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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

LISTS OF POSITIONS EXCEPTED

Under authority of § 6.1 (a) of Executive Order No. 9830 and at the request of the Department of Agriculture, § 6.4 (a) (9) is amended in part as set out below, effective upon publication in the FEDERAL REGISTER.

§ 6.4 *Lists of positions excepted from the competitive service*—(a) *Schedule A.* • • •

(9) *Department of Agriculture.* • • •

Production and Marketing Administration. (xxiii) Not to exceed ten positions of Administrator's Field Representatives at salaries equivalent to entrance rate of CAF–14 or higher.

(xxiv) Members of State Committees.

(xxv) Farmer fieldmen and farmer fieldwomen to interpret and explain and supervise farm programs.

(xxvi) Temporary, intermittent, and seasonal employees to check allotments, whose aggregate employment shall not exceed 120 working days a year.

(Sec. 6.1 (a), E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

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

[F. R. Doc. 48-3987; Filed, May 5, 1948; 8:48 a. m.]

TITLE 7—AGRICULTURE

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

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (GRADING, CERTIFICATION AND STANDARDS)

U. S. STANDARDS FOR FRESH PLUMS AND PRUNES

On March 31, 1948, notice of proposed rule making was published in the FEDERAL REGISTER (13 F. R. 1764) regarding the proposed issuance of amendments to the United States Standards for plums and prunes (fresh) (12 F. R. 2305). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, and pursuant to the provisions of the Department of Agriculture Appropriation Act 1948 (Pub. Law 266, 80th Cong., 1st Sess., approved July 30, 1947), it is hereby found and determined that the proposals published in the aforementioned notice be adopted, and it is so ordered. The amendments are as follows:

1. Delete that part of subparagraph (4) of § 51.360 (e) which precedes subdivision (i) and substitute, in lieu thereof, the following:

(4) "Damage" means any injury or defect which materially affects the appearance, or edible or shipping quality of the fruit. Internal growth cracks, cavities or gum spots are not considered as damage. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage.

2. Delete subdivision (iii) of § 51.360 (e) (4) and substitute, in lieu thereof, the following:

(iii) External growth cracks, when there are more than one on a fruit, or when any growth crack is deep, not well healed, or more than one-fourth inch in length.

3. Delete subdivision (vii) of § 51.360 (e) (4) and substitute, in lieu thereof, the following:

(vii) Drought spots or external gum spots which are more than one-fourth of an inch in diameter.

4. Delete subdivision (iii) of § 51.360 (e) (9) and substitute, in lieu thereof, the following:

(iii) External growth cracks which are not well healed, or which are more than $\frac{3}{16}$ inch in depth, or more than one-half inch in length.

5. Delete subdivision (vii) of § 51.360 (e) (9) and substitute, in lieu thereof, the following:

(vii) Drought spots or external gum spots which aggregate more than one-half inch in diameter.

Effective time. The amendments to the United States Standards for plums and prunes (fresh) contained in this section shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

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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.

(58 Stat. 454, Pub. Law 266, 80th Cong., 1st sess.)

Done at Washington, D. C., this 3d day of May 1948.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 48-3989; Filed, May 5, 1948; 8:55 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5215]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LEE PRODUCTS, ETC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Laboratory:* § 3.6 (i) *Advertising falsely or misleadingly—Free goods or service:* § 3.6 (t) *Advertising falsely or misleadingly—*

Qualities or properties of product or service: § 3.6 (y) *Advertising falsely or misleadingly—Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods:* § 3.96 (a) *Using misleading name—Goods—Qualities or properties:* § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller.* In connection with the offering for sale, sale, and distribution of respondent's medicinal preparations designated as Lee's Periodic (XXX) Pills or Lee's Feminine Tablets, or any other preparation or preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same names or under any other names, (1) disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said preparations, which advertisements represent, directly or through inference, (a) that said Periodic Pills constitute a competent or effective treatment, cure, or remedy for delayed or painful menstruation or will correct irregular menstruation; (b) that said Periodic Pills will have any predictable or reliable influence in regulating the menstrual period or in initiating or hastening delayed menstruation; (c) that said Periodic Pills are triple strength or that they possess any degree of therapeutic potency in excess of that attributable to their actual ingredients; or (d) that the use of said Periodic Pills is safe and harmless; or which advertisements (e) fail to reveal the dangerous consequences which may result from the use of said preparations in that said Periodic Pills, when used as directed, will bring about congestion of the lower gastro-intestinal tract and of the organs of the pelvis; or which advertisements represent, directly or through inference, (f) that said Feminine Tablets are other than an analgesic or have any selective effect on women; (2) using the word "Laboratories" or any other word of similar import or meaning as a trade name, or representing through any other means or device or in any manner that a laboratory equipped for the compounding of medicinal preparations or for research in connection therewith, is owned, or operated, or controlled unless and until such a laboratory is actually owned and operated or directly and absolutely controlled; or, (3) representing that medical books or any other commodity or commodities for which a charge is made, directly or indirectly, or the cost of which is included in the regular and customary sale prices charged for combinations of medicines and books or any other commodity or commodities, are free, either by the use of the term "free" or by any other term or terms of similar import or meaning; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Lee Products, etc., Docket 5215, March 11, 1948]

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

In the Matter of Milton L. Lieberman, an individual, trading as Lee Products and as Chemi-Culture Laboratories

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, recommended decision of the trial examiner, and brief in support of the complaint (no brief having been filed by the respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and conclusion that the respondent has violated the Federal Trade Commission Act:

It is ordered, That the respondent, Milton L. Lieberman, trading as Lee Products, as Chemi-Culture Laboratories, or under any other name or names, his agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of his medicinal preparations designated as Lee's Periodic (XXX) Pills or Lee's Feminine Tablets, or any other preparation or preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same names or under any other names, do forthwith cease and desist from directly or indirectly:

1. Disseminating, or causing to be disseminated, any advertisement (a) by means of the United States mails or (b) by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference:

a. That said Periodic Pills constitute a competent or effective treatment, cure, or remedy for delayed or painful menstruation or will correct irregular menstruation.

b. That said Periodic Pills will have any predictable or reliable influence in regulating the menstrual period or in initiating or hastening delayed menstruation.

c. That said Periodic Pills are triple strength or that they possess any degree of therapeutic potency in excess of that attributable to their actual ingredients.

d. That the use of said Periodic Pills is safe and harmless; or

e. Which advertisement fails to reveal that said Periodic Pills, when used as directed, will bring about congestion of the lower gastro-intestinal tract and of the organs of the pelvis.

f. That said Feminine Tablets are other than an analgesic or have any selective effect on women.

2. Disseminating, or causing the dissemination of, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of said preparations, which advertisement contains any of the representations prohibited in paragraph 1 hereof or which fails to reveal the dangerous consequences which may result from the use of said preparations as required in said paragraph 1 hereof.

3. Using the word "Laboratories" or any other word of similar import or meaning as a trade name, or representing through any other means or device or in any manner, that a laboratory equipped for the compounding of medicinal preparations or for research in connection therewith, is owned, or operated, or controlled unless and until such a laboratory is actually owned and operated or directly and absolutely controlled.

4. Representing that medical books or any other commodity or commodities for which a charge is made, directly or indirectly, or the cost of which is included in the regular and customary sale prices charged for combinations of medicines and books or any other commodity or commodities, are free, either by the use of the term "free" or by any other term or terms of similar import or meaning.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with it.

By the Commission.

[SEAL] WM. P. GLENDENING, Jr.,
Acting Secretary.

[F. R. Doc. 48-4082; Filed, May 5, 1948; 9:08 a. m.]

[Docket No. 4952]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED DIATHERMY, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety.* In connection with the offering for sale, sale, or distribution of an electrical device or apparatus designated as "United Short Wave Diathermy" or any other device or apparatus of substantially similar character, whether sold under the same name or any other name, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said electrical device, which advertisement fails to reveal clearly, conspicuously, and unequivocally that said device or apparatus is not safe to use unless and until a competent medical authority has determined, as a result of diagnosis, that the use of diathermy is indicated and has prescribed the frequency and rate of application of such diathermy treatments and the user has been thoroughly and adequately instructed by a trained technician in the use of such diathermy device or apparatus; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, United Diathermy, Inc., Docket 4952, March 12, 1948]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 12th day of March A. D. 1948.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner, and brief in support of the complaint (no brief having been filed by the respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, United Diathermy, Inc., its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of an electrical device or apparatus designated as "United Short Wave Diathermy" or any other device or apparatus of substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly disseminating or causing to be disseminated by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act any advertisement concerning said electrical device, or disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of said electrical device, which advertisement fails to reveal clearly, conspicuously, and unequivocally that said device or apparatus is not safe to use unless and until a competent medical authority has determined, as a result of diagnosis, that the use of diathermy is indicated and has prescribed the frequency and rate of application of such diathermy treatments and the user has been thoroughly and adequately instructed by a trained technician in the use of such diathermy device or apparatus.

It is further ordered, That for the reasons stated in the findings as to the facts herein, the other charges of the complaint be, and the same hereby are, dismissed without prejudice to the right of the Commission to institute such further proceedings as future facts may warrant.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] WM. P. GLENDENING, JR.,
Acting Secretary.

[F. R. Doc. 48-4083; Filed, May 5, 1948; 9:08 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

APPLICATION AND CLOSING OUT OF OFFSETTING LONG AND SHORT POSITIONS

By virtue of the authority vested in the Secretary of Agriculture under the Commodity Exchange Act, as amended (42 Stat. 998, 49 Stat. 1491, 52 Stat. 205, 54 Stat. 1059, Pub. Law 392, 80th Cong., approved December 19, 1947; 7 U. S. C. 1–17a), and pursuant to notice heretofore published in the FEDERAL REGISTER on December 10, 1947, and January 8, 1948 (12 F. R. 8266, 13 F. R. 116), Part 1 of Chapter I of Title 17, Code of Federal Regulations, is hereby amended by adding immediately after § 1.45 the following new section, to be designated as § 1.46:

§ 1.46 *Application and closing out of offsetting long and short positions*—(a) *Application of purchases and sales.* Any futures commission merchant who, on or subject to the rules of a contract market:

(1) Shall purchase any commodity for future delivery for the account of any customer (other than the "Customers' Account" of another futures commission merchant) when the account of such customer at the time of such purchase has a short position in the same future of the same commodity on the same market, or

(2) Shall sell any commodity for future delivery for the account of any customer (other than the "Customers' Account" of another futures commission merchant) when the account of such customer at the time of such sale has a long position in the same future of the same commodity on the same market,

shall on the same day apply such purchase or sale against such previously held short or long position, as the case may be, and shall promptly furnish such customer a purchase and sale statement, or account sale, showing the financial result of the transactions involved.

(b) *Customer's instructions.* In all instances wherein the short or long position in such customer's account immediately prior to such offsetting purchase or sale is greater than the quantity purchased or sold, the futures commission merchant shall apply such offsetting purchase or sale to such portion of the previously held short or long position as may be specified by the customer. In the absence of specific instructions from the customer, the futures commission merchant shall apply such offsetting purchase or sale to the oldest portion of the previously held short or long position, as the case may be.

(c) *Exceptions.* The provisions of this section shall not apply to:

(1) Purchases or sales of job lots against positions in round lots, nor to purchases or sales of round lots against positions in job lots, on markets where round lots and job lots are cleared separately;

(2) Purchases or sales constituting "bona fide hedging transactions" as defined in section 4a (3) of the Commodity Exchange Act; nor

(3) Sales during a delivery period for the purpose of making delivery during such delivery period if such sales are accompanied by instructions to make delivery thereon, together with warehouse receipts or other documents necessary to effectuate such delivery. (42 Stat. 998, 49 Stat. 1491, as amended; 7 U. S. C. 1–17a)

This amendment shall become effective June 8, 1948.

Issued this 3d day of May 1948.

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

[F. R. Doc. 48-4005; Filed, May 5, 1948; 9:01 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

PART 851—ORGANIZATION DESCRIPTION INCLUDING DELEGATIONS OF FINAL AUTHORITY

DESIGNATION OF ACTING HOUSING EXPEDITER

Designation of Acting Housing Expediter. J. Walter White is hereby designated to act as Housing Expediter during my absence on May 5, 6 and 7, 1948, with the title "Acting Housing Expediter" with all the powers, duties, and rights conferred upon me by the Housing and Rent Act of 1947, as amended, or any other act of Congress or Executive order, and all such powers, duties, and rights are hereby delegated to such officer for such period.

(Pub. Law 129, 80th Cong.)

Issued this 5th day of May 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-3990; Filed, May 5, 1948; 9:06 a. m.]

TITLE 26—INTERNAL REVENUE

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

Subchapter F—Organization and Procedure

PART 600—ORGANIZATION

PART 601—PROCEDURE

ALCOHOL TAX UNIT

Federal Register Document 46–15357, appearing at page 177A–22, Part II, Section 1, of the issue for September 11, 1946, as amended prior to January 1, 1947 (26 CFR, Parts 600 and 601, 1946 Supp.), and as amended subsequent to December 31, 1946 (12 F. R. 950, 2560, 3220, 5485), is hereby further amended as follows:

1. Section 600.6 *Alcohol tax unit* is amended as follows:

(A) Paragraph (a) is amended as follows:

(1) By amending the first and second paragraphs thereof to read as follows:

§ 600.6 *Alcohol tax unit*—(a) *Organization.* The Alcohol Tax Unit is headed by a deputy commissioner of internal revenue. The Unit personnel is grouped in four divisions, named below. The function of the Alcohol Tax Unit is administration of the provisions of the Internal Revenue Code and any other laws imposing or dealing with internal revenue taxes relating to alcoholic liquors, including special (occupational) taxes; the administration of several nontaxing statutes, two relating to the traffic in alcoholic liquor, one relating to the forfeiture of vessels, vehicles, and aircraft used in connection with contraband firearms, and one relating to tort claims involving the Bureau, i. e., Federal Alcohol Administration Act, 49 Stat. 977, as amended (27 U. S. C., and Supp., 201–212), Liquor Enforcement Act of 1936, 49 Stat. 1928, 27 U. S. C., 221–228, act of August 9, 1939, 53 Stat. 1291, 49 U. S. C., 781–788, and Federal Tort Claims Act, 60 Stat. 842, 28 U. S. C., 921–946, also in cooperation with the Miscellaneous Tax Unit (see § 600.7) the administration of other Federal laws concerning firearms, namely, the act of June 30, 1938, as amended (52 Stat. 1250, 53 Stat. 1222; 15 U. S. C., 901–909; Public Law 15, 80th Congress), and sections 2720–2733, 3260–3266, Internal Revenue Code (26 U. S. C. 2720–2733, 3260–3266).

Administration of the laws indicated is decentralized and the work done by the Unit is largely supervisory of field operations, except as to action on claims, (see § 601.8 (b) (2), (3), (4), and (d) of this chapter), offers in compromise (see § 601.8 (c)), and certain other matters, as provided by regulations (see § 601.8 (a) (3)). Action taken by responsible field officers is generally final though subject to review and possible reversal by the Commissioner or Deputy Commissioner in charge of the Unit acting for or under the direction of the Commissioner. As to authority of District Supervisors in the field see § 600.55 (a).

(2) By amending subparagraph (3) of the third paragraph to read as follows:

(3) *Enforcement Division.* The duties of this division pertain to the investigation, detection, and prevention of willful and fraudulent violations of the Federal laws relating to alcoholic liquors, to the enforcement of Federal laws concerning firearms, and to the investigation of accident cases involving possible liability of the Bureau under the Federal Tort Claims Act.

(B) Paragraph (b) is amended to read as follows:

(b) *Public relations.* General information as to the application of the statutes referred to in paragraph (a), and regulations promulgated under such statutes, may be obtained from the offices of District Supervisors (see § 600.55 (a)) and from the Deputy Commissioner of Internal Revenue, Alcohol Tax Unit, Washington 25, D. C. General information regarding enforcement aspects of such statutes may also be obtained from the offices of Investigators in Charge (see § 600.55 (b)). Information respecting a particular case arising under such statutes may be obtained from the office of the District Supervisor or the Investigator in Charge having jurisdiction, or the Deputy Commissioner in charge of the Unit if the case has been referred to him. Requests for information may be made by mail, or in person, or by telephone.

Applications for permits and other authorizations must be made in writing in accordance with applicable, published regulations, described in § 601.8. Claims for remission of taxes on liquors must be filed with the District Supervisor having territorial jurisdiction. Claims for abatement or refund of taxes on liquors and offers in compromise of liabilities arising under internal revenue laws relating to liquors must be submitted to the Collector of Internal Revenue of the district, except that offers in compromise may also be submitted to deputy collectors of internal revenue. Petitions for remission or mitigation of forfeitures must be filed with the District Supervisor or the Investigator in Charge, in accordance with the applicable, published regulations described in § 601.8. Claims for drawback of taxes on liquors exported must be filed with the District Supervisor, the Collector of Internal Revenue, or the Collector of Customs, as specified in the applicable, published regulations described in § 601.8 of this chapter. Form 843 should be used for filing claims for abatement or refund of taxes, and Form 656 for submitting offers in compromise. Claims for remission, abatement, refund and drawback of taxes, offers in compromise, and petitions for remission or mitigation of forfeitures are forwarded by the District Supervisor or the collector, as the case may be, to the Commissioner for final action. Complete information respecting the filing of applications, returns, and other documents is set forth in the applicable, published regulations designated in § 601.8. Information respecting applications, claims, offers in compromise, petitions, and other submissions may be obtained from the offices of District Supervisors having jurisdiction, or, where the matter has been referred to the Commissioner or, in the case of applications for permits, the Deputy Commissioner in charge of the Alcohol Tax Unit, from the office of such official in Washington, D. C.

2. Section 601.8 *Alcohol tax unit* is amended as follows:

(A) Paragraph (a) (3) is amended as follows:

(1) By inserting in the fourth paragraph thereof (Regulations 3) immediately after the reference "T. D. 5551, 12 F. R. 1649" the following: "; T. D. 5554, 12 F. R. 2051; T. D. 5568, 12 F. R. 4578; T. D. 5583, 12 F. R. 7859".

(2) By inserting in the eighth paragraph thereof (Regulations 7) immediately after the reference "26 CFR, 1945 Supp., Part 178" the following: "as amended, T. D. 5575, 12 F. R. 5947; T. D. 5584, 12 F. R. 7858".

(3) By inserting in the ninth paragraph thereof (Regulations 10) immediately after the reference "T. D. 5527, 11 F. R. 8715" the following: "; T. D. 5581, 12 F. R. 7828; T. D. 5585, 12 F. R. 7859".

(4) By inserting in the tenth paragraph thereof (Regulations 11) immediately after the reference "T. D. 5541, 11 F. R. 10275" the following: "; T. D. 5597, 13 F. R. 271".

(5) By substituting for the phrase "and use of containers of distilled spirits" in the eleventh paragraph thereof (Regulations 13) the following: "and use for packaging distilled spirits for sale at retail of containers of one-half pint capacity or greater".

(6) By inserting in the twelfth paragraph thereof (Regulations 15) immediately after the reference "T. D. 5542, 11 F. R. 10277" the following: "; T. D. 5573, 12 F. R. 4881; T. D. 5598, 13 F. R. 271".

(7) By inserting in the fifteenth paragraph thereof (Regulations 18) immediately after the reference "26 CFR, Cum. Supp., Part 192" the following: "as amended, T. D. 5586, 12 F. R. 7860".

(8) By inserting in the seventeenth paragraph thereof (Regulations 20) immediately after the reference "26 CFR, Supps., Part 194" the following: "; T. D. 5571, 12 F. R. 4639".

(9) By inserting in the eighteenth paragraph thereof (Regulations 21) immediately after the reference "26 CFR, Supps., Part 191" the following: "; T. D. 5587, 12 F. R. 7860".

(10) By inserting in the nineteenth paragraph thereof (Regulations 23) immediately after the reference "T. D. 5537, 11 F. R. 10268" the following: "; T. D. 5582, 12 F. R. 7826; T. D. 5588, 12 F. R. 7859".

(11) By inserting in the twentieth paragraph thereof (Regulations 24) immediately after the reference "26 CFR, Supps., Part 180" the following: "; T. D. 5589, 12 F. R. 7858".

(12) By inserting in the twenty-first paragraph thereof (Regulations 28) immediately after the reference "T. D. 5539, 11 F. R. 10267" the following: "; T. D. 5590, 12 F. R. 7858; T. D. 5599, 13 F. R. 264".

(13) By inserting in the twenty-second paragraph thereof (Regulations 29) immediately after the reference "26 CFR, Supps., Part 197" the following: "; T. D. 5572, 12 F. R. 4882".

(14) By adding at the end of the twenty-fifth paragraph thereof the following:

NOTE: The procedure prescribed by Regulations 3 (26 CFR, Part 182) for the issuance, amendment, denial, and revocation of industrial alcohol permits has been extended, so far as applicable (26 CFR, Supps., 171.4d), to the issuance, amendment, denial, revocation, suspension, and annulment of permits under the Federal Alcohol Administration Act.

(B) Paragraph (b) is amended by adding at the end thereof two new paragraphs reading as follows:

(5) *Tort claims.* Claims for property loss or damage, personal injury or death caused by the negligent or wrongful act or omission of any Bureau employee, acting within the scope of his office or employment, filed under the Federal Tort Claims Act, must be prepared and filed in accordance with Treasury Department regulations (31 CFR, Supp., Parts 1 and

3) entitled respectively "Organization and Procedure" and "Claims Regulations." The regulations in this part contain the procedural and substantive requirements relative to such claims, and set forth the manner in which they are handled. The claims should be filed with the District Supervisor of the district in which the accident or incident occurred, and must be filed within one year thereafter.

(6) *Application for approval of interlocking directors and officers under section 8 of the Federal Alcohol Administration Act.* Any person who is an officer or director of a corporation now engaged in business as a distiller, rectifier or blender of distilled spirits, or of an affiliate thereof, who desires to take office in other companies similarly engaged, must obtain permission to do so from the Deputy Commissioner of Internal Revenue in charge of the Alcohol Tax Unit. Applications for such permission to take office shall be prepared and filed in accordance with AT Circular 956, copies of which have been furnished to distillers, rectifiers, and blenders of distilled spirits, and additional copies of which may be procured from District Supervisors or the Deputy Commissioner in charge of the Alcohol Tax Unit.

(53 Stat. 467; U. S. C. 3791)

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

[F. R. Doc. 48-3988; Filed, May 5, 1948; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Secretary of Defense

[Transfer Order 10]

TRANSFER OF CERTAIN FUNCTIONS AND PERSONNEL OF CIVILIAN AIR COMPONENTS OF ARMY FROM DEPARTMENT OF ARMY TO DEPARTMENT OF AIR FORCE

Pursuant to the authority vested in me by the National Security Act of 1947 (act of 26 July 1947; Public Law 253, 80th Congress) and in order to effect certain transfers authorized or directed therein, it is hereby ordered as follows:

1. a. Excepting those duties and functions of the National Guard Bureau as provided in section 207 (f) of the National Security Act of 1947 and subject to the provisions of paragraph 4 hereof, all functions, powers, and duties of the Secretary of the Army and the Department of the Army, including those of any officer of that Department which pertain to the National Guard of the United States, the National Guard, the Officers' Reserve Corps, Reserve Officers' Training Corps, Enlisted Reserve Corps, and persons inducted into the land forces of the United States under the act of 16 September 1940 (54 Stat. 885), insofar as they relate to the Department of the Air Force or the United States Air Force or their property and personnel and are authorized by the following listed statutes, are transferred to the Secretary of the Air Force and the Department of the Air Force:

(1) The National Defense Act of June 3, 1916, as amended.

(2) Act of August 30, 1935, c. 830, section 1 (40 Stat. 1028), as amended by the act of April 3, 1939, c. 35, section 5, (53 Stat. 557; 10 U. S. C. 369a).

(3) Act of September 26, 1941, c. 425, section 2 (55 Stat. 734; 38 U. S. C. 12).

(4) Act of July 15, 1939, c. 282 (53 Stat. 1042), as amended by the act of October 14, 1940, c. 875, section 5, (54 Stat. 1137; 32 U. S. C. 164d).

(5) Act of May 12, 1917, c. 12, (40 Stat. 72; 31 U. S. C. 666).

(6) Act of August 18, 1941, c. 362, section 4 (55 Stat. 627; 50 App. U. S. C. 354).

(7) Act of July 17, 1914, c. 149, (38 Stat. 512; 10 U. S. C. 1179).

(8) Act of June 25, 1938, c. 688, (52 Stat. 1173, 32 U. S. C. 42a).

(9) Such other laws, parts of laws and Executive orders, not specifically listed herein, including applicable provisions of appropriations acts, as pertain to the functions hereinabove transferred.

2. Transfer of units: The air units of the National Guard of the United States, of the National Guard while in the service of the United States, and of the Organized Reserves of the United States are hereby transferred to the Department of the Air Force.

3. Transfer of individuals: All commissioned officers and enlisted men commissioned or enlisted in the Air Corps of the National Guard of the United States and all warrant officers assigned to air units of the National Guard of the United States and all trainees enrolled in the Air Reserve Officers' Training Corps are to the extent that they are part of the Department of the Army transferred to the Department of the Air Force.

4. The Secretary of the Army and the Department of the Army shall continue to perform for the civilian components of the Air Force of the United States, for so long as they perform them for the other components of the Department of the Air Force and/or the United States Air Force or their property and personnel, those functions which they now perform for other components of the Department of the Air Force and/or the United States Air Force alike.

5. The Secretary of the Army, the Secretary of the Air Force or their representatives are hereby directed to issue such orders as may be necessary to effectuate the purposes of this order. In this respect, the transfer of such related personnel, property, records, installations, agencies, activities, and projects as the Secretaries of the Army and the Air Force shall from time to time jointly determine to be necessary, is authorized.

6. It is expressly determined that the transfers herein specified are necessary and desirable for the operations of the Department of the Air Force and the United States Air Force.

7. Nothing contained in this order shall operate as a transfer of funds.

8. This order shall be effective as of 12:00 noon, April 27, 1948.

JAMES FORRESTAL,
Secretary of Defense.

APRIL 27, 1948.

[F. R. Doc. 48-3977; Filed, May 5, 1948; 8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

BUSH RIVER, MARYLAND

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.295 providing for the temporary closure of the Pennsylvania Railroad Company bridge across Bush River at Bush River, Maryland, is hereby revoked, and § 203.241 (f) is hereby amended by the addition thereto of a subparagraph relating to the said bridge, as follows:

§ 203.241 *Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.* * * *

(f) The bridges to which these regulations apply, and the advance notice required in each case, are as follows:

Bush River, Md.; Pennsylvania Railroad Company bridge at Bush River, Md. (From October 1 to May 31, inclusive, and between 7:00 p. m. and 10:00 a. m. from June 1 to September 30, inclusive, at least three hours' advance notice required. Between 10:00 a. m. and 7:00 p. m. from June 1 to September 30, inclusive, the regulations contained in § 203.240 shall govern the operation of this bridge.)

* * * * *

[Regs. Apr. 20, 1948, CE 823 (Bush River-Bush River, Md.)—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

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

[F. R. Doc. 48-3991; Filed, May 5, 1948; 9:08 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

PART 202—MINIMUM WAGE DETERMINATIONS

DETERMINATION FOR SUIT AND COAT BRANCH OF UNIFORM AND CLOTHING INDUSTRY; CORRECTION

The determination of prevailing minimum wages in the Suit and Coat Branch of the Uniform and Clothing Industry, dated April 5, 1948, and published in the FEDERAL REGISTER April 8, 1948 (13 F. R. 1914) is hereby modified by changing the semicolon following the word "testified" in the first sentence of the third paragraph to a period, deleting the remainder of the sentence and inserting in lieu thereof the following: There were no appearances on behalf of employers in the industry.

Signed at Washington, D. C., this 30th day of April 1948.

DAVID A. MORSE,
Acting Secretary of Labor.

[F. R. Doc. 48-4084; Filed, May 5, 1948; 9:01 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 472]

LOUISIANA

REVOKING EXECUTIVE ORDER NO. 5005 OF DECEMBER 5, 1928, WITHDRAWING PUBLIC LANDS IN AID OF LEGISLATION AND OF MISSISSIPPI FLOOD CONTROL PROJECTS

By virtue of the authority contained in the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497 (43 U. S. C., 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5005 of December 5, 1928, withdrawing the hereinafter-described public lands in aid of legislation and of Mississippi flood control projects, is hereby revoked.

The jurisdiction over and use of such land for flood control purposes shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such land shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on June 29, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from June 29, 1948, to September 28, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 10, 1948, to June 29, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on June 29, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on September 29, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from September 10, 1948, to September 29, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on September 29, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in Bureau of Land Management, Washington 25, D. C. shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257, of that title.

Inquiries concerning these lands shall be addressed to Bureau of Land Management, Washington 25, D. C.

The lands affected by this order are described as follows:

LOUISIANA MERIDIAN

T. 11 N., R. 6 E.,
Sec. 3, that part of the SW¼SW¼ lying south and west of the Boeuf River;
Sec. 10, lot 3.
T. 10 N., R. 7 E.,
Sec. 17, NE¼NW¼.

The area described contains 89.75 acres.

The land is low, and some portions are swampy.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

APRIL 27, 1948.

[F. R. Doc. 48-3978; Filed, May 5, 1948; 8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 811-B]

PART 95—CAR SERVICE

RESTRICTIONS ON USE OF COAL-BURNING FREIGHT LOCOMOTIVES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of April A. D. 1948.

Upon further consideration of Service Order No. 811 (13 F. R. 1648) as amended (13 F. R. 1830, 1999) and Service Order No. 811-A (13 F. R. 2073), and good cause appearing therefor: *It is ordered*, That:

(a) Service Order No. 95.811 *Restrictions on use of coal-burning freight locomotives*, as amended, is hereby vacated and set aside.

It is further ordered, That this order shall become effective at 11:59 p. m., April 30, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, secs. 402, 418, 41 Stat. 476, secs. 4, 10, 54 Stat. 901, 911; 49 U. S. C. 1 (10)–(17), 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3986; Filed, May 5, 1948; 8:48 a. m.]

[S. O. 814]

PART 96—JOINT USE OF TERMINALS

BINGHAM AND GARFIELD RAILWAY CO.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of April A. D. 1948.

It appearing, that the Kennicott Copper Corporation, hereinafter termed Kennicott, which controls the Bingham and Garfield Railway Company, hereinafter termed Bingham, constructed this line to operate as a common carrier by railroad and serve its mining operations which at the time of construction were at the summit of the mountain range; that over the years the mining has changed location and at present is at the bottom of the range; to facilitate transportation Kennicott has constructed and will place in operation on May 1, 1948, a non-common carrier railroad which railroad will transport approximately 98.8 percent of the traffic now handled by Bingham; that the remainder of the traffic which Bingham transports as a common carrier is insufficient to support this railroad so as to enable it to perform its common carrier duties for the public; that in view of this, Bingham has filed an application with this Commission for a certificate that the present and future public convenience and necessity require the abandonment of its line of railroad and the termination of the operation thereof in the State of Utah; that The Denver and Rio Grande Western Railroad Company, hereinafter termed Rio Grande, has made application with this Commission for a certificate that the present and future public convenience and necessity require the acquisition of certain rail trackage of Bingham in Salt Lake County, State of

Utah; that effective May 1, 1948, Bingham has embargoed all common carrier traffic moving to, from, or between points on its line on the one hand, to, from, or between points on the line of other common carriers, on the other hand, concurrently with withdrawal by Kennicott of 98.8 percent of the traffic now handled by Bingham; that on and after that date shippers and receivers of freight located on Bingham's line will be without railroad service; that at certain points on this common carrier terminal facilities are available for joint and common use by connecting carriers and that shippers and receivers located at such points should be accorded railroad service to the extent possible so to do. The Commission is of the opinion that an emergency requiring immediate action exists at points in Utah specified in paragraph (a) hereof. It is ordered, that:

§ 96.814 *Joint use of terminals on Bingham and Garfield Railway Company.* (a) The Bingham and Garfield Railway Company, a common carrier by railroad subject to the Interstate Commerce Act, shall allow and permit, joint or common use of its terminals including mainline track or tracks for reasonable distances outside of Arthur, Bacchus, Garfield Junction, Garfield Smelter, Magna, Sands and Sands Junction, Utah, on the Bingham and Garfield Railway Company by The Denver and Rio Grande Western Railroad Company.

(b) *Rerouting.* The Denver and Rio Grande Western Railroad Company, a common carrier by railroad subject to the Interstate Commerce Act, shall handle, route and move less than carload and carload traffic originating at, or destined to, points on the line of the Bingham and Garfield Railway Company extending from Sands Junction to Garfield Junction and Sands, Utah also to Arthur, Bacchus, Garfield Smelter, and Magna regardless of the routing specified by either shipper or carriers.

(c) *Compensation.* Joint use of the tracks described in paragraph (a) of this section and the handling, routing, and movement of traffic described in paragraph (b) of this section shall be upon such terms as between the carriers as they may agree upon or in the event of their disagreement as the Commission may, after subsequent hearing, find to be just and reasonable.

(d) *Rates to be applied.* Inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shipper, or by carriers shall be the rates which were applicable at date of shipment over the routes so designated.

(e) *Division of rates.* In executing the orders and directions of the Commission provided for in this order, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this section remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agree, the divisions shall be hereinafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. If division agreements now exist on the traffic affected, over routes herein authorized they shall not be changed or affected by this section.

(f) *Application.* The provisions of this order shall apply to intrastate and foreign traffic as well as interstate traffic.

(g) *Effective date.* The provisions of this section shall become effective at 11:59 p. m., April 30, 1948.

(h) *Expiration date.* The provisions of this section shall expire at 11:59 p. m., July 31, 1948, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction shall be served upon the Public Service Commission of Utah, the Bingham and Garfield Railway Company, The Denver and Rio Grande Western Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)–(17), 15 (4)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 48-3985; Filed, May 5, 1948; 8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter K—Alaska Wildlife Protection

PART 91—ALASKA GAME REGULATIONS

MISCELLANEOUS AMENDMENTS

Basis and purposes. Investigations of the Alaska Game Commission and personal observations of numerous citizens and agencies within the Territory of Alaska which formed the basis of recommendations and requests directed to the Commission, indicate that changing conditions within the Territory, including changes in both human and wildlife populations, require further protection to wildlife in some instances, and permit some relaxation of regulatory protection in other instances. The Alaska Game Commission also considered the results of field investigations by representatives of the Fish and Wildlife Service of the Department of the Interior which in general substantiated the need for a modification of existing regulations. Following public hearings held at Ketchikan, Alaska on proposed amendments to existing regulations, said Commission has recommended the changes herein to conserve the game resources of the Territory and at the same time to permit such utilization thereof as is consistent with the preservation of breeding stocks of game and fur animals, birds, and game fishes.

Having taken into consideration the said observations, investigations, hearings and recommendations, I have determined that the following amendments will effectuate the purposes of the Alaska Game law:

1. Section 91.7 is amended by deleting from the proviso contained in paragraph (i) the words "caribou, and moose," and by adding a new paragraph (j) as follows:

§ 91.7 *Transportation and possession.* * * *

(j) No live game animals may be taken or possessed except as provided in § 91.12.

2. Section 91.8 is amended by changing paragraph (a) to read:

§ 91.8 *Sale of animals, birds and game fishes.* * * *

(a) Tagged or sealed skins of beavers, skins of other fur animals and black bears, and meat and skins of hares and rabbits.

3. Section 91.9 is amended to read:

§ 91.9 *Open seasons, methods of taking and limits on protected animals, birds, and game fishes.* The following animals, birds, and game fishes, but none other, may be taken in the open seasons, by the methods and means, in the areas, and in numbers not exceeding the respective daily, seasonal bag, or possession limits prescribed herein, but not at any other time, by any other method, aid, or means, nor in any other areas or numbers: *Provided*, That no birds or animals may be be taken by shooting from, on, or across or within 33 feet of the center line of any highway.

(a) *Game animals*—(1) *Methods and means.* May be taken only with a shotgun (not larger than No. 10 gauge and not capable of holding more than 3 shells), rifle or pistol using center-fire cartridges only, but not with aid or use of a dog, machine or submachine gun, set gun of any description, bow and arrow or spear, pit, deadfall, fire, jacklight, searchlight, or other artificial light, or from or by means of a motor vehicle, aircraft, steam or power launch, or any boat except one propelled by paddle, oars or pole, or while such animals are swimming; except that hares and rabbits may be taken by aid of a dog and by rifles or pistols using rimfire cartridges; and providing further that no aircraft shall be used for the purpose of driving, circling, molesting, spotting, or in aiding in the taking of big game except as a means of transportation from a settlement or point of outfitting to a previously established camp.

(2) *Open seasons and limits.* None of the game animals named below may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Harding Lake, and Birch Lake, Curry Game Refuge, Eyak, Mitkof Island, Mount Hayes-Blair Lakes Refuge, Eklutna, Anan Creek and Loring, and highway and railroad areas, described in §§ 91.10 and 91.11 nor in any other areas specifically closed by this section.

(i) Deer, bucks (with horns not less than 3 inches above the top of the skull).

East of longitude 138° W., September 1 to November 15. Limit, by a resident, 2 a season; by a nonresident, 1 a season. In the drainage to Prince William Sound north of the center of the C. R. & N. W. Railway and west of Mountain Slough, including the islands of Prince William Sound, September 1 to September 30. Limit, 1 a season.

(ii) Moose, bulls (except yearlings and calves).

East of longitude 138° W., September 15 to October 15. Kenai Peninsula except Kenai Peninsula area No. 1, September 1 to 15 and December 1 to 5; West of longitude 141° W., except in Colville River drainage, and the entire drainage to Turnagain Arm from Mile 52 Alaska Railroad to Mile 72 Alaska Railroad, September 1 to 20 and December 1 to 10, except that there shall be no open season between December 1 and 10 in that area known as the Palmer area and described as follows:

Beginning at Knik River bridge, the entire Knik River and Matanuska River drainages to Chickaloon River; thence upstream along the Chickaloon River to the divide and across the divide and downstream along the Kashwitna River to Susitna River to its confluence with Cook Inlet; thence along the westerly bank of Cook Inlet and Knik Arm to the place of beginning.

(iii) Caribou (except calves).

In the territory, but not in the area lying 5 miles on each side of the Steese Highway on Twelve Mile Summit between mileposts 84 and 89, and on Eagle Summit between mileposts 102 and 112, August 20 to September 30, and December 1 to 15; nor within 5 miles of the east side of the Steese Highway between Faith Creek and Milepost 112. Limit, 1 a year.

(iv) Mountain goat (except kids).

In the Territory, but not in the Cooper Landing area, Sheep Mountain area, Eklutna Lake area, Kenai Peninsula area No. 2, nor in the Girdwood area described in § 91.11, paragraphs (a), (i), (k), (q), and (r), nor on the Baranof and Chichagof Islands, nor in the watersheds of Tracy Arm, Endicott Arm, or Ford's Terror, where there shall be a continuous closed season, August 20 to November 15. Limit, by resident, 2 a season; by a nonresident, 1 a season.

(v) Mountain sheep, rams only (except lambs).

In the Territory, but not on the Kenai Peninsula, nor in the Girdwood, Sheep Mountain, and Eklutna areas described in § 91.11, paragraphs (a), (i), (j), (k), (q), and (r), August 20 to 31. Limit, 1 ram a season.

(vi) Bear (large brown and grizzly).

In the Kodiak-Afognak Island group, September 1 to June 20. Limit, 1 a year. In the rest of the Territory, but not in the Thayer Mountain and Pack Creek areas on Admiralty Island as described in § 91.11, paragraphs (l) and (m), September 1 to June 20. Limit, 2 a year.

(vii) Bear (black, including its brown and blue, or glacier bear, color variations).

East of longitude 138° W., including the Mount Hayes-Blair Lakes area described in § 91.11, but excepting the Anan Creek and Loring areas described in § 91.11, paragraph (n), September 1 to June 20. Limit, 2 a season. In the rest of the Territory, no closed season. Limit, by a resident, no limit; by a nonresident, 3 a year.

(viii) Any bear may be killed at any time or any place in the Territory when about to attack or molest persons or their property. Persons so killing such animals shall make a written report to the Commission, setting forth the reason for such killing and the time and place.

(ix) Hare and rabbit.

On the Kodiak-Afognak Island group, September 1 to March 31. No closed season in the rest of the Territory. No limit.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale.)

(3) *Identification of sex.* No person shall have in his possession the carcass of any moose, deer, or mountain sheep from which all evidence sufficient to indicate conclusively the sex of the animal has been removed, unless the carcass has been transported to the place of ultimate consumption. When head is removed from carcass, some other evidence of sex must be visible.

(b) *Fur animals*—(1) *Methods and means.* May be taken by any means, except by means, aid, or use of a set gun, a shotgun, artificial light of any kind, a steel bear trap or other trap with jaws having a spread exceeding 9 inches, poison, a dog (except polar bears in fur district 8, and wolves and coyotes in fur districts 5, 6, 7, and 8), a fish trap or net, or by setting any trap or snare within 25 feet of a beaver home or den or within 100 feet of a fox den, or by destroying or disturbing homes, houses, dens, dams, or runways of such animals; *Provided*, That beaver may be taken only by means of a steel trap or snare and by persons over the age of eleven years, and wolves and coyotes may be killed by means of a rifle, shotgun, or pistol at any time, by any person permitted to carry firearms.

(2) *Open seasons and limits.* No fur animals, except wolves and coyotes, may be taken in any posted national forest area, nor in the Haines, Harding Lake, Curry Game Refuge, Eyak Lake and Eklutna areas, nor in the following fur breeding areas: Coleen River, Charley River, Chestochina River, Talkeetna River, Hoholitna River and Sulukna River, described in §§ 91.10 and 91.11; nor may any fur animals be taken on any national park or monument area, which are closed under other laws and regulations.

(3) *Closed season, permits.* During the closed season on fur-bearing animals in the respective fur districts no person shall set, maintain, or attend traps for wolves and coyotes without first procuring a permit, issuable at the discretion of the Commission, authorizing him to do so. Application for such permit shall be addressed to the Alaska Game Commission, Juneau, Alaska, and shall contain a statement of the nature and extent and locality of the proposed operations and the species of animals to be taken.

(i) Mink, land otter, weasel (ermine), fox, and lynx.

Fur District 1. No open season.

Fur Districts 2 to 7. November 16 to January 31. No limit. White fox, December 1 to March 15. No limit.

Fur District 8. December 1 to March 15. No limit.

(ii) Muskrat.

Fur Districts 1 and 2. April 1 to May 31. No limit.

Fur Districts 3 and 4. March 10 to May 10. No limit.

Fur District 5. April 1 to May 31. No limit.

Fur Districts 6 and 7. March 1 to May 31. No limit.

(iii) Beaver.

Fur District 1. April 1 to 30. Limit, 10.

Fur District 2. February 1 to March 31, except there shall be no open season on a strip one-half mile wide on each side of the Copper River road from Eyak bridge to Mile 27. Limit, 10 a season.

Fur District 3. February 1 to March 31, except on the Kodiak-Afognak Island group. Limit, 10 a season.

Fur Districts 4 and 5. February 1 to March 31. Limit, 10 a season.

Fur District 6. February 1 to March 31, except there shall be no open season within the Clearwater Creek drainage, lying south of the Tanana River and between the Richardson Highway and the Big Gerstle River, or within the drainage of the Salcha River from the mouth upstream including the drainage of 98 Mile Creek.

Fur District 7. February 1 to March 31. Limit, 10 a season.

(iv) Wolf, coyote, wolverine, marmot, squirrel, and polar bear.

Fur Districts 1, 2, 3, 4, 5, 6, 7 and 8. No closed season. No limit.

(v) Marten.

Fur District 1, except Chichagof and Baranof Islands, November 1 to 20. No limit.

Fur Districts 2 (except Kenai Peninsula), 3, 4, 5, 6, and 7. November 16 to January 31. No limit.

(See also §§ 91.7 and 91.8 covering transportation, possession and sale.)

(c) *Game birds*—(1) *Methods and means.* Grouse and ptarmigan only may be taken with a shotgun (not larger than No. 10 gauge and not capable of holding more than 3 shells), rifle, pistol, bow and arrow, or spear, or with the aid of a dog, but not from or by means of a motor vehicle, aircraft, or any boat propelled by any means other than paddles, oars, or poles. Any other game bird protected also under the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended, may be taken only in the manner, by the means, and at the times or places permitted by the regulations of the Secretary of the Interior adopted pursuant to the terms of that act.

(2) *Open seasons and limits.* No game bird may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Harding Lake, Curry Game Refuge, Eyak Lake, and Mitkof Island areas described in § 91.10, and in the Anan Creek and Loring, and Eklutna Lake areas described in § 91.11, (n) and (r).

(i) *Grouse and ptarmigan.* There shall be no open season within the closed areas mentioned above.

Fur Districts 1, 2, 3, 4, 5, 6, 7 and 8. August 20 to February 28.

Daily limit. Grouse 10, ptarmigan 10; but not to exceed 10 in the aggregate of all kinds of grouse and ptarmigan a day. Limit for each person shall include all such birds taken by any other person who for hire accompanies or assists in the taking.

(ii) *Game birds protected also under the provisions of the Migratory Bird Treaty Act.* Seasons and limits in accordance with Migratory Bird Treaty Act regulations.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale.)

(d) *Nongame birds*—(1) *Methods and means.* May be taken by any means, except by the use of poison, provided any nongame bird protected under the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended, may be taken only in the manner, by the means, and at the times or places permitted by the regulations of the Secretary of the Interior adopted pursuant to the terms of that act.

(2) *Open seasons and limits.* No nongame bird may be taken at any time in any national park, monument, or posted national forest area, nor in the Shoemaker Bay, Haines, Harding Lake, Curry Game Refuge, Eyak Lake, or Mitkof Island areas described in § 91.10, and in the Anan Creek and Loring, and Eklutna areas described in § 91.11.

Crows, hawks, owls, eagles, ravens, magpies, and cormorants, and their nests and eggs. No closed seasons except in the areas mentioned above. No limit.

(See also §§ 91.7 and 91.8 covering transportation, possession and sale.)

(e) *Game fishes*—(1) *Methods and means.* May be taken by angling with a line held in the hand or attached to a rod and reel so held, but each line shall at no time have attached to it more than two flies or hooks, nor more than one plug, spoon, or spinner. Lake trout and Dolly Varden trout may be taken by the use of net, trap, or seine in the glacial waters of Trail, Kenai, Skilak, and Trustumena Lakes on Kenai Peninsula, and in any area where the taking without limit as to numbers and the sale, purchase, and shipment from the Territory of Dolly Varden trout are permitted.

(2) *Open seasons and limits. Rainbow, steelhead, cutthroat, eastern brook, and Dolly Varden trout, Mackinaw or lake trout, and grayling.*

Dewey Lake near Skagway and Salmon Creek Reservoir near Juneau, June 1 to September 30.

The drainages of Cottonwood, Fish, Fire and Wolverine Creeks in the Matanuska Valley, June 1 to March 15.

Upper Kenai River and all lakes and tributaries thereof, June 5 to September 30, *Provided*, That Dolly Varden and lake trout may be taken at any time.

Outlet of Skilak Lake and in lower Kenai River to Moose River, July 15 to August 15.

Clearwater Creek drainage, lying south of Tanana River and between the Richardson Highway and the Big Gerstle River, no open season. In the rest of the Territory, no closed season.

Limits. The Kenai River and all lakes and tributaries thereof, Lake Creek, Willow Creek, and all lakes and tributaries thereof, and in all waters draining into Bristol Bay: 10 fishes singly or in the aggregate, but not to exceed 10 pounds and 1 fish daily, 2 daily bag limits in possession.

Rest of Territory. 20 fishes singly or in the aggregate, but not to exceed 15 pounds and 1 fish daily, 2 daily bag limits in possession.

In salt water throughout the Territory and in lakes and streams west of Cook Inlet, including such as are designated above but excepting the Nome and Snake Rivers on Seward Peninsula, there shall be no limit on Dolly Varden trout.

(See also §§ 91.7 and 91.8 covering transportation, possession, and sale.)

4. Section 91.10 is amended by deleting paragraphs (c) and (h) and by redesignating paragraphs (d), (e), (f), and (g) as (c), (d), (e) and (f), respectively.

5. Section 91.11 is amended in the following respects:

a. By changing paragraph (c) to read:

§ 91.11 *Areas having continuous closed seasons on certain game and fur animals.* ** *

(c) *Highway areas.* A strip one-quarter mile wide on each side of all public highways in Alaska except on the Kenai Peninsula where such strips shall be one-half mile wide on each side of all public highways. (Closed on all game animals except black bears.)

b. By changing paragraph (d) to read:

(d) *Alaska Railroad area, Fur Districts 2 and 6.* A strip one-half mile wide on each side of the Alaska Railroad. (Closed on all game animals except black bears.)

c. By deleting paragraph (g) and substituting a new paragraph as follows:

(g) *Mitkof Island area, Fur District 1.* Embracing the drainage area of Wrangell Narrows from Sandy Beach on the north side of Mitkof Island southward to Blind Point, more particularly described as follows: Beginning at meander corner between secs. 23 and 26 of T. 60 S., R. 79 E., Copper River Meridian, located on Blind Point in Wrangell Narrows; thence easterly 88.13 chains to the southeast corner of sec. 24 of the same township; thence north along the township line 4 miles to the northeast corner of sec. 1 of the same township; thence northerly along the summit of the ridge bounding the drainage area tributary to Wrangell Narrows and Frederick Sound until the shore of Frederick Sound is reached at the Witness Corner Meander Corner between secs. 35 and 36 of T. 58 S., R. 79 E., Copper River Meridian, on the shore thereof; thence northwesterly along the shore of Frederick Sound to the entrance of Wrangell Narrows; then southerly along the center of the steamboat channel of Wrangell Narrows to the place of beginning on Blind Point. (Closed on game animals and beaver.)

d. By adding new paragraphs (s), (t), (u), (v), (w), (x) and (y) as follows:

(s) *Coleen River fur breeding area.* All of the drainage of the Coleen River from the headwaters to its confluence with the Porcupine River in Fur District 7. (Closed on birds, all game and fur animals, except wolves and coyotes.)

(t) *Charley River fur breeding area.* All of the drainage of the Charley River upstream from and including Copper Creek in Fur District 7. (Closed on birds, all game and fur animals, except wolves and coyotes.)

(u) *Chestochina River fur breeding area.* All of the drainage of the Chestochina River upstream from and including the Middle Fork in Fur District 6. (Closed on birds, all game and fur animals, except wolves and coyotes.)

(v) *Talkeetna River fur breeding area.* All of the drainage of the Talkeetna River from an including the drainage of Sheep Creek, except Prairie Creek drainage, in Fur District 2. (Closed on birds, all game and fur animals, except wolves and coyotes.)

(w) *Sulukna River fur breeding area.* All of the drainage of the Sulukna River from the headwaters to its confluence with the Novitna River in Fur District 6. (Closed on birds, all game and fur animals, except wolves and coyotes.)

(x) *Hoholitna River fur breeding area.* All of the drainage of the Hoholitna River upstream from and including the drainage of the South Fork in Fur District 6. (Closed on birds, all game and fur animals, except wolves and coyotes.)

(y) *Shoemaker Bay area.* Embracing the entire watershed of Pat Creek and that portion of Wrangell Island draining into Zimovia Strait from Pat Creek to Polk Point. (Closed on game animals and beaver.)

6. Section 91.12 is amended by inserting in paragraph (a) following the words "The Director", which appear in the first line thereof, a comma and the words "upon recommendation of the Commission," and by deleting from paragraphs (c) and (d) the words "Chicago 54, Illinois," and substituting therefor the words "Washington 25, D. C."

(57 Stat. 306, 60 Stat. 127; 48 U. S. C. Sup. 198, 7 U. S. C. 434)

These amendments shall become effective on July 1, 1948.

J. A. KRUG,
Secretary of the Interior.

APRIL 20, 1948.

In accordance with the provisions of Public Law No. 369, 79th Cong., these amendments, together with the regulations which they amend, to the extent they relate to fur animals raised in captivity, are hereby approved and issued effective July 1, 1948.

CLINTON P. ANDERSON,
Secretary of Agriculture.

APRIL 27, 1948.

[F. R. Doc. 48-3995; Filed, May 5, 1948; 9:05 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Part 224]

ESTABLISHMENT OF RATES OR RULES APPLYING TO POINTS ON NEW ROUTES AND NEW POINTS ON EXISTING ROUTES

NOTICE OF PROPOSED RULE-MAKING (REPEAL)

APRIL 29, 1948.

Notice is hereby given that the Civil Aeronautics Board has under consideration the repeal of paragraph (n) of § 224.1 of the Economic Regulations (14 CFR 224.1 (n)). Section 224.1 (n) relates to rates or rules which apply to points on new routes and new points on existing routes and permits establishment thereof on one day's notice without obtaining Special Tariff Permission for short-notice publication. Carriers frequently misconstrue § 224.1 (n) and assume that it is applicable to tariff material which is actually not filable under that paragraph, and which therefore must be rejected. In this respect, the paragraph has been productive of inconvenience for all concerned.

The repeal is proposed under the authority of sections 205 (a) and 403 (a) of the Civil Aeronautics Act of 1938 as amended (52 Stat. 984, 992; 49 U. S. C. 425, 483).

Interested persons may participate in the proposed rule-making through the submission of written data, views, or argument pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before May 28, 1948, will be considered by the Board before taking final action.

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

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-3984; Filed, May 5, 1948; 8:48 a. m.]

NOTICES

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 7386, Amdt.]

GOTTLIEB PLEISS

In re: Estate of Gottlieb Pleiss, also known as Gottlieb Pleis, deceased. File D-28-10297; E. T. sec. 14672.

Vesting Order 7386, dated August 14, 1946, is hereby amended as follows and not otherwise:

By inserting immediately following the name Gottlieb Pleiss, wherever it appears in said Vesting Order 7386, the words also known as Gottlieb Pleis.

All other provisions of said Vesting Order 7386 and all actions taken by or on behalf of the Alien Property Custodian or 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 April 26, 1948.

For the Attorney General.

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

[F. R. Doc. 48-3969; Filed May 4, 1948; 9:00 a. m.]

[Vesting Order 11045]

KURT GOOSE

In re: Trustee's Receipt owned by and debt owing to Kurt Goose. F-28-13614-A-1.

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

1. That Kurt Goose, whose last known address is 5. Civilian Internment Camp, Compound I-BAOR, Staumuhle, near Paderborn, Via Bonn, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One Trustee's Receipt, Numbered N-9191, issued by the Trustees of Series F-1, First Mortgage Certificates of the New York Title and Mortgage Company, and presently in the custody of the Guaranty Trust Company of New York as co-executor of the Estate of Carl T. Heye, deceased, said Receipt evidencing the unpaid portion of one (1) Mortgage Participating Certificate of the New York Title and Mortgage Company, 141 Broadway, New York, New York, for Guaranteed First Mortgage, Series F-1, said certificate of the original face value of $6,500.00, numbered 9466, and presently in the custody of Lawyers Trust Company, 111 Broadway, New York, New York, as depositary for the Trustees of Series F-1, First Mortgage certificates, together with any and all rights thereunder and thereto, and

b. That certain debt or other obligation of the Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, as co-executor of the Estate of Carl T. Heye, deceased, in the amount of $2,045.39, as of March 4, 1948, representing payments on the Mortgage Participating Certificate described in Paragraph 2a, above, held for the account of Kurt Goose, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

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, Kurt Goose, 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 April 5, 1948.

For the Attorney General.

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

[F. R. Doc. 48-3967; Filed, May 4, 1948; 8:59 a. m.]

JEAN ROBERT GREGOIRE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended,

notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Jean Albert Gregoire, Paris, France; 5735; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,192,075.

Executed at Washington, D. C., on April 29, 1948.

For the Attorney General.

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

[F. R. Doc. 48-3972; Filed, May 4, 1948; 9:01 a. m.]

[Vesting Order 11070]

GEORGE K. TAKANO

In re: Bank account owned by, debt owing to, and claim owned by George K. Takand, also known as Kikutaro Takano. D-39-16939-E-1; D-39-16939-E-2.

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

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

2. That the property described as follows:

a. That certain debt or other obligation owing to George K. Takano, also known as Kikutaro Takano, by Security-First National Bank of Los Angeles, 6th and Spring Streets, Los Angeles 54, California, arising out of a Savings Account, account number 390505, entitled Kikutaro Takano, maintained at the branch office of the aforesaid bank located at 110 So. Spring Street, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to George K. Takano, also known as Kikutaro Takano, by Pacific States Savings and Loan Company, and/or Frank C. Mortimer, Building and Loan Commissioner, 475 Market Street, San Francisco, California, evidenced by an Accumulative Investment Certificate numbered 35948 of the aforesaid Company, in the amount of $1,120.15, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. The claim of George K. Takano, also known as Kikutaro Takano, against the State of California and/or the Treasurer of the State of California, arising by reason of the collection or receipt by said Treasurer, pursuant to the provisions of section 570 of the Code of Civil Procedure of the State of California, of that sum of money covering Fidelity Participating Certificate No. 1746, previously held by Ralph W. Evans, Receiver for Fidelity Participating Certificates, and any and all rights to file with said Treasurer, demand and enforce the aforesaid claim,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on April 9, 1948.

For the Attorney General.

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

[F. R. Doc. 48-3968; Filed May 4, 1948; 8:59 a. m.]

[Return Order 114]

FELIX MEYER

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

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

Claimant and claim No.	Notice of intention to return published	Property
Felix Meyer, Brussels, Belgium, Claim No. 6555.	Mar. 11, 1948 (13 F. R. 1314).	All interests and rights created in Felix Meyer (to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Order No. 2580 subparagraph (g) 8 F. R. 16472, December 7, 1943) by virtue of an agreement dated June 2, 1933 (including all modifications thereof and supplements thereto, if any,) by and between Felix Meyer and Kimble Glass Company relating, among other things, to United States Patent No. 2,209,739 and royalties accrued thereunder in the amount of $44,522.01.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on April 29, 1948.

For the Attorney General.

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

[F. R. Doc. 48-3970; Filed, May 4, 1948; 9:00 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 2143777]

NEW MEXICO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

APRIL 21, 1948.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the land hereinafter described has been reconveyed to the United States.

At 10:00 a. m. on June 23, 1948, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from June 23, 1948, to September 22, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 3, 1948, to June 23, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on June 23, 1948 shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on Septem-

ber 22, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from September 2, 1948, to September 22, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on September 22, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Las Cruces, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office, Las Cruces, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 26 S., R. 23 E.,
Sec. 27, NE¼.

The area described contains 160 acres.

The land, which is in New Mexico Grazing District No. 6, established April 6, 1935, is rough and rocky, having a sparse vegetative cover of the sagebrush type.

THOS. C. HAVELL,
Assistant Director.

[F. R. Doc. 48-3979; Filed, May 5, 1948; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1037]

CHICAGO DISTRICT PIPELINE CO.

NOTICE OF APPLICATION

APRIL 30, 1948.

Notice is hereby given that on April 19, 1948, an application was filed with the Federal Power Commission by Chicago District Pipeline Company (Applicant), an Illinois corporation with its principal office at Joliet, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities, subject to the jurisdiction of the Commission:

Approximately 41 miles of 24-inch O. D. natural-gas pipeline with ¼-inch wall thickness together with shut-off valves, cross-over connections, and other appurtenant facilities, located generally parallel to Applicant's Calumet Line and extending from the so-called Junction Tee east of Applicant's Joliet Meter Station in Will County to the southerly city limits near 138th Street and Brainerd Avenue of the City of Chicago, Illinois.

The application states that the proposed natural-gas transmission pipeline will be operated in the same manner as Applicant's Calumet Line and as an additional facility needed to supply the markets now authorized to be served by Applicant. The application also states that the proposed line will permit the rehabilitation of the Calumet Line which will need repair at approximately the time of the completion of the construction of the proposed facilities. Applicant states that the proposed line will also safeguard continuous service in the event of interruption in service or break in the Calumet Line which would cause great hardship to a large number of domestic, commercial and industrial customers in the areas served by gas distributing utility company customers of Applicant.

Applicant states that the present market demands made on its service have greatly increased and as a result thereof The Peoples Gas Light and Coke Company, Public Service Company of Northern Illinois and Western United Gas and Electric Company as well as the Northern Indiana Public Service Company are operating at the present time pursuant to curtailment orders issued by the Illinois Commerce Commission and Public Service Commission of Indiana, respectively. Applicant estimates that the capacity of the Calumet Line upon completion of the proposed additional facilities will be increased from a present operating capacity of 142,000 Mcf per day to 265,000 Mcf per day. At the present time, Applicant receives an allocation of natural gas from Natural Gas Pipeline of America due to the limitations in capacity of that transmission line. The installation and construction of the herein proposed new facilities of Applicant will not increase the allocation of gas by Natural Gas Pipeline Company of America and will not increase the allocation by Applicant to any of its four gas distributing utility company customers over and above the allocations contemplated by Applicant's rate schedules filed with this Commission. Applicant states that its proposed line will be intended primarily to insure continuity of service to the customer companies of Applicant, to permit rehabilitation of the Calumet Line and to permit the storage of gas in that portion of the Calumet Line as looped, when such portion of line is not being used for the transportation of flow gas.

The total estimated over-all capital cost of the proposed facilities is $4,000,000, which will be financed by funds borrowed from The Peoples Gas Light and Coke Company, which owns all of Applicant's outstanding securities. Applicant states that the loan will be evidenced by an unsecured note or notes to be due in 20 years from date or dates of the same with interest not exceeding 5 per cent per annum. Applicant states that rates for service from the proposed facilities will be in accordance with Applicant's rate schedules now in effect and on file with the Commission.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such a request.

The application of Chicago District Pipeline Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 and 1.10).

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

[F. R. Doc. 48-3975; Filed, May 5, 1948; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-25, 59-11, 59-17]

UNITED LIGHT AND RAILWAYS CO. ET AL.

SUPPLEMENTAL ORDER APPROVING PLAN

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 April A. D. 1948.

In the matter of The United Light and Railways Company, American Light & Traction Company, et al.; File Nos. 59-11, 59-17 and 54-25.

The Commission by order dated December 30, 1947, having approved the Plan, designated Application No. 31, as amended, filed, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"), by The United Light and Railways Company and American Light & Traction Company ("American Light"), registered holding companies, which provided, inter alia, for the distribution and transfer by American Light, quarterly, during 1948, to its common stockholders, as dividends in kind in lieu of cash dividends, of shares of the common stock of The Detroit Edison Company ("Detroit Edison") of the par value of $20 per share, at the rate of one share of such Detroit Edison stock for

each 75 shares of common stock of American Light owned (together with cash in lieu of fractional shares); and said order of December 30, 1947 having recited, among other things, that the distribution and transfer by American Light to its common stockholders, as dividends in kind, of such common stock of Detroit Edison at the aforesaid rate are necessary or appropriate to effectuate the provisions of section 11 (b) of the act; and the Commission having in said order reserved jurisdiction, inter alia, to take such further action and to enter such further orders as may be deemed appropriate in connection with the Plan, the transactions incident thereto and the consummation thereof, and as may be necessary to secure full compliance with the act; and

The Board of Directors of American Light having declared a dividend on the outstanding common stock of the company, payable May 1, 1948, to stockholders of record at the close of business April 15, 1948, in shares of common capital stock of the par value of $20 per share of Detroit Edison, at the rate of one share of such stock of Detroit Edison for each 75 shares of the common stock of American Light outstanding on the record date (together with cash in lieu of fractional shares), such dividend having been declared pursuant to section 11 (e) Plan and the Commission's order of December 30, 1947 approving the same; and

American Light having requested the Commission to issue a supplemental order with respect to said dividend distribution, conforming to the requirements of section 1808 (b) and Supplement R of the Internal Revenue Code, as amended; and the Commission deeming it appropriate to grant such request;

It is hereby ordered and recited, That the distribution and transfer by American Light on May 1, 1948, to its common stockholders, as a dividend in kind, of 34,606 shares of common capital stock of Detroit Edison of the par value of $20 per share (out of certificate No. K–130), all as contemplated by the Amended Plan and the Commission's order of December 30, 1947, approving said Plan, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and are hereby authorized and approved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-3981; Filed, May 5, 1948; 8:47 a. m.]

[File No. 70-1791]

UTAH POWER & LIGHT CO. AND WESTERN COLORADO POWER CO.

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 April A. D. 1948.

Utah Power & Light Company ("Utah"), a registered holding company, and its wholly owned subsidiary The Western Colorado Power Company ("Western Colorado"), having filed an application-declaration and amendments thereto pursuant to sections 6 (b), 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the rules and regulations promulgated thereunder regarding the following proposed transactions:

Western Colorado proposes to issue and deliver to Utah on or before July 1, 1948, its fifteen-year, 4% promissory note in the principal amount of $2,500,000, in consideration for which Utah will loan to Western Colorado $500,000 in cash and cancel the existing open-account indebtedness of Western Colorado to Utah in the principal amount of $2,000,000. The note provides for semi-annual payments on account of principal of $25,000 each, and further provides that Western Colorado may prepay any or all of such semi-annual payments without payment of any premium. After the transaction is completed, Colorado will have outstanding $2,500,000 of debt and $2,000,000 of common stock all owned by Utah. Western Colorado proposes to use the proceeds of such loan for improvements and additions to its properties. The proposed transaction has been approved by the Public Utilities Commission of Colorado.

Said application-declaration having been filed on March 24, 1948 and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the last amendment thereto having been filed on April 26, 1948, and the Commission not having received a request for hearing thereon within the period specified in said notice or otherwise and not having ordered a hearing thereon; and

Applicants - declarants having requested the Commission to issue its order granting the application and permitting the declaration to become effective as promptly as practicable and having requested that such order become effective forthwith; and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective;

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-3983; Filed, May 5, 1948; 8:48 a. m.]

[File No. 70-1808]

NORTHERN STATES POWER CO. (MINN.)

NOTICE REGARDING FILING

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

Notice is hereby given that an application, and an amendment thereto, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("The act") by Northern States Power Company ("Applicant"), a Minnesota corporation. Applicant is a registered holding company and an operating public utility company and is a subsidiary of Northern States Power Company, a Delaware corporation, also a registered holding company. Applicant designates sections 9 (a) and 10 of the act as applicable to the proposed transaction.

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

Applicant proposes to acquire from Mendota Light and Power Company ("seller"), a Minnesota corporation, pursuant to an agreement dated March 22, 1948, certain utility assets owned by the seller, consisting principally of a distribution and street lighting system in the village of Mendota, Minnesota, and distribution lines in the suburban and rural territory adjacent thereto, all in Dakota County, Minnesota; including also all franchises, permits, contracts, leases, easements and rights of way under which any or all of said property is held or operated, seller's electric service contracts (which applicant agrees to assume) and accounts receivable for electric energy sold, and prepaid insurance applicable to the property; but not including seller's cash on hand or in banks, or seller's diesel engine generating plant or equipment therein, or seller's real estate, buildings, tools or trucks. The purchase price to be paid by applicant is $121,800, subject to adjustments as of the closing date for unbilled electric energy supplied by seller, seller's accounts receivable, capital expenditures made subsequent to the date of the purchase contract, the value of all useful materials and supplies, and the prorated value of prepaid insurance. Applicant is to receive credit for customers' deposits assumed, prorated portion of 1948 taxes, and any property destroyed subsequent to March 22, 1948.

Notice is further given that any interested person may, not later than May 7, 1948 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 7, 1948, said application, as filed or as amended, may

be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and U-100 thereof.

By the Commission.

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

[F. R. Doc. 48-3982; Filed, May 5, 1948; 8:47 a. m.]

[File No. 70-1818]

CONSOLIDATED NATURAL GAS CO. 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 27th day of April 1948.

In the matter of Consolidated Natural Gas Company, Hope Natural Gas Company, The Peoples Natural Gas Company, New York State Natural Gas Corporation; File No. 70-1818.

Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and its subsidiaries, Hope Natural Gas Company ("Hope"), The Peoples Natural Gas Company ("Peoples") and New York State Natural Gas Corporation ("New York"), having filed a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 7, 9 (a), 10 and 12 (f) thereof and Rule U-43 thereunder, with respect to the following proposed transactions:

In order to finance their respective construction programs for the years 1948 and 1949, Hope, Peoples and New York propose to issue and sell to Consolidated, and Consolidated proposes to acquire for cash, during the years 1948 and 1949, additional shares of capital stock as follows:

Issuing company	Par value	Number of shares	Total consideration
Hope	$100	160,000	$16,000,000
Peoples	100	114,000	11,400,000
New York	100	23,000	2,300,000

Appropriate 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

The Commission observing no basis for adverse findings with respect to the application-declaration under the applicable provisions of the act and the Commission finding that Hope, Peoples and New York are entitled to an exemption from the provisions of sections 6 (a) and 7 of the act pursuant to the provisions of section 6 (b) thereof; it appearing that the issuance and sale of stock are solely for the purpose of financing the business of Hope, Peoples and New York, and that, as to Hope and Peoples, the proposed issuance and sale of stock have been expressly authorized by the state regulatory commissions of the respective states in which these companies were organized and are doing business; and as to New York, that said company is not a holding company, a public utility company, an investment company, or a fiscal or financing agency of such companies; and the Commission being of the opinion that it is appropriate to grant and permit to become effective said application-declaration without the imposition of terms and conditions:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed by Rule U-24, that the said joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

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

[F. R. Doc. 48-3980; Filed, May 5, 1948; 8:47 a. m.]