 for Missouri. Such fees and expenses, if they do not exceed the estimates, do not appear unreasonable.

It is therefore ordered, That the joint application-declaration be, and hereby is, granted, and permitted to become effective forthwith subject to the terms and conditions prescribed by Rule U-24 and the further condition that the securities of Kansas and Missouri to be acquired by Light & Power and indirectly by North American shall be acquired and held by such companies subject to the provisions of the Commission's orders dated December 31, 1941 and April 14, 1942, issued pursuant to section 11 (b) of the act and the Commission's order of June 25, 1947, issued pursuant to section 11 (e) of the act, approving a plan for the dissolution and liquidation of Light & Power.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-51; Filed, Jan. 4, 1949; 8:49 a. m.]

[File No. 812-577]

TOBACCO AND ALLIED STOCKS, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of December A. D. 1948.

Notice is hereby given that Tobacco and Allied Stocks, Inc., an investment company registered under the Investment Company Act of 1940, located at No. 161 Front Street, New York, New York, has filed an application pursuant to Rule N-17D-1 of the rules and regulations promulgated under the act regarding a bonus plan to be adopted providing for the payment of $1,000 and $500, respectively, to two employees for services rendered in 1948.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after January 14, 1949 unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than January 12, 1949 at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.,

and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issue of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-53; Filed, Jan. 4, 1948; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11444, Amdt.]

M. YATANI

In re: Stock, bonds, bank account, and a fractional certificate owned by M. Yatani, also known as K. Yatani.

Vesting Order 11444, dated June 10, 1948, is hereby amended as follows and not otherwise:

By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 11444, the words "State of San Paulo Secured S. F. Gold 5%" and substituting therefor the following: "State of San Paulo 25 yr. Secured S. F. Gold External Loan of 1925, 8%".

All other provisions of said Vesting Order 11444 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 7, 1948.

For the Attorney General.

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

[F. R. Doc. 49-26; Filed, Jan. 3, 1949; 8:50 a. m.]

[Vesting Order 12470]

MATILDA A. FRICKER

In re: Estate of Matilda A. Fricker, deceased. File D-28-7580.

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

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

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Matilda A. Fricker, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by James M. Graham, 73 Tremont Street, Boston, Mass., and Herman Snyder, c/o James M. Graham, co-administrators, acting under the judicial supervision of the Probate Court of Suffolk County, Massachusetts,

and it is hereby determined:

4. That to the extent that the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Bertha Elisabetha Magdalena Roth, nee Fath, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on December 3, 1948.

For the Attorney General.

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

[F. R. Doc. 49-62; Filed Jan. 4, 1949; 8:51 a. m.]

[Vesting Order 12494]

HERMANN J. WEBER

In re: Estate of Hermann J. Weber, deceased. File No. F-28-12657; E. T. sec. 4306.

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

1. That the Gelehrtenschule des Johanneums, the last known address of which is Hamburg, Germany, is a corporation, partnership, association or other organization, organized under the laws of Germany, which has or, on or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the person or persons, names unknown, who are the beneficiaries of said Gelehrtenschule des Johanneums, who, if individuals, there is reasonable cause to believe are residents of Germany, and, if corporations, partnerships, associations or other organizations, there is reasonable cause to believe are organized under the laws of and maintain their principal places of business in Germany, are nationals of a designated enemy country (Germany);

3. That the person or persons, names unknown, owing or having the management of said Gelehrtenschule des Johanneums, who, if individuals, there is reasonable cause to believe are residents of Germany, and, if corporations, partnerships, associations or other organizations, there is reasonable cause to believe are organized under the laws of and maintain their principal places of business in Germany, are nationals of a designated enemy country (Germany);

4. That all right, title, interest and claim of any kind or charater whatsoever of the persons identified in subparagraphs 1, 2 and 3 hereof, and each of them, in and to the estate of Hermann J. Weber, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

5. That such property is in the process of administration by Harvard Trust Company, as Administrator, c. t. a., d. b. n., acting under the judicial supervision of the Probate Court of Middlesex County, East Cambridge, Massachusetts;

and it is hereby determined:

6. That to the extent that the person identified in subparagraph 1 hereof, the person or persons, names unknown, who are the beneficiaries of the Gelehrtenschule des Johahneums, and the person or persons, names unknown, owning or having the management of the Gelehrtenschule des Johanneums, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on December 3, 1948.

For the Attorney General.

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

[F. R. Doc. 49-63; Filed, Jan. 4, 1949; 8:51 a. m.]

[Vesting Order 12515]

CATHERINE GUNTHER

In re: Trust under will of Catherine Gunther, deceased. File D-28-7395-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Marie Schneider, Henry (Heinrich) Schneider, and Joseph Schneider, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title and interest and claim of any kind or character whatsoever of the persons named in sub-paragraph 1 hereof, and each of them, in and to the trust created under Item No. 4 of the Will of Catherine Gunther, deceased, presently being administered by the Safe Deposit and Trust Company of Baltimore, 13 South Street, Baltimore 2, Maryland, Trustee,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 15, 1948.

For the Attorney General.

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

[F. R. Doc. 49-64; Filed, Jan. 4, 1949; 8:51 a. m.]

[Vesting Order 12537]

HEINRICH EGGERT

In re: Stock owned by Heinrich Eggert. F-28-23619-D-2.

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

1. That Heinrich Eggert, whose last known address is c/o Vereinsbank in Hamburg, Hamburg 11, Den., Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Ten (10) shares of $5 par value common capital stock of Bucyrus-Erie Company, South Milwaukee, Wisconsin, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered NY/O-12766, registered in the name of Heinrich Eggert, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 16, 1948.

For the Attorney General.

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

[F. R. Doc. 49-65; Filed, Jan. 4, 1949; 8:51 a. m.]

[Vesting Order 12540]

MARTHA HOSSENFELDER

In re: Stock owned by Martha Hossenfelder. F-28-24051-D-1.

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

1. That Martha Hossenfelder, whose last known address is Berlin, Wilmersdorf, Kaiser-Allie 215, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: One hundred (100) shares of no par value common capital stock of The United Piece Dye Works, Lodi, New Jersey, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered 11816, registered in the name of Martha Hossenfelder, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 16, 1948.

For the Attorney General.

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

[F. R. Doc. 49-66; Filed, Jan. 4, 1949; 8:51 a. m.]

[Vesting Order 12588]

WILLIAM UNGERER

In re: Trust under the will of William Ungerer, deceased. File No. D-28-2379; E. T. sec. 4365.

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

1. That Mrs. Luise Heuchele, Wilhelm Redinger, August Redinger, Ernestine Erlemaier, Frieda Kuhnle Luise Muller, Emilie Bader, Emma Bader, Sofie Dreislampel, Karl Bader, Eugen Bader, Hilda Rehm, Karl Gustav Ungerer, Emil Ungerer and Emma Marie Schmid, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by Fidelity-Philadelphia Trust Company, as trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

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

nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on December 27, 1948.

For the Attorney General.

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

[F. R. Doc. 49-25; Filed, Jan. 3, 1949; 8:50 a. m.]

[Vesting Order 500A-241]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

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

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this order including said Exhibit A who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

EXHIBIT A

Column 1 Copyright Nos.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Grundrezepte als Schlüssel zur Kochkunst. (aus 80 Grundrezepten entstehen 500 Gerichten). 5 Auflage. 1931.	Cornelia Kopp (nationality not established).	Verlag Otto Beyer, Leipzig, Germany (nationality, German).	Owner.
A. For. 40487	Schnellkochen mit wenig Mühe. Ein Rezeptsammlung für Leute, die wenig zeit haben. 1937.	....do....	....do....	Do.
Unknown	Entstehung der Kulturpflanzen. 1932. (Being Lieferung 15 of Band III of "Handbuch der Vererbungswissenschaft," 1927 ff.)	Elizabeth Schiemann (author) and Erwin Braun and Max Hartmann (editors) (nationalities not established).	Gebrüder, Borntraeger, Berlin, Germany (nationality, German).	Do.

[F. R. Doc. 49-67; Filed, Jan. 4, 1949; 8:51 a. m.]

[Vesting Order 500A-242]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

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

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A attached hereto and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in

Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every licence, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on November 22, 1948.

For the Attorney General.

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

EXHIBIT A

Column 1 Copyright Nos.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Variationsrechnung. 1938.	Gerhard Grüss, (10a) Freiberg, Sa., am, Ledeburstrasse 6, Germany (nationality, German).	Verlag von Quelle & Meyer, Leipzig, Germany (nationality, German).	Owner and author.

[F. R. Doc. 49-68; Filed, Jan. 4, 1949; 8:52 a. m.]