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Washington, Thursday, March 10, 1949

TITLE 7—AGRICULTURE

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

PART 981—IRISH POTATOES GROWN IN SOUTHEASTERN STATES PRODUCTION AREA

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948–49 FISCAL YEAR

Notice of proposed rule making was published in the FEDERAL REGISTER (14 F. R. 342) regarding the budget of expenses and the fixing of the rate of assessment for the 1948–49 fiscal year under Marketing Agreement No. 104 and Order No. 81 (13 F. R. 2709), regulating the handling of Irish potatoes grown in the Southeastern States production area. This regulatory program is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which were submitted by the Southeastern Potato Committee (established pursuant to the marketing agreement and order), it is hereby found and determined that:

§ 981.202 *Budget of expenses and rate of assessment for the 1948–49 fiscal year.* (a) The expenses necessary to be incurred by the Southeastern Potato Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, for the maintenance and functioning, during the fiscal year beginning on November 1, 1948, and ending on October 31, 1949, both dates inclusive, of such committee will amount to $47,250; and

(b) The rate of assessment to be paid, in accordance with the aforesaid marketing agreement and order, by each handler who first handles potatoes during the aforesaid fiscal year shall be three-fourths of one cent for each hundredweight of potatoes handled by him as the first handler thereof during the fiscal period beginning on November 1, 1948, and ending on October 31, 1949, both dates inclusive, and such rate is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

(c) As used herein, the terms "handler," "potatoes," "production area," "fiscal year," and "handled," shall have the same meaning as is given to each such term when used in said marketing agreement and order.

The foregoing determination shall become effective 30 days after the date of publication thereof in the FEREDAL REGISTER.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq. 13 F. R. 2709)

Done at Washington, D. C., this 4th day of March 1949.

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

[F. R. Doc. 49–1796; Filed, Mar. 9, 1949; 8:52 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

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

[3d Gen. Rev. of Export Regs., Amdt. 49]

PART 371—GENERAL REGULATIONS

AUTHENTICATED SHIPPER'S EXPORT DECLARATION

Section 371.7a *Authenticated shipper's export declaration* is amended in the following particulars:

1. Subparagraph (5) of paragraph (a) *Procedure for authentication* is amended by adding thereto a new unnumbered paragraph to read as follows:

Additional copies of the shipper's export declaration or copies of the Continuation Sheet form [1] for such declarations may be used where more space is required to fully prepare a shipper's export declaration (Form 7525–V).[1] In all such cases, the declaration need be signed and the oath taken (where required) on only one shipper's export declaration form. The additional copies or sheets must be numbered in sequence and securely attached to the executed declaration form; and the following legend must be inserted between columns 9 and 15 on the executed declaration form: "This declaration consists of this sheet

[1] Copies of the forms were filed with the Division of the Federal Register simultaneously with this amendment.

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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.

and ------- continuation sheets." No portion of any form attached as a continuation sheet shall be torn off or removed.

2. Subparagraph (4) of paragraph (b) *Use of authenticated shipper's export declaration* is redesignated (5) and a new subparagraph (4) is added to read as follows:

(4) Without prior approval of the Collector, any item of information con-

tained on an authenticated shipper's export declaration previously filed with the Collector of Customs can be corrected by noting such correction on the Correction Form (FT–7403).[1] The Correction Form for shipper's export declarations (i) may be used to make corrections on an authenticated declaration in the possession of the Collector of Customs, and (ii) must be used to make corrections on an authenticated declaration previously filed with and forwarded by the Collector to the Bureau of the Census. The Correction Form, used as herein provided, must be executed by the exporter or his duly authorized forwarding agent, and must be submitted to Collectors in the same manner as provided with respect to shipper's export declarations.

This amendment shall become effective as of February 11, 1949.

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

Dated: March 7, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49–1836; Filed, Mar. 9, 1949; 8:59 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 51]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 379—BLT (BLANKET) LICENSES

MISCELLANEOUS AMENDMENTS

1. Section 373.2 *Export licensing policy* is amended in the following particulars:

The list of commodities in subparagraph (2) of paragraph (h) is amended by adding thereto the following commodities:

Commodity	*Schedule B No.*[2]
Aluminum and aluminum base alloy sheets, plates and strips (0.006 inch and over)	630301

2. Section 379.2 *Commodities subject to procedure* is amended in the following particulars:

The list of commodities in this section is amended by adding thereto the following commodities:

Commodity	*Schedule B No.*[2]
Aluminum and aluminum base alloy sheets, plates and strips (0.006 inch and over)	630301

This amendment shall become effective February 28, 1949, and shall apply to license applications covering the above commodities submitted against quotas for the second calendar quarter, 1949, and subsequent periods.

[1] Copies of the forms were filed with the Division of the Federal Register simultaneously with this amendment.

[2] The Schedule B numbers set forth in this amendment are the Schedule B numbers as revised in the January 1, 1949, edition of "Schedule B Statistical Classification of Domestic and Foreign Commodities Exported from the United States".

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: March 7, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49–1838; Filed, Mar. 9, 1949; 8:59 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 50]

PART 372—GENERAL LICENSES

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

1. Section 372.10 *Shipments of limited value "GLV"* is amended by adding thereto a new paragraph (f) to read as follows:

(f) *Special provision for meat products.* The combined net value of all meat products included on the Positive List, with the processing code MEAT 1, which may be exported under the provisions of General License "GLV" in a single shipment shall not exceed three dollars ($3.00.)

2. Section 372.22 *Exportation of relief shipments—"RLS"* is amended in the following particulars:

The list of commodities in paragraph (b) is amended by excepting the following commodities from the food commodities exportable under General License RLS:

Dept. of Comm. Sched. B No.	*Commodity*
999810	All meat products (processing code MEAT 1) on the Positive List—Schedule B Nos. 002000–004500.[3]

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

The dollar value limits in the column headed "GLV dollar value limits" set forth opposite each of the commodities listed below are amended to read as follows:

Dept. of Comm. Sched. B No.[1]	Commodity	GLV dollar value limits
	Meat products	
	Beef and veal, except canned:	
002000	Fresh or frozen	3
002100	Pickled or cured	3
	Pork, except canned:	
002700	Fresh or frozen pork, *except* fatback pork (report pickled or salted in 003200 and canned in 003700)	3
002800	Hams and shoulders, cured (include cooked)	3
002900	Bacon, *except* fat pork and pork-back, dry-salted	3
003000	Cumberland and Wiltshire sides	3
003200	Other pork, pickled or salted, *except* fatback pork	3
003400	Mutton and lamb (report canned in 003900)	3
003500	Sausage, bologna and frankfurters, except canned (report canned in 003800)	3
003600	Beef, canned	3
003700	Pork, canned (include canned hams and canned bacon)	3
003800	Sausage, bologna and frankfurters, canned	3
	Other canned meat (report chicken, canned, in 003901):	
003909	Mutton, boiled, corned, or roasted	3
003909	Veal (include cured)	3
003909	Lamb	3
003909	Ration C; Ration RR	3
003909	Meat and vegetable hash	3
003909	Blood pudding	3
003909	Brains	3
003909	Deviled meats, except beef or pork	3
003909	Hot tamales	3
003909	Kidney stew	3
003909	Lamb tongue	3
003909	Lunch tongue, except beef, ox or pork	3
003909	Meat gravy	3
003909	Meat paste	3
003909	Meat spreads, except beef, pork, or chicken	3
003909	Tushonka, canned (formerly 003907)	3
003909	Pemmican	3
003909	Potted meat, except beef, pork, or chicken	3
003909	Sweetbreads	3
003909	Vegetables cooked with meat, including lentils with frankfurters and beans with frankfurters	3
004100	Kidneys, and livers, fresh, frozen or cured, except canned	3
004300	Tongue, fresh, frozen, pickled, or cured, except canned	3
	Sausage ingredients, salted or otherwise cured, except canned:	
004400	Cheeks	3
004400	Cuttings	3
004400	Ears, dry-salted	3
004400	Feet	3
004400	Heads	3
004400	Jowls	3
004400	Knuckles	3
004400	Lacones, dry-salted	3
004400	Menudos (dry-salted ears and tails)	3
004400	Pastroma strips, smoked	3
004400	Pigs' feet	3
004400	Pork feet, with hocks	3
004400	Snouts	3
004400	Tails, dry-salted	3
004400	Testes	3
004400	Tripe trimmings	3
	Other meats, except canned:	
004500	Beef hearts, fresh or frozen	3
004500	Brains	3
004500	Dehydrated pork	3
004500	Goat meat, fresh or frozen	3
004500	Oxtails, fresh or frozen	3
004500	Pig souse	3
004500	Sausage ingredients, fresh	3
004500	Sweetbreads	3
004500	Tripe, fresh	3

[1] The Schedule B numbers set forth in this amendment are the Schedule B numbers as revised in the Jan. 1, 1949, edition of "Schedule B Statistical Classification of Domestic and Foreign Commodities Exported from the United States."

This amendment shall become effective March 4, 1949, except that shipments of any of the commodities removed from General License "RLS" by part 2 of this amendment and whose GLV dollar-value limits have been reduced by parts 1 and 3 of this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to March 4, 1949, may be exported under the previous general license provisions.

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

Dated: March 7, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49–1837; Filed, Mar. 9, 1949; 8:59 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5565]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FLEX-O-GLASS MFG. CO., ETC., ET AL.

§ 3.6 (a 10) *Advertising falsely or misleadingly—Comparative data or merits:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts.* I. Disseminating, etc., any advertisement by means of the United States mails, or by any other means in commerce, in connection with the offering for sale, sale, and distribution of glass substitutes designated "Flex-O-Glass", "Wyr-O-Glass", "Glass-O-Net" or "Screen Glass", or any other product or products of substantially similar composition or possessing similar properties, whether sold under the same names or under any other name or names; and on the part of respondent corporation and its officers, respondents Presba and Smith, and respondent Warp, trading as Flex-O-Glass Manufacturing Company, etc., and on the part of their respective agents, etc.; which advertisement represents, directly or through inference, that (1) ultraviolet rays are essential to the growth, health, development, nutrition, or function of birds or animals; (2) chicks cannot survive or thrive without ultraviolet rays; (3) the use of said products in poultry or pig houses will result in healthier or faster-growing poultry or pigs, or result in hens starting to lay earlier or to lay more or better eggs than will be the case when ordinary glass is used, unless such representations are clearly and expressly limited to the benefits which may result from exposure to such ultraviolet rays of the sun as may be transmitted by said products where such rays adequately compensate for a deficiency of vitamin D in the diet; (4) said products supply, furnish, or transmit to poultry or animals rays or any spectra of the sun other than ultraviolet rays which prevent rickets or other diseases or aid health or growth to a greater extent than said rays or spectra supplied, furnished, or transmitted by ordinary glass or other glass substitutes; (5) the product "Flex-O-Glass" permits the passage of more ultraviolet rays than other glass substitutes; or that (6) the use of the product "Flex-O-Glass" in poultry houses will prevent rickets in poultry unless such representation is clearly and expressly limited to the benefits which may result from exposure to such ultraviolet rays of the sun as may be transmitted by said product where such rays adequately compensate for a deficiency of vitamin D in the diet; II, disseminating, directly or indirectly, as hereinbefore set out, and on the part of respondent Warp, as designated in Part I, any advertisement which represents, directly or through inference, that (1) the use of said products in the construction of poultry houses will prevent roup, canker, rickets, or other diseases of poultry or will aid or assist in building strong bones in poultry or will act as a cure, remedy, or competent or effective treatment for "weak lungs," "failing health," or other unfavorable conditions of health in poultry, unless such representations are clearly and expressly limited to the benefits which may result from exposure to such ultraviolet rays of the sun as may be transmitted by said products where such rays adequately compensate for a deficiency of vitamin D in the diet; (2) the use of said products in the construction of poultry houses has any value in acting as a cure, remedy, or an effective or competent treatment in correcting any deformity in poultry caused by a vitamin D deficiency; and that (3) said products are superior to common glass in keeping heat in and cold out; and 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 of said products, which contains any of the representations prohibited in Parts I and II hereof; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Harold Warp doing business as Flex-O-Glass Manufacturing Company, etc., et al., Docket 5565, January 26, 1949]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 26th day of January A. D. 1949.

In the Matter of Harold Warp, an Individual Doing Business as Flex-O-Glass Manufacturing Company and Also as Warp Brothers: Presba, Fellers and Presba, Inc., a Corporation, and Will B. Presba, Marquis M. Smith, Bert S. Presba, and Vesta N. Rinnman, Individuals

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation of facts entered into by and between respondents and counsel supporting the complaint, which stipulation provides, among other things, that the statement of facts contained therein may be taken as the facts in this proceeding in lieu of other evidence and that the Commission may proceed upon said stipulated facts to make its report stating its finding as to the facts, including inferences which may be drawn therefrom, and its conclusion based thereon and enter its order disposing of this proceeding without the presentation of oral argument, the filing of briefs, or the filing of a recommended decision by the trial examiner; and the Commission having accepted said stipulation of facts and having made its findings as to the facts and its conclusion that the respondents Presba, Fellers and Presba, Inc., Harold Warp, Will B. Presba, Marquis M. Smith, and Bert S. Presba have violated the Federal Trade Commission Act:

I. *It is ordered,* That the respondent Presba, Fellers and Presba, Inc., a corporation, its officers, the respondent individuals Will B. Presba, Marquis M. Smith, Bert S. Presba, and the respondent individual Harold Warp, trading as Flex-O-Glass Manufacturing Company or Warp Brothers or under any other name or names, the respective agents, representatives, and employees of each or any of them, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of glass substitutes designated "Flex-O-Glass," "Wyr-O-Glass," "Glass-O-Net," or "Screen Glass," or any other product or products of substantially similar composition or possessing substantially similar properties, whether sold under the same names or under any other name or names, do forthwith cease and desist from directly or indirectly:

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

1. Ultraviolet rays are essential to the growth, health, development, nutrition, or function of birds or animals.

2. Chicks cannot survive or thrive without ultraviolet rays.

3. The use of said products in poultry or pig houses will result in healthier or faster-growing poultry or pigs, or result in hens starting to lay earlier or to lay more or better eggs than will be the case when ordinary glass is used, unless such representations are clearly and expressly limited to the benefits which may result from exposure to such ultraviolet rays of the sun as may be transmitted by said products where such rays adequately compensate for a deficiency of vitamin D in the diet.

4. Said products supply, furnish, or transmit to poultry or animals rays or any spectra of the sun other than ultraviolet rays which prevent rickets or other diseases or aid health or growth to a greater extent than said rays or spectra supplied, furnished, or transmitted by ordinary glass or other glass substitutes.

5. The product "Flex-O-Glass" permits the passage of more ultraviolet rays than other glass substitutes.

6. The use of the product "Flex-O-Glass" in poultry houses will prevent rickets in poultry unless such representation is clearly and expressly limited to the benefits which may result from exposure to such ultraviolet rays of the sun as may be transmitted by said product where such rays adequately compensate for a deficiency of vitamin D in the diet.

II. *It is further ordered,* That, in addition to the foregoing, the respondent Harold Warp, as designated in paragraph I, cease and desist from directly or indirectly disseminating or causing to be disseminated, in the manner and for the purposes hereinbefore stated, any advertisement which represents, directly or through inference, that:

A. 1. The use of said products in the construction of poultry houses will prevent roup, canker, rickets, or other diseases of poultry or will aid or assist in building strong bones in poultry or will act as a cure, remedy, or competent or effective treatment for "weak lungs," "failing health," or other unfavorable conditions of health in poultry, unless such representations are clearly and ex-

pressly limited to the benefits which may result from exposure to such ultraviolet rays of the sun as may be transmitted by said products where such rays adequately compensate for a deficiency of vitamin D in the diet.

2. The use of said products in the construction of poultry houses has any value in acting as a cure, remedy, or an effective or competent treatment in correcting any deformity in poultry caused by a vitamin D deficiency.

3. Said products are superior to common glass in keeping heat in and cold out.

B. 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 products, which advertisement contains any of the representations prohibited by paragraphs I and II hereof.

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

IV. *It is further ordered*, That as to the respondent Vesta N. Rinnman the complaint be, and it is hereby, dismissed without prejudice to the right of the Commission to reopen it or to take such further action at any time in the future as may be warranted by the then existing circumstances.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-1831; Filed, Mar. 9, 1949; 8:55 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52165]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

ENFORCEMENT OF OIL POLLUTION ACT OF 1924

Section 23.32 (c), Customs Regulations of 1943 (19 CFR, 23.32 (c)), is hereby amended by deleting "Office of the Chief of Marine Inspection, U. S. Coast Guard," and substituting therefor, "District Commander of the Coast Guard District concerned."

(R. S. 161, secs. 2, 3, 4, 5, 7, 43 Stat. 604, 605; 5 U. S. C. 22, 33 U. S. C. 432-436)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: March 2, 1949.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 49-1835; Filed, Mar. 9, 1949; 8:59 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter D—Multifamily Rental Housing Insurance

PART 232—MULTIFAMILY INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY HOUSING

INFORMATION FOR PRELIMINARY EXAMINATION

Section 232.1 (a) is amended by adding at the end thereof the following new sentence: "If the project is of the character described in paragraphs (d), (e) or (f) of § 232.4 and the mortgagor's portion of the application has been duly executed by the sponsor and filed together with the application fee, as provided herein, the execution of the mortgagee's portion of the application may be deferred until the project has been analyzed and the sponsor advised with respect thereto: *Provided*, That no commitment will be issued until such application has been duly executed by the mortgagee."

Issued at Washington, D. C., this 4th day of March 1949.

FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 49-1830; Filed, Mar. 9, 1949; 8:55 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of the Housing Expediter

[Controlled Housing Rent Reg.[1], Amdt. 72]

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

CONTROLLED HOUSING RENT REGULATION

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

A new Item 44 is hereby incorporated in Schedule B, to read as follows:

44. Provisions relating to the Enid, Oklahoma, Defense-Rental Area:

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Effective as of March 10, 1949, an increase of 12 percent is hereby authorized in the maximum rents of those housing accommodations in the Enid, Oklahoma, Defense-Rental Area, for which (a) the maximum rent was first determined under section 4 (a) or 4 (b) of the Rent Regulation for Housing issued pursuant to the Emergency Price Control Act of 1942, as amended, or (b) the maximum rent was fixed by an order entered under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942: *Provided, however*, That where any adjustment was heretofore ordered on or after August 22, 1947, under § 825.5 (a) (12) or § 825.5 (a) (16) the amount of such adjustment shall be excluded in determining the increased maximum rent: *And provided further*, That where housing accommodations are or were covered by a lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, (a) the increase hereby authorized shall apply only after such lease has terminated, (b) the amount of rent increase which was effected by the lease shall be excluded (in addition to any applicable exclusions under the first proviso clause hereof) in determining the increased maximum rent and (c) the increased maximum rent shall in no event exceed 115 percent of the maximum rent which would be in effect on March 30, 1948, in the absence of such a lease, plus or minus (as the case may be) the amount of all individual adjustments ordered after March 30, 1948.

Any maximum rent which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1942, plus 12 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 12 percent, on the filing of an individual petition for adjustment under § 825.5 (a) (11).

All provisions of §§ 825.1 to 825.12 insofar as they are applicable to the Enid, Oklahoma, Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective March 10, 1949.

Issued this 7th day of March 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement To Accompany Amendment 72 to the Controlled Housing Rent Regulation

The Local Advisory Board for the Enid, Oklahoma, Defense-Rental Area, has in accordance with section 204 (e) (1) (B) of the Housing and Rent Act of 1947, as amended, recommended an increase in the general rent level in said Defense-Rental Area.

The Housing Expediter has found that this recommendation is appropriately substantiated and is in accordance with applicable law and regulations to the extent of 12 percent, and is therefore issuing this amendment to effectuate such portion of the recommendation.

[F. R. Doc. 49-1794; Filed, Mar. 9, 1949; 8:52 a. m.]

[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6381, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 632, 695, 856, 918.

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.[1] Amdt. 69]

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

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328, 8388, 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918.

Establishments (§§ 825.81 to 825.92) is hereby amended in the following respect:

A new Item 45 is hereby incorporated in Schedule B, to read as follows:

45. Provisions relating to the Enid, Oklahoma, Defense-Rental Area:

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Effective as of March 10, 1949, an increase of 12 percent is hereby authorized in the maximum rents of those housing accommodations in the Enid, Oklahoma, Defense-Rental Area, for which (a) the maximum rent was first determined under section 4 (a) of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, or (b) the maximum rent was fixed by an order entered under the applicable rent regulation fixing the maximum rent on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942: *Provided, however,* That where an adjustment was heretofore ordered on or after August 22, 1947 under § 825.85 (a) (9) the amount of such adjustment shall be excluded in determining the increased maximum rent: *And provided further,* That where housing accommodations are or were covered by a lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, (a) the increase hereby authorized shall apply only after such lease has terminated, (b) the amount of rent increase which was effected by the lease shall be excluded (in addition to any applicable exclusions under the first proviso clause hereof) in determining the increased maximum rent and (c) the increased maximum rent shall in no event exceed 115 percent of the maximum rent which would be in effect on March 30, 1948 in the absence of such a lease, plus or minus (as the case may be) the amount of all individual adjustments ordered after March 30, 1948.

Any maximum rent which is substantially lower than the rent generally prevailing in said defense-rental area for comparable housing accommodations on March 1, 1942, plus 12 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 12 percent, on the filing of an individual petition for adjustment under § 825.85 (a) (8).

All provisions of §§ 825.81 to 925.92 insofar as they are applicable to the Enid, Oklahoma, Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (d). Applies sec. 204 (e), 61 Stat. 197, as amended by 62 Stat. 37 and by 62 Stat. 94; 50 U. S. C. App. 1894 (e))

This amendment shall become effective March 10, 1949.

Issued this 7th day of March 1949.

TIGHE E. WOODS,
Housing Expediter.

Statement to Accompany Amendment 69 To the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments

The Local Advisory Board for the Enid, Oklahoma, Defense-Rental Area has, in accordance with section 204 (e) (1) (B) of the Housing and Rent Act of 1947, as amended, recommended an increase in the general rent level in said Defense-Rental Area.

The Housing Expediter has found that this recommendation is appropriately substantiated and is in accordance with applicable law and regulations to the extent of 12 percent, and is therefore issuing this amendment to effectuate such portion of the recommendation.

[F. R. Doc. 49-1795; Filed, Mar. 9, 1949; 8:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

In § 4.176, paragraphs (b) (2) (iii) and (vi) and (b) (4) are amended to read as follows:

§ 4.176 *World War I; establishment of service-connected disability of less than 10 per centum (Public No. 484, 73d Congress, act of June 28, 1934, as amended, Public No. 198, 76th Congress, act of July 19, 1939).* • • •

(b) *Definition of term "disability," as used herein.* • • •

(2) • • •

(iii) A disease included in §§ 3.86 through 3.88 of this chapter. Not included are the tropical diseases listed in section 1, Public Law 748, 80th Congress, except leprosy and dysentery, amebic, acute or chronic (amebiasis). As to other tropical diseases see subparagraph (4) of this paragraph.

• • • • •

(vi) Systolic (including aortic) murmur, if organic and not functional. If aortic systolic murmur is due to syphilitic aortitis, consideration will be given under § 3.65 (d) of this chapter.

• • • • •

(4) A tropical disease as defined by Public Law 748, 80th Congress, other than those referred to in subparagraph (2) (iii) of this paragraph, even though not of a compensable degree at death: *Provided,* That there is medical evidence of the existence of such a disease within 2 years prior to death and in addition there is acceptable lay or medical evidence of a relapse or symptomatic manifestation of the disease within the 12 month period preceding death. When a veteran has resided continuously in a tropical area where these diseases are endemic, attention should be given to factual evidence of reinfection. The provision of this paragraph will be effective with reference to malaria on and after September 16, 1948; for other conditions, March 3, 1949. (See §§ 3.214 (b) (2) and 4.53 of this chapter.)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 49-1833; Filed, Mar. 9, 1949; 8:58 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

COLOMBIA; REGULAR MAILS

In § 127.232 *Colombia* (13 F. R. 9132) make the following changes:

1. Amend paragraph (a) (10) to read as follows:

(a) *Regular mails.* • • •

(10) *Observations.* The Colombian authorities require that an import license be secured in advance by the addressees of samples of merchandise, printed matter, and 8-ounce merchandise packages. The only exceptions are single subscription or gift copies of books and periodicals, and small quantities of postage stamps exchanged by philatelists. Packages will be returned from Colombia unless import licenses have been obtained when needed. Senders must endorse the wrappers "Addressee has import license" or "Import license not required" as the case may be, before such packages are mailed.

2. Amend subdivision (x) of paragraph (b) (8) to read as follows:

(x) The addressees in Colombia are required to obtain import licenses in order to secure delivery of parcels. For a parcel exceeding 50 pesos in value the addressee is required to send a copy of the import license to the sender, who must submit it to the Colombian Consul when obtaining the consular invoice. If a sender receives a copy of a Colombian import license for a parcel whose value does not exceed 50 pesos, he should return it to the addressee in Colombia. Parcels will not be delivered unless import licenses have been issued for them. Senders must endorse the wrapper and customs declaration of each parcel "Addressee has import license."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1787; Filed, Mar. 9, 1949; 8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

FRANCE; PARCEL POST

In § 127.252 *France* (13 F. R. 9149; 14 F. R. 659) amend paragraph (b) (4) *Prohibitions* as follows:

1. Delete "(4) *Prohibitions*" and insert in lieu thereof "(5) *Prohibitions*", and amend subdivision (i) to read as follows:

(b) *Parcel post.* • • •

(5) *Prohibitions*—(i) *For reasons of sanitary policy.* (*a*) Penicillin.

(*b*) Commercial shipments of streptomycin, unless forwarded through the

facilities of the "Groupement d'Importation des Products Pharmaceutiques" whose representative in the United States is located at 44 Beaver Street, New York 4, N. Y.

(c) Noncommercial (gift) shipments of streptomycin may be mailed by individuals, provided the addressee in each case possesses an import license which may be issued by the French Ministry of Health upon the presentation of a certificate from the addressee's physician.

(*d*) Unnamed compound medicines not bearing, in conspicuous characters and in the French language, both on the container of the medicine itself and on its outside wrapper, the usual name and the dose of active substances (excluding chemical denominations and formulas), the name and address of the manufacturer, unless they appear in an official pharmacopaeia.

(*e*) The importation of serums, vaccines, virus, toxins, and similar products is subject to authorization by the Government after they have been passed by the pharmacy faculty.

(*f*) Skins of parrots, perroquets, or other psittaceous birds are subject to disinfection upon disembarkation as authorized by the Ministry of Agriculture.

(*g*) Nursing bottles and nipples made with a product other than pure rubber.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1780; Filed, Mar. 9, 1949; 8:47 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

HUNGARY; PARCEL POST

In § 127.276 *Hungary* (13 F. R. 9167) amend paragraph (b) (4) to read as follows:

(b) *Parcel post.* • • •

(4) *Observations.* (i) The use of cloth, canvas, or boxes is recommended to protect the contents of packages.

(ii) Parcels sent as gifts and containing exclusively used clothing and footwear for the personal use of the addressee and his family, are admitted free of duty provided the addressee has (*a*) a letter from the sender stating that the parcel was sent as a gift, and (*b*) a certificate from Hungarian officials that he is without means. It is desirable that the parcels be marked by the senders "Szeretetcsomag" or "Gift Parcel".

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 269, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1784; Filed, Mar. 9, 1949; 8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

JAPAN; U. S. A. GIFT PARCELS

In § 127.286 *Japan* (13 F. R. 9176; 14 F. R. 459) amend the first paragraph (c) (2) *Observations*, to read as follows:

(c) *U. S. A. gift parcels.* • • •

(2) *Observations.* In addition to the conditions applicable to parcels generally, as set forth under the caption "Parcel Post", paragraph (a) of this section, the following special requirements imposed by the Department of the Army must be met in order for parcels to be accepted at the reduced postage rate as "U. S. A. Gift Parcels":

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1783; Filed, Mar. 9, 1949; 8:49 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MEXICO; REGULAR MAILS

In § 127.304 *Mexico* (13 F. R. 9185) amend paragraph (a) (12) *Observations* by deleting subdivision (i), and by redesignating subdivisions (ii) and (iii) as subdivisions (i) and (ii), respectively.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1786; Filed, Mar. 9, 1949; 8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

PHILIPPINE (REPUBLIC OF THE) AIR-MAIL SERVICE

In § 127.329 *Philippines (Republic of the)* (13 F. R. 9201) amend paragraph (a) (4) to read as follows:

(a) *Regular mails.* • • •

(4) *Air-mail service.* Postage rate, 25 cents one-half ounce, except that when mailed in Guam the rate is 10 cents per one-half ounce. (See § 127.20).

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1785; Filed, Mar. 9, 1949; 8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

REUNION (BOURBON) ISLAND; PARCEL POST

In § 127.337 *Reunion (Bourbon) Island* (13 F. R. 9210), amend paragraph (b) (1) (i) to read as follows:

(b) *Parcel post.* • • •

(1) *Table of rates.* (i) Surface parcels.

[Rates include transit charges]

Pounds:	*Rate*	Pounds:	*Rate*
1	$0.50	23	$4.97
2	.64	24	5.11
3	.93	25	5.25
4	1.07	26	5.39
5	1.21	27	5.53
6	1.35	28	5.67
7	1.49	29	5.81
8	1.77	30	5.95
9	1.91	31	6.09
10	2.05	32	6.23
11	2.19	33	6.37
12	2.84	34	7.08
13	2.98	35	7.22
14	3.12	36	7.36
15	3.26	37	7.50
16	3.40	38	7.64
17	3.54	39	7.78
18	3.68	40	7.92
19	3.82	41	8.06
20	3.96	42	8.20
21	4.10	43	8.34
22	4.24	44	8.48

Weight limit: 44 pounds.
Customs declarations: 1 Form 2966.
Dispatch note: 1 Form 2972.
Parcel-post sticker: 1 Form 2922.
Sealing: Compulsory.
Group shipments: No.
Registration: No.
Insurance: No.
C. o. d.: No.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1782; Filed, Mar. 9, 1949; 8:48 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 53—GRANTS FOR SURVEY, PLANNING AND CONSTRUCTION OF HOSPITALS[1]

MISCELLANEOUS AMENDMENTS

1. Effective June 19, 1948, § 53.1 (s) is amended to read as follows:

§ 53.1 *Definitions.* • • •

(s) *State.* The 48 States, Alaska, Hawaii, Puerto Rico, Virgin Islands, and the District of Columbia.

2. Effective December 17, 1948, § 53.21 (a) is amended to read as follows:

§ 53.21 *Maximum State allowance.* • • •

(a) For tuberculous patients, 2.5 times the average annual deaths of tuberculosis in the State over the most recent five-year period for which data are available, provided that the total number of beds so determined shall not exceed 2.5 times the annual deaths from tuberculosis in the State over the five-year period from 1940 to 1944.

3. Effective December 17, 1948, § 53.77 (c) (1) is amended to read as follows:

§ 53.77 *Processing construction applications.* • • •

[1] 12 F. R. 6874.

(c) *Assurances from applicant.* * * *

(1) That actual construction work will be performed by the lump sum (fixed price) contract method, that adequate methods of obtaining competitive bidding will be or have been employed prior to awarding the construction contract, either by public advertising or circularizing three or more bidders, and that the award of the contract will be or has been made to the responsible bidder submitting the lowest acceptable bid: *Provided, however,* That the purchase and installation of equipment which is unique to a hospital, as well as kitchen, laundry, laboratory, and pharmacy equipment, need not be considered construction work for the purpose of this section.

4. Effective December 17, 1948, paragraph (b) of § 53.79 is amended by deleting the fourth and fifth sentences so that the paragraph reads as follows:

§ 53.79 *Fiscal and accounting requirements.* * * *

(b) *Construction payments.* Where the State may receive Federal funds for applicants for construction project grants, or the State itself is an applicant, adequate records of account and fiscal controls shall be established and maintained by the State to assure proper accounting of all funds received and disbursed. Similar suitable accounts shall be maintained to show the receipt and disbursement of State, local, or other funds used for matching purposes.

The State Agency shall require that applicants receiving Federal funds establish and maintain adequate accounting and fiscal records to reflect the receipt and expenditure of funds allotted and paid for construction projects.

The States which by law are authorized to make payments to applicants shall promptly pay such applicants funds certified for payment by the Surgeon General for approved construction projects.

The above amendments were approved by the Federal Hospital Council at a meeting held December 17, 1948.

(Sec. 622, Pub. Law 725, 79th Cong., 60 Stat. 1042; 42 U. S. C. Supp. 291e)

[SEAL] LEONARD A. SCHEELE,
Surgeon General.

Approved:

LEONARD A. SCHEELE,
Chairman, Federal Hospital Council.

Approved: March 3, 1949.

J. DONALD KINGSLEY,
Acting Federal Security Administrator.

[F. R. Doc. 49-1793; Filed, Mar. 9, 1949; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 569]

NEW MEXICO

AMENDING EXECUTIVE ORDER NO. 6797 BY WITHDRAWING ADDITIONAL PUBLIC LANDS THEREUNDER

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:

Subject to valid existing rights, Executive Order No. 6797 of July 27, 1934 is hereby amended by adding the following described public lands to the public lands withdrawn thereby, subject to the same terms and conditions and for the same purposes:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 S., R. 29 E.,
Sec. 22, SE¼;
Sec. 23, S½N½, S½;
Sec. 24, S½;
Sec. 25.

The area described contains 1,600 acres.

This order shall take precedence over, but not modify, (1) the order of the Secretary of the Interior, dated February 6, 1939 (4 F. R. 1012), withholding certain lands in New Mexico from application or lease under the oil and gas provisions of the act of February 25, 1920 (40 Stat. 437), as amended, and (2) the Executive Order of March 11, 1926, Potash Reserve No. 6, New Mexico No. 1, withdrawing lands for classification and in aid of legislation, in so far as such orders affect any of the lands herein described.

J. A. KRUG,
Secretary of the Interior.

MARCH 2, 1949.

[F. R. Doc. 49-1772; Filed, Mar. 9, 1949; 8:45 a. m.]

[Public Land Order 570]

NEVADA

PARTIALLY REVOKING EXECUTIVE ORDER NO. 7373 OF MAY 20, 1936

By virtue of the authority vested in the President by 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. 7373 of May 20, 1936, establishing the Desert Game Range in Nevada is hereby revoked as to the following-described land:

MOUNT DIABLO MERIDIAN

T. 21 S., R. 58 E.,
Sec. 35, SW¼.

The area described contains 160 acres.

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

MARCH 2, 1949.

[F. R. Doc. 49-1774; Filed, Mar. 9, 1949; 8:46 a. m.]

PROPOSED RULE MAKING

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Part 240]

REGISTRATION OF UNISSUED SECURITIES FOR "WHEN ISSUED" DEALING

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal for the amendment of § 240.12d3-10 (Rule X-12D3-10) under sections 12 (d) and 23 (a) of the Securities Exchange Act of 1934.

Rule X-12D3-10 is one of several rules under section 12 (d) of the act providing for the registration of unissued securities for "when-issued" trading on a national securities exchange. Rule X-12D3-10 now applies only to securities (other than warrants) to be issued in railroad reorganizations, and the general provisions relating to the registration of other unissued securities are contained in other rules under the same section, particularly Rule X-12D3-4.

The primary effect of the proposed amendment would be to expand the coverage of Rule X-12D3-10 so that it would no longer be limited to securities to be issued in railroad reorganizations but would extend generally to securities (other than warrants) to be issued in other types of reorganizations: *Provided,* That the reorganization is carried out with court approval or under compulsion of a court order. Thus the rule if amended could afford an alternative basis for registration of securities to be issued under a court-approved plan of reorganization under Chapter X of the Bankruptcy Act or section 11 (e) of the Public Utility Holding Company Act of 1935 or under a reorganization required by an anti-trust decree.

The conditions that must be complied with to register a security under Rule X-12D3-4 are somewhat different from those prescribed in the present Rule X-12D3-10 because the former rule was drafted with a view to registration of unissued securities generally while the latter was drafted to cover railroad reorganizations under court control. The significance of the proposed amendment to Rule X-12D3-10 is that it would make the provisions of the rule applicable to some additional types of reorganizations resulting from court action. The primary differences between Rule X-12D3-4 and Rule X-12D3-10 are set forth below.

As a condition precedent to registration for "when issued" trading, Rules X-12D3–1 (d) and X-12D3–4 (a) require that certain definite steps first be taken towards the eventual admission of the security to dealing on an exchange as an issued security (e. g., that an application be filed under section 12 (b) and (c) of the act for the registration of the security upon issuance); the corresponding requirement in Rule X-12D3–10 (a) (1) is that the persons charged with consummating the plan advise the exchange and the Commission in writing that application will be made in the future for the registration of the security under section 12 (b) and (c) of the act upon issuance. Paragraph (e) of Rule X-12D3–4 requires that formal and official announcement of the terms of the plan and of certain significant dates be made by the issuer; paragraph (a) (5) of Rule X-12D3–10 provides instead that a copy of the plan must be certified by the clerk of the court in which the proceeding is pending. Rule X-12D3–5 provides that in the usual case the application for the registration of the unissued security must be filed either by the issuer or by the exchange; paragraph (b) of Rule X-12D3–10 provides a third alternative, that the application may be filed by another person entrusted with the duty of consummating the plan of reorganization. Paragraph (d) of Rule X-12D3–6 provides that in the usual case registration shall expire on the 45th day after the effective date of the registration unless extended by the Commission; paragraph (c) of Rule X-12D3–10 provides a basic effective period of 120 days, instead of 45.

In addition to permitting additional situations to come under X-12D3–10, it is proposed to relax the present requirements of the rule in one respect. The rule now provides that a security cannot be registered unless it is shown that the plan has been finally confirmed or otherwise finally approved by the court, that the appeal period has expired, and that no appeal is pending. It is proposed to amend this language so as to permit trading during the appeal period provided there was no "substantial opposition" to the court's order, it being contemplated that in the absence of such opposition no one would have the necessary standing to take an appeal from such order.

The principal changes are in the initial language of paragraph (a) of the proposed text, set forth below, and in clause (1) of that paragraph. The remainder of the proposed text is substantially the same as the present rule.

The proposal is to amend the rule to read as follows:

§ 240.12d3–10 *Registration of an unissued security, other than a warrant, to be issued under a plan of reorganization pursuant to court order.* (a) Notwithstanding the provisions of § 240.12d3–4, an unissued security, other than a warrant, to be issued under a plan of reorganization in compliance with an order of a court of competent jurisdiction may be registered for "when issued" dealing on a national securities exchange: *Provided*, That:

(1) The reorganization managers, company, or other person entrusted with the duty of consummating the plan of reorganization has filed a written statement with such exchange (and a duplicate signed original with the Commission) advising:

(i) That the plan of reorganization has been finally approved or required to be put into effect (or, in the case of a proceeding under the Bankruptcy Act, has been finally confirmed) by order of the court in which the proceeding is pending; and, if there has been substantial opposition to such order, that the time during which an appeal may be taken from such order has expired; and that no such appeal is pending; and, if under the terms of the plan security holders' authorization is required, that such authorization has been obtained; and

(ii) If such unissued security is not already in the process of admission to dealing on such exchange or on another exchange in the same city, that application will be made for its listing and registration pursuant to section 12 (b) and (c) of the act on one of such exchanges prior to the date when such unissued security is made available for delivery.

(2) Such unissued security is the subject of a right to subscribe to or otherwise acquire such unissued security granted to the holders of a security which is admitted to dealing on a national securities exchange.

(3) A registration statement under the Securities Act of 1933, as amended, is in effect as to such unissued security, if such registration is required.

(4) If such unissued security is the subject of a warrant evidencing a right to subscribe to or otherwise acquire such unissued security, such warrant shall expire within 90 days after its first issuance pursuant to the plan of reorganization.

(5) A copy of the court order, certified by the clerk of the court, has been filed with such exchange and with the Commission as exhibit "A" to form 2–J and, if there are any terms of the reorganization not specified in detail in such order, such terms have been formally and officially announced by the person entrusted with the duty of consummating the plan of reorganization and filed with the exchange and the Commission as a part of said exhibit "A".

(6) The members of the certifying exchange are subject to rules which provide substantially that the performance of a contract to purchase or sell an unissued security shall be conditioned upon the issuance of such security.

(7) No application has been filed for "when issued" dealing in such unissued security on another national securities exchange in the same city on which other exchange such unissued security is to be listed and registered upon issuance.

(b) Notwithstanding the provisions of § 240.12d3–5 (a), form 2–J may be filed by the person entrusted with the duty of consummating the plan of reorganization.

(c) Notwithstanding the provisions of § 240.12d3–6 (d), registration of an unissued security for "when issued" dealing pursuant to paragraphs (a) and (b) of this section shall expire at the close of business on the one hundred and twentieth day after the effective date of such registration or at the close of business on the fifteenth full business day after the date when such unissued security is made available for delivery, whichever date is earlier, unless the Commission shall order an extension of the effective period of such registration. [Rule X-12D3–10]

All interested persons are invited to submit data, views and comments on this proposal in writing to the Securities and Exchange Commission at its principal office, 425 Second Street NW., Washington 25, D. C., on or before March 21, 1949.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MARCH 3, 1949.

[F. R. Doc. 49–1792; Filed, Mar. 9, 1949; 8:51 a. m.]

NOTICES

POST OFFICE DEPARTMENT

FOREIGN GEOGRAPHIC ADDRESSES ON MAIL FOR OVERSEAS ARMY POST OFFICES

1. *Incorrect foreign address.* Mail matter for members of the armed forces frequently bears a foreign address (city and country) in addition to an A. P. O. number. Such addresses are incorrect, and render the articles subject to postage at the international rates, while creating confusion as to whether they are intended for transmission in the domestic or international mails.

2. *Correct Army post office address.* Mailers should be informed at every opportunity that foreign geographic locations need not be used generally in addressing members of the armed forces. In cases where the name of a foreign city forms an integral part of the designated military address, the complete military address should be used; however, the foreign city must not appear as the post office of destination, but the A. P. O. number followed by the words "c/o Postmaster, ----------" must be used as the final portion of the address. The articles will then be subject to the domestic postage rates and other conditions applicable to mail for members of the armed forces overseas. These instructions also apply to mail for civilians who are authorized to make use of Army Post Office addresses.

3. *Examples of proper addressing.* The following examples will illustrate the proper forms for such addresses:

Lt. John Doe
Heidelberg Military Post
A. P. O. 403
c/o Postmaster, New York, N. Y.

Lt. Henry Doe
Berlin Air Safety Center
A. P. O. 742
c/o Postmaster, New York, N. Y.

Sgt. Richard Roe
Hanau Engineer Depot
A. P. O. 757
c/o Postmaster, New York, N. Y.

Mr. John Smith
Tokyo Area Engineer
A. P. O. 181
c/o Postmaster, San Francisco, Calif.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-1781; Filed, Mar. 9, 1949; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

CLASSIFICATION ORDER

FEBRUARY 25, 1949.

1. Pursuant to authority delegated to me by the Director, Bureau of Land Management, by Order No. 323 of August 3, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify, as hereinafter indicated, under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, the following described public lands in the Santa Fe, New Mexico land district, embracing approximately 60 acres:

NEW MEXICO SMALL TRACT CLASSIFICATION No. 19

For lease and sale, for home, cabin, health and convalescent sites:

T. 11 N., R. 2 E., N. M. P. M.
Sec. 34, NE¼NE¼, E½SE¼NE¼

2. Pursuant to § 257.8 of the Code of Federal Regulations (43 CFR, Part 257), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 8:30 a. m. on December 20, 1948, and (b) are for the type of site for which the land subject thereunder has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

3. As to the land not covered by the applications referred to in paragraph 2, this order shall not become effective to permit the leasing of such land under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on April 29, 1949. At that time such 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 other preference-right filings.* For a period of 90 days from 10:00 a. m. on April 29, 1949 to close of business on July 28, 1949 inclusive, to (1) application under the Small Tract Act of June 1, 1938 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. sec. 279) as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public law, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed at 8:30 a. m. on December 20, 1948, or thereafter up to and including 10:00 a. m. on April 29, 1949, shall be treated as simultaneously filed.

(c) *Date for nonpreference-right filings authorized by the public land laws.* Commencing at 10:00 a. m. on July 29, 1949, any of the land remaining unappropriated shall become subject to application by the public generally.

(d) *Advance period for simultaneous nonpreference-right filings.* Applications under the Small Tract Act by the general public filed at 8:30 a. m. on December 20, 1948, or thereafter up to and including 10:00 a. m. on July 29, 1949, shall be treated as simultaneously filed.

4. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Other persons entitled to credit for service shall file evidence of their right to credit in accordance with 43 CFR 181.36. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

5. All applications referred to in paragraphs 2 and 3, which shall be filed in the district office at Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938 shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

6. Lessees under the Small Tract Act of June 1, 1938 will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, if the circumstances are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than 5 years at an annual rental of $5.00, payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $10.00 per acre, or $50.00 per tract, application for which may be filed at or after the expiration of one year from the date the lease is issued.

7. All of the lands will be leased and/or sold in tracts of approximately 5 acres, each being approximately 330 feet by 660 feet, the longer dimensions extending east and west. The tracts, whenever possible, must conform in description with the rectangular system of surveys as one compact unit.

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

9. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, the Manager is authorized to accept applications for the remaining 5-acre tract extending in the same direction so as to fill out the subdivision, notwithstanding the direction of the tract may be contrary to that specified in paragraph 7.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes. Such rights-of-way may be utilized by the Federal Government, or the State, county, or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All leases and patents issued shall contain a reservation to the United States of all fissionable material sources and all minerals, together with the right to prospect for, mine and remove the same under applicable laws and regulations.

12. All inquiries relating to these lands shall be addressed to the Manager, United States District Land Office, Santa Fe, New Mexico.

E. R. SMITH,
Regional Administrator.

[F. R. Doc. 49-1771; Filed, Mar. 9, 1949; 8:45 a. m.]

NEW MEXICO

NOTICE FOR FILING OBJECTIONS TO PUBLIC LAND ORDER 569,[1] AMENDING EXECUTIVE ORDER NO. 6797 BY WITHDRAWING ADDITIONAL PUBLIC LANDS THEREUNDER

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public

[1] See F. R. Doc. 49-1772, Title 43, Chapter I, Appendix, *supra*.

hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

J. A. KRUG,
Secretary of the Interior.

MARCH 2, 1949.

[F. R. Doc. 49-1773; Filed, Mar. 9, 1949; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 1850]

LOAN ANNOUNCEMENT

FEBRUARY 14, 1949.

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

Loan designation:	*Amount*
Nebraska 80B Boyd	$157,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1797; Filed, Mar. 9, 1949; 8:52 a. m.]

[Administrative Order 1851]

LOAN ANNOUNCEMENT

FEBRUARY 14, 1949.

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

Loan designation:	*Amount*
Kentucky 23K Taylor	$640,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1798; Filed, Mar. 9, 1949; 8:52 a. m.]

[Administrative Order 1852]

LOAN ANNOUNCEMENT

FEBRUARY 14, 1949.

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

Loan designation:	*Amount*
Minnesota 72G Renville	$150,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1799; Filed, Mar. 9, 1949; 8:52 a. m.]

[Administrative Order 1853]

LOAN ANNOUNCEMENT

FEBRUARY 14, 1949.

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

Loan designation:	*Amount*
Georgia 37S Douglas	$35,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1800; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1854]

LOAN ANNOUNCEMENT

FEBRUARY 14, 1949.

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

Loan designation:	*Amount*
South Carolina 22P Fairfield	$50,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1801; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1855]

LOAN ANNOUNCEMENT

FEBRUARY 14, 1949.

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

Loan designation:	*Amount*
South Carolina 14AA Aiken	$265,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1802; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1856]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Nebraska 3G Chimney Rock District Public	$120,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1803; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1857]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Georgia 51P Newton	$85,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1804; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1858]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Tennessee 48K Lauderdale	$375,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1805; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1859]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
North Carolina 10N Haywood	$212,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1806; Filed, Mar. 9, 1949; 8:53 a. m.]

[Administrative Order 1860]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Pennsylvania 22N Jefferson	$212,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1807; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1861]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Wyoming 3L Fremont	$207,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1808; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1862]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Iowa 33H Calhoun	$146,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1809; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1863]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Wisconsin 52K Crawford	$52,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1810; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1864]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Florida 25H Lee	$150,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1811; Filed, Mar. 9, 1949; 8:54 a. m.]

[Adminstrative Order 1865]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
Iowa 49P Hardin	$216,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1812; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1866]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan designation:	*Amount*
South Dakota 17F Hamlin	$500,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1813; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1867]

LOAN ANNOUNCEMENT

FEBRUARY 17, 1949.

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

Loan Designation:	*Amount*
Texas 106K Taylor	$220,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1814; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1868]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 17, 1949.

Inasmuch as Sho-Me Power Corporation has assigned to Intercounty Electric Cooperative Association, Scott-New Madrid-Mississippi Cooperative Association, Ozark Border Electric Cooperative, Black River Electric Cooperative, Laclede Electric Cooperative, White River Valley Electric Cooperative, Incorporated, Howell-Oregon Electric Cooperative, Inc., Crawford Electric Cooperative, Inc., Webster Electric Cooperative, Se-Ma-No Electric Cooperative and Gascosage Electric Cooperative, respectively, certain of its rights under a certain loan contract, dated as of June 13, 1942, providing for a loan by United States of America pursuant to the Rural Electrification Act of 1936, as amended, and Intercounty Electric Cooperative Association, Scott-New Madrid-Mississippi Cooperative Association, Ozark Border Electric Cooperative, Black River Electric Cooperative, Laclede Electric Cooperative, White River Valley Electric Cooperative, Incorporated, Howell-Oregon Electric Cooperative, Inc., Crawford Electric Cooperative, Inc., Webster Electric Cooperative, Se-Ma-No Electric Cooperative and Gascosage Electric Cooperative have each assumed a certain portion of the obligation of Sho-Me Power Corporation with respect to said loan, I hereby amend:

(a) Administrative Order No. 713, dated June 19, 1942, by changing the project designation appearing therein as "Missouri 2059GT1 Cole" in the amount of $4,275,000 to read "Missouri 2059GT1 Cole" in the amount of $2,833,625, "Missouri 18F Texas" in the amount of $245,711, "Missouri 31E Mississippi" in the amount of $53,399, "Missouri 33C Butler" in the amount of $128,183, "Missouri 38E Reynolds" in the amount of $149,200, "Missouri 43E Laclede" in the amount of $156,089, "Missouri 46D Taney" in the amount of $52,000, "Missouri 49D Howell" in the amount of $135,911, "Missouri 54C Crawford" in the amount of $200,001, "Missouri 66F Webster" in the amount of $133,748, "Missouri 67E Wright" in the amount of $95,128 and "Missouri 68F Pulaski" in the amount of $92,005.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1815; Filed, Mar. 9, 1949; 8:54 a. m.]

[Administrative Order 1869]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 17, 1949.

Inasmuch as Texas Power Reserve Electric Cooperative, Inc., has transferred certain of its properties and assets to Southern Illinois Electric Cooperative, and Southern Illinois Electric Cooperative has assumed in part the indebtedness to United States of America of Texas Power Reserve Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 589, dated May 16, 1941 by changing the project designation appearing therein as "Texas 1120GM1 Travis" in the amount of $18,000 to read "Texas 1120GM1 Travis" in the amount of $9,086.24 and "Illinois 43 Pulaski (Texas 1120GM1 Travis)" in the amount of $8,913.76.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1816; Filed, Mar. 9, 1949; 8:55 a. m.]

[Administrative Order 1870]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 17, 1949.

Inasmuch as Jo-Carroll Electric Cooperative, Inc., has transferred certain

of its properties and assets to Highline Electric Association, and Highline Electric Association has assumed in part the indebtedness to United States of America of Jo-Carroll Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 369, dated June 30, 1939, as amended by Administrative Order No. 457, dated May 10, 1940, Amendment to General Order No. 84, dated February 15, 1941, and Administrative Order No. 723, dated July 20, 1942, by further changing the project designation appearing therein as "Illinois 9–0044GM1 Carroll" in the amount of $55,000 to read "Illinois 9–0044GM1 Carroll" in the amount of $33,000 and "Colorado 29 Phillips (Illinois 9–0044GM1 Carroll)" in the amount of $22,000.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1817; Filed, Mar. 9, 1949; 8:55 a. m.]

[Administrative Order 1871]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 17, 1949.

Inasmuch as Texas Power Reserve Electric Cooperative, Inc., has transferred certain of its properties and assets to Prince William Electric Cooperative, and Prince William Electric Cooperative has assumed in part the indebtedness to United States of America of Texas Power Reserve Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 743, dated February 6, 1943, by changing the project designation appearing therein as "Texas 3120GM2 Travis" in the amount of $45,000 to read "Texas 3120GM2 Travis" in the amount of $33,685.37 and "Virginia 41 Prince William (Texas 3120GM2 Travis)" in the amount of $11,314.63.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1818; Filed, Mar. 9, 1949; 8:55 a. m.]

[Administrative Order 1877]

LOAN ANNOUNCEMENT

FEBRUARY 23, 1949.

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

Loan designation:	*Amount*
Idaho 15H Idaho	$160,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1819; Filed, Mar. 9, 1949; 8:57 a. m.]

[Administrative Order 1878]

LOAN ANNOUNCEMENT

FEBRUARY 23, 1949.

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

Loan designation:	*Amount*
Nebraska 4R Polk District Public	$200,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1820; Filed, Mar. 9, 1949; 8:57 a. m.]

[Administrative Order 1879]

LOAN ANNOUNCEMENT

FEBRUARY 23, 1949.

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

Loan designation:	*Amount*
Arkansas 23L Mississippi	$345,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1821; Filed, Mar. 9, 1949; 8:57 a. m.]

[Administrative Order 1880]

LOAN ANNOUNCEMENT

FEBRUARY 23, 1949.

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

Loan designation:	*Amount*
Nebraska 56V Cedar-Knox District Public	$170,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1822; Filed, Mar. 9, 1949; 8:57 a. m.]

[Administrative Order 1881]

LOAN ANNOUNCEMENT

FEBRUARY 23, 1949.

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

Loan designation:	*Amount*
Louisiana 12V Franklin	$375,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1823; Filed, Mar. 9, 1949; 8:57 a. m.]

[Administrative Order 1882]

LOAN ANNOUNCEMENT

FEBRUARY 23, 1949.

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

Loan designation:	*Amount*
North Dakota 11W Cass	$1,625,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1824; Filed, Mar. 9, 1949; 8:58 a. m.]

[Administrative Order 1883]

LOAN ANNOUNCEMENT

FEBRUARY 25, 1949.

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

Loan designation:	*Amount*
Iowa 59K Woodbury	$483,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1825; Filed, Mar. 9, 1949; 8:58 a. m.]

[Administrative Order 1884]

LOAN ANNOUNCEMENT

FEBRUARY 25, 1949.

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

Loan designation:	*Amount*
North Dakota 13H Foster	$1,575,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1826; Filed, Mar. 9, 1949; 8:58 a. m.]

[Administrative Order 1885]

LOAN ANNOUNCEMENT

FEBRUARY 25, 1949.

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

Loan designation:	*Amount*
Kentucky 45H Anderson	$205,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49–1827; Filed, Mar. 9, 1949; 8:58 a. m.]

[Administrative Order 1886]

LOAN ANNOUNCEMENT

FEBRUARY 25, 1949.

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

Loan designation:	*Amount*
Kansas 31N Crawford	$65,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1828; Filed, Mar. 9, 1949; 8:58 a. m.]

[Administrative Order 1887]

LOAN ANNOUNCEMENT

FEBRUARY 25, 1949.

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

Loan designation:	*Amount*
Texas 70R Hamilton	$156,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-1829; Filed, Mar. 9, 1949; 8:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6135]

LAKE ELECTRIC CORP.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA

MARCH 4, 1949.

Notice is hereby given that, on March 2, 1949, the Federal Power Commission issued its order entered March 1, 1949, authorizing transmission of electric energy to Canada and releasing Presidential Permit in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1775; Filed, Mar. 9, 1949; 8:46 a. m.]

[Docket No. IT-5984]

COLUMBUS AND SOUTHERN OHIO ELECTRIC CO.

NOTICE OF ORDER APPROVING MAINTENANCE OF PERMANENT CONNECTION FOR EMERGENCY USE ONLY

MARCH 4, 1949.

Notice is hereby given that, on March 2, 1949, the Federal Power Commission issued its order entered March 1, 1949, approving maintenance of permanent connection, for emergency use only, with the Ohio Power Company until December 31, 1949, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1777; Filed, Mar. 9, 1949; 8:46 a. m.]

[Project No. 1993]

SNOHOMISH COUNTY PUBLIC UTILITY DISTRICT NO. 1

NOTICE OF ORDER AUTHORIZING ISSUANCE OF PRELIMINARY PERMIT

MARCH 4, 1949.

Notice is hereby given that, on March 2, 1949, the Federal Power Commission issued its order entered March 1, 1949, in the above-designated matter, authorizing issuance of preliminary permit for a proposed project to be located on Sultan River in Snohomish County, Washington, and affecting lands of the United States within Snoqualmie National Forest.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1778; Filed, Mar. 9, 1949; 8:46 a. m.]

MIAMI POWER CORP.

NOTICE OF ORDER APPROVING DISPOSITION OF AMOUNTS CLASSIFIED IN ELECTRIC PLANT ACQUISITION ADJUSTMENTS AND ELECTRIC PLANT ADJUSTMENTS

MARCH 4, 1949.

Notice is hereby given that, on March 2, 1949, the Federal Power Commission issued its order entered March 1, 1949, approving disposition of amounts classified in Account 2100.5, Electric Plant Acquisition Adjustments, and Account 2107, Electric Plant Adjustments, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1779; Filed, Mar. 9, 1949; 8:47 a. m.]

[Docket No. G-911]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MARCH 4, 1949.

Notice is hereby given that, on March 2, 1949, the Federal Power Commission issued its findings and order entered March 1, 1949, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1776; Filed, Mar. 9, 1949; 8:46 a. m.]

[Docket No. G-1167]

CONSOLIDATED EDISON CO. OF NEW YORK, INC.

NOTICE OF APPLICATION

MARCH 3, 1949.

Notice is hereby given that on February 9, 1949, an application was filed with the Federal Power Commission by the Consolidated Edison Company of New York, Inc. (Applicant), a New York corporation having its principal place of business in New York City, New York, requesting (1) that the Commission determine that the aforementioned company will not become a "natural-gas company" within the meaning of the Natural Gas Act by reason of its construction and operation of certain proposed facilities, and, (2) should the Commission determine the company subject to the act, that it issue to the Applicant a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate certain transmission pipeline facilities hereinafter described.

The facilities proposed to be constructed by Applicant will consist of 3.58 miles of 30-inch pipe extending from a point near 132d Street in New York City and the Hudson River in Manhattan, easterly to a point in the Bronx, approximately at 132d Street and Locust Avenue, from which 2.42 miles of 16-inch pipe will be installed to Applicant's Hunt's Point gas manufacturing plant in the Bronx, and 0.97 mile of 30-inch pipe will be laid to Applicant's Astoria gas manufacturing plant in Queens. From Applicant's Astoria gas manufacturing plant in Queens 4.10 miles of 24-inch pipe will be laid to an interconnection at the Kings County line with facilities to be constructed by the Brooklyn Union Gas Company, and from Applicant's Astoria gas manufacturing plant 5.74 miles of 20-inch pipe to Applicant's proposed Flushing gas manufacturing plant in Queens; from the aforementioned plant 6.57 miles of 16-inch pipe will be constructed to an interconnection at the Queens County-Nassau County line with facilities to be constructed by the Long Island Lighting Company.

The facilities above described, Applicant asserts, are necessary in order to enable Applicant to receive natural gas from the Trans-Continental Gas Pipe Line Corporation, which company has been authorized to construct and operate transmission pipeline facilities extending from a point in Texas and terminating at the east bank of the Hudson River at 132d Street, New York City (FPC Docket No. G-1143).

Applicant by means of its proposed project will also transport gas supplied by Trans-Continental for delivery to Brooklyn Union Gas Company, Brooklyn Borough Gas Company, Kings County Lighting Company, and Long Island Lighting Company, including the aforementioned companies' three subsidiaries, Queensboro Gas and Electric Company, Nassau and Suffolk Lighting Company and Long Beach Gas Company, constituting the Long Island Lighting System. Approximately 100,000 Mcf of natural gas is to be delivered to the said distributing companies in addition to distribution by Applicant to its plants of 100,000 Mcf of natural gas delivered by Trans-Continental at 132d Street and the Hudson River in New York City.

Applicant estimates the cost of its proposed project to be approximately $8,250,000 which it proposes to finance as an incident to its large scale financing program.

Any interested State commission is requested to notify the Federal Power

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

The application of Consolidated Edison Company of New York, Inc. 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 §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1770; Filed, Mar. 9, 1949; 8:45 a. m.]

[Docket No. G-1171]

BROOKLYN UNION GAS CO.

NOTICE OF APPLICATION

MARCH 3, 1949.

Notice is hereby given that on February 18, 1949, an application was filed with the Federal Power Commission by the Brooklyn Union Gas Company (Applicant), a New York corporation having its principal place of business at Brooklyn, New York, requesting (1) that the Commission determine that the aforementioned company will not become a "natural-gas company" within the meaning of the Natural Gas Act by reason of its construction and operation of certain proposed facilities, and (2) should the Commission determine the company subject to the act, that it issue to the Applicant a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate certain transmission pipe line facilities hereinafter described.

The facilities proposed to be constructed by the Applicant will consist of approximately 2.2 miles of 24-inch pipe extending from an interconnection at the boundary line of Kings and Queens Counties with facilities proposed to be constructed by Consolidated Edison Company of New York, Inc. (F. P. C. Docket No. G-1167), southerly to a point in Brooklyn approximately at Conselyea Street and Leonard Street, from which point 1.0 mile of 16-inch main will be constructed to Applicant's Greenpoint Works gas manufacturing plant and from which same point 5.2 miles of 20-inch pipe will be constructed southerly to a point in Brooklyn approximately at Third Avenue and Sixth Street. From the aforementioned point approximately 0.4 mile of 16-inch pipe will be laid to Applicant's Citizens Works, and another line of 2.4 miles of 16-inch pipe will be installed extending southerly to a further point at approximately Third Avenue and 54th Street. From Third Avenue and 54th Street about 0.3 mile of 10-inch pipe will be laid to the plant of Kings County Lighting Company and another line approximately 0.7 mile of 12-inch pipe will be constructed to the point of interconnection at the boundary line of the 30th Ward of Brooklyn with the line to be constructed by the Kings County Lighting Company.

The facilities which Applicant proposes to construct and operate in conjunction with those proposed by the Consolidated Edison Company of New York, Inc., are asserted to be necessary in order to obtain the daily delivery from Trans-Continental Gas Pipe Line Corporation in the amount of 60,000 Mcf of natural gas, which delivery will be initially made at 132d Street and the Hudson River in New York City and which delivery has been authorized by the Commission (F. P. C. Docket No. G-1143). In addition, such facilities will also be used for an additional delivery of 14,500 Mcf of natural gas to the Brooklyn Borough Gas Company and the Kings County Lighting Company, which delivery has been previously authorized by the Commission in the aforementioned proceeding.

The estimated cost of the proposed project approximates $3,525,000, and Applicant contemplates financing the construction by short-term loans to be refunded on a permanent basis by the issuance of securities.

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

The application of The Brooklyn Union Gas 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 § 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1769; Filed, Mar. 9, 1949; 8:45 a. m.]

[Docket No. G-1173]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

MARCH 3, 1949.

Notice is hereby given that on February 28, 1949, an application was filed with the Federal Power Commission by Northern Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at Omaha, Nebraska, 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 approximately 5.25 miles of 24-inch O. D. main transmission loop line extending eastwardly to the branch line take-off serving the Omaha, Nebraska, area, which includes Fort Crook, Offutt Field, Papillion, Ralston, Boys Town, Omaha and Omaha suburban area.

The application states pipe available can be used to best advantage on Applicant's system to complete a loop line from the terminus of a previously certificated loop line at a point in section 12, Township 11 North, Range 12 East, in Cass County, Nebraska, to the Omaha branch line take-off which will (1) give additional assurance of service to presently served major market areas and (2) be valuable for use in connection with looping projects beyond the Omaha branch line take-off planned for construction in 1950. Applicant states continuous overall system deliverable capacity will not be appreciably increased until the 1950 planned construction has been completed, and no change in rates is contemplated in connection with the construction and operation of the proposed facilities.

The estimated over-all capital cost of the construction of the proposed facilities is $288,000, which will be financed out of general funds and with funds received through financing planned to provide funds to complete the 1949 construction program.

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

The application of Northern Natural Gas 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 § 1.8 or 1.10, whichever is applicable, of the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1768; Filed, Mar. 9, 1949; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 839]

UNLOADING OF COAL AT CHARLESTON, S. C., ON SOUTHERN RAILWAY

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

in Washington, D. C., on the 4th day of March A. D. 1949.

It appearing, that two cars of coal at Charleston, S. C., are on hand on the Southern Railway Company, for an unreasonable length of time and that this delay in unloading such cars impedes their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered*, That:

(a) *Coal at Charleston, S. C., be unloaded.* The Southern Railway Company, its agents or employees, shall unload immediately C&O 43689 and SOU 108022, loaded with coal now on hand at Charleston, S. C., since December 21, 1948, consigned Adams Rowe and Norman.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges for the detention period commencing at 7:00 a. m., March 8, 1949, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, That this order shall become effective immediately; 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, sec. 402; 41 Stat. 476, sec. 4; 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. 49–1832; Filed, Mar. 9, 1949; 8:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7–1091]

E. I. DU PONT DE NEMOURS & CO.

FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of March A. D. 1949.

In the matter of application by the Cleveland Stock Exchange for unlisted trading privileges in E. I. du Pont de Nemours & Company Common Stock, $20.00 Par Value, File No. 7–1091.

The Cleveland Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F–1 for permission to extend unlisted trading privileges to the Common Stock, $20.00 Par Value, of E. I. du Pont de Nemours & Company, 1007 Market Street, Wilmington 98, Delaware.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is registered and listed on the New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Cleveland Stock Exchange is the State of Ohio; that out of a total of 11,150,138 shares outstanding, 251,887 shares are owned by 2,778 shareholders in the vicinity of the Cleveland Stock Exchange; and that in the vicinity of the Cleveland Stock Exchange transactions were effected in 8272 shares during the period from January 1, 1948, to January 1, 1949;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly, *It is ordered*, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Cleveland Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, $20,000 Par Value, of E. I. du Pont de Nemours & Company be, and the same is, hereby granted.

By the Commission.

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

[F. R. Doc. 49–1788; Filed, Mar. 9, 1949; 8:50 a. m.]

[File No. 70–2054]

COLUMBIA GAS SYSTEM, INC.

ORDER 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 4th day of March 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed a declaration, and amendments thereto, pursuant to section 7 of the Public Utility Holding Company Act of 1935 with respect to the issue and sale by Columbia, pursuant to the competitive bidding requirements of Rule U-50, of $20,000,000 principal amount of Debentures due 1974, the proceeds of which will be used to finance in part the 1949 construction program of the Columbia system and its underground gas storage program; and

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

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

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said declaration, as amended, be, and hereby is permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of Debentures shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of legal fees and expenses to be incurred in connection with the proposed transaction.

By the Commission.

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

[F. R. Doc. 49–1789; Filed, Mar. 9, 1949; 8:51 a. m.]

[File No. 70–2042]

WEST PENN ELECTRIC CO. AND WEST PENN POWER CO.

ORDER GRANTING AND PERMITTING JOINT APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 1st day of March A. D. 1949.

The West Penn Electric Company ("West Penn Electric"), a registered holding company, and West Penn Power Company ("Power"), a subsidiary of West Penn Electric, having filed with this Commission a joint application-declaration and certain amendments thereto pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations thereunder regarding the following transactions:

The issuance and sale by Power, pursuant to the competitive bidding requirements of Rule U-50, of $10,000,000 principal amount Series N, --% First Mort-

gage Bonds due 1979, and 50,000 shares of preferred stock, Series C, --% par value $100 per share; the issuance and sale by Power of 70,000 shares of its common stock without nominal or par value at a price of $28.50 per share, or an aggregate cash consideration of $1,995,000 (the presently outstanding common stock of Power being owned approximately 66.1% by West Penn Electric, approximately 28.5% by West Penn Railways Company, a subsidiary company of West Penn Electric whose common stock is entirely owned by West Penn Electric, and approximately 5.4% by the public); the issuance by Power of transferable subscription warrants to the public holders of its common stock in an aggregate amount sufficient to entitle these persons to acquire 3,816 shares of the new issue, this being slightly in excess of the aliquot part to which these public holders are entitled on a basis of preemptive rights;

The acquisition by West Penn Electric from Power, at the subscription price of $28.50 per share, of all of the shares of additional common stock except those subscribed for by the public pursuant to the exercise of warrants, West Penn Railways Company waiving its rights to participate in this issue; and the acquisition by West Penn Electric of subscription warrants, which may be offered to it, at a price to be based upon the difference between the subscription price and the market price of the common stock at the time of making the subscription offer (the details with respect to the ascertainment of this market price are to be finally determined after the results of competitive bidding on the bonds and preferred stock of Power have been obtained and are to be disclosed to the public holders of the common stock of Power when the transferable subscription warrants are transmitted to them);

The Commission having ordered a hearing with respect to said joint application-declaration, which hearing was duly held with no person or representative of any group appearing in opposition to the transactions embraced in said filing; the applicants-declarants having made appropriate amendments to the filing so that the matters and questions cited for special consideration by the Commission in the order for hearing have now been treated with in a manner satisfactory to the Commission;

The Commission finding with respect to the joint application-declaration, as amended, that there is no basis for any adverse findings and that all of the applicable statutory standards are satisfied, deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective and further deeming it appropriate to grant a request by applicants-declarants that the ten-day period for the solicitation of bids for the bonds and preferred stock be shortened;

It is hereby ordered, That this joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

(1) That for the purposes of this case the ten-day period for soliciting bids as prescribed by Rule U-50 be shortened to a period of not less than six days;

(2) That the proposed issuance and sale of the $10,000,000 aggregate principal amount of First Mortgage Bonds and 50,000 shares of Series C Preferred Stock by Power shall not be consummated until the results of competitive bidding, held with respect thereto, have been made a matter of record in this proceeding and a further order shall have been entered by this Commission on the basis of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved at this time to permit the subsequent imposition thereof;

(3) That jurisdiction be reserved with respect to the payment of any and all fees and expenses incurred or to be incurred in connection with the consummation of the proposed transactions.

(4) That so long as any of the shares of the series of Preferred Stock now outstanding or the series presently proposed to be issued are outstanding, Power will not issue and sell, without the consent (given in writing or by vote at a meeting called for the purpose) of the holders of at least two-thirds of the total number of shares of Preferred Stock at the time outstanding, any additional shares of Preferred Stock (other than the 50,000 shares of Preferred Stock, Series C, presently proposed to be issued) unless

(a) The aggregate of the capital of Power applicable to all stock of any class ranking junior to the Preferred Stock, plus the consolidated surplus of the corporation and its subsidiaries, shall be not less than the aggregate amount payable upon involuntary liquidation, dissolution, or winding up of the affairs of Power to the holders of all shares of Preferred Stock and all shares of stock, if any, ranking prior thereto or on a parity therewith as to dividends or distributions to be outstanding immediately after such proposed issue, excluding from such computation all shares of such stock to be retired through such proposed issue. No portion of the surplus of Power utilized to satisfy the foregoing requirement shall be available for dividends or other distributions upon or in respect of shares of stock of Power of any class ranking junior to the Preferred Stock or for the purchase of shares of such junior stock until such number of additional shares of Preferred Stock are retired or until and to the extent that the capital applicable to such junior stock shall have been increased; and

(b) The consolidated income of Power and its subsidiaries (determined as hereinafter provided) for any twelve consecutive calendar months within the fifteen calendar months immediately preceding the month within which the issuance of such additional shares is authorized by its Board of Directors shall have been in the aggregate not less than one and one-half times the sum of the interest requirements (adjusted by provision for amortization of debt discount and expense or of premium on debt, as the case may be) for one year on all indebtedness of Power and its subsidiaries and the full dividend requirements for one year on all shares of Preferred Stock of Power and all shares of its stock, if any, ranking prior thereto or on a parity therewith as to dividends which will be outstanding after the issuance of the shares of Preferred Stock proposed to be issued, excluding from such computation all such indebtedness and shares of such stock to be retired through such proposed issue. "Consolidated income" for any period for the purpose of this paragraph (b) shall be computed by adding to the consolidated net income of Power and its subsidiaries for said period, determined in accordance with generally accepted accounting principles and practices, as adjusted by action of the Board of Directors of Power as hereinafter provided, the amount deducted for interest (adjusted as above provided) in determining such consolidated net income. In determining such consolidated net income for any period, there shall be deducted, in addition to other items of expenses the provisions for depreciation as recorded on such books or, in the case of Power, the minimum provision for depreciation as defined in section 4 of Article II C of the Power Supplemental Indenture dated as of March 1, 1948, whichever is larger. In the determination of such consolidated net income, the Board of Directors of Power may, in the exercise of due discretion and in accordance with sound accounting principles, make adjustments by way of increase or decrease in such consolidated net income to give effect to changes therein resulting from any acquisition of properties or to any redemption, acquisition purchase, sale, or exchange of securities by Power or its subsidiaries either prior to the issuance of any shares of Preferred Stock or stock ranking on a parity therewith then to be issued or in connection therewith; and

(5) That Power shall not pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution on, or purchase, or otherwise acquire for value, any of its common stock (each and all of these actions being hereinafter embraced in the term "payment of common stock dividends") except as follows:

(a) If, and so long as, the ratio of capital represented by common stock, including premiums on said stock, of Power plus the consolidated surplus of Power and its subsidiaries (for the purpose of paragraphs numbered 4 and 5 herein, consolidated computations for Power and its subsidiaries are meant to exclude the following companies: Monongahela Power Company and its subsidiaries, Beach Bottom Power Company, Inc., and Windsor Power House Coal Company) to the total consolidated capital and surplus of Power and its subsidiaries at the end of the second calendar month immediately preceding the date of the proposed payment of common stock dividends adjusted to reflect the proposed payment of such dividends (this ratio being hereinafter referred to as "capitalization ratio") is less than 20%, then the payment of common stock dividends,

including the proposed payment, during the 12 months period ending with and including the date of the proposed payment, shall not exceed 50% of the consolidated net income of Power and its subsidiaries applicable to the common stock of Power during the 12 calendar months ending with and including the second calendar month immediately preceding the date of the proposed payment of common stock dividends;

(b) If, and so long as, such capitalization ratio is 20% or more, but less than 25%, then the payment of common stock dividends during the 12 months period ending with and including the date of the proposed payment shall not exceed 75% of the consolidated net income of Power and its subsidiaries applicable to the common stock of Power during the 12 calendar months ending with and including the second calendar month immediately preceding the date of the proposed payment of common stock dividends;

(c) Except to the extent permitted by subparagraphs (a) and (b) hereof Power shall make no payment of common stock dividends which would reduce such capitalization ratio to less than 25%;

For the purpose of the terms and conditions of this order:

(A) The total consolidated capital of Power and its subsidiaries shall be deemed to consist of the aggregate of all outstanding indebtedness of Power and its subsidiaries represented by bonds, debentures, notes, and other evidences of indebtedness maturing by their terms one year or more from the date of issuance thereof and not held by Power or its subsidiaries and the aggregate amount of stated or par value of all capital stocks, including premiums on such capital stocks, of all classes of Power and its subsidiaries not held by Power or its subsidiaries;

(B) Consolidated surplus upon which capitalization ratios are computed shall be adjusted to eliminate any and all amounts in consolidated earned surplus of Power and its subsidiaries accumulated subsequent to December 31, 1947 but not available for payment of common stock dividends pursuant to provisions of section 2 of Article II C of the Power Supplemental Indenture dated as of March 1, 1948;

(C) In computing consolidated net income of Power and its subsidiaries applicable to the common stock of Power for purpose of this restriction respecting the payment of common stock dividends, operating expenses, among other things, shall include the provisions for depreciation as recorded on the books of the companies or the minimum provision for depreciation as defined in section 4 of Article II C of the Power Supplemental Indenture, dated March 1, 1948, whichever is larger.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 49-1790; Filed, Mar. 9, 1949; 8:51 a. m.]

[File No. 70-2046]

DELAWARE POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION 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 3d day of March 1949.

Delaware Power & Light Company ("Delaware"), a registered holding company and a public-utility company, having filed a declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 with respect to an offer to its stockholders of the right to purchase 232,520 additional shares of its common stock and, subject to such right of the stockholders, to offer to employees of the company and its subsidiaries such additional stock in an amount not exceeding 150 shares per employee, and prior to such offering to stockholders, Delaware proposing, pursuant to the competitive bidding requirements of Rule U-50, to publicly invite bids for the underwriting of such offer and the purchase by the underwriters of such shares of common stock as are not purchased by Delaware's stockholders or employees; and

The Commission by order dated February 21, 1949, having permitted the declaration to become effective subject to the condition, among others, that the proposed issuance and sale of stock shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered with respect thereto; and jurisdiction having been reserved over the payment of fees and expenses to be incurred in connection with the proposed transaction; and

Delaware having on March 3, 1949, filed an amendment to said declaration in which it is stated that it has invited bids with respect to such stock pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Name of bidder	Bid amount (232,520 shares)	Compensation	Net proceeds
Blyth & Co., Inc.:			
Amount	$4,301,620	$196,480	$4,105,140
Per share	$18.50	$0.845	$17.655
Otis & Co.:			
Amount	$4,138,856	$81,391	$4,057,465
Per share	$17.80	$0.350	$17.4499
White Weld & Co.-Shields & Co.:			
Amount	$4,185,360	$113,925	$4,071,435
Per share	$18.00	$0.4899	$17.51
Lehman Bros.:			
Amount	$4,243,490	$227,288.30	$4,016,201.70
Per share	$18.25	$0.9775	$17.2725
Harriman Ripley & Co., Inc.:			
Amount	$4,185,360	$169,739.60	$4,015,620.40
Per share	$18.00	$0.730	$17.27
Morgan Stanley & Co.:			
Amount	$4,185,360	$201,129.80	$3,984,230.20
Per share	$18.00	$0.865	$17.135

The amendment further stating that Delaware has accepted the bid of Blyth & Co., Inc. for the common stock as set forth above; and

The fees and expenses proposed to be incurred in connection with the proposed transaction having been estimated in the amount of $107,500 exclusive of legal fees; and fees of financial adviser; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said stock; and

It appearing that the proposed fees and expenses, exclusive of legal fees and fees of financial adviser, are not unreasonable and that jurisdiction with respect thereto should be released:

It is hereby ordered, That jurisdiction heretofore reserved in connection with the sale of the common stock be, and the same hereby is, released and that the said declaration as further amended be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

It is further ordered, That jurisdiction be, and the same hereby is, released with respect to the fees and expenses estimated in the amount of $107,500, exclusive of legal fees and fees of financial adviser, and that jurisdiction over all legal fees and expenses and fees of financial adviser be, and hereby is, continued.

By the Commission.

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

[F. R. Doc. 49-1791; Filed, Mar. 9, 1949; 8:51 a. m.]

[File No. 812-585]

FIRST GUARDIAN SECURITIES CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 7th day of March A. D. 1949.

Notice is hereby given that The First Guardian Securities Corporation ("Applicant"), a registered investment company, has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 for an order of the Commission exempting it and all persons transacting business with it as of applicant were not a registered investment company, subject to certain conditions, from the provisions of sections 9, 10, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 30, 32, and 33 of the act.[1]

[1] Section 6 (c) reads as follows:

(c) The Commission, by rules and regulations upon its own motion, or by order upon application, may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of this title or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of this title.

The application states that applicant has less than thirty stockholders and that it is not making and does not presently propose to make a public offering of its securities. Applicant had filed a registration statement under the Securities Act of 1933 for the sale of certain securities by means of a public offering, but the registration statement has since been withdrawn.

Applicant has agreed that the exemption it requests may be made subject to the condition that the said exemption shall cease and terminate, ipso facto and without any notice to applicant:

1. If the outstanding securities (other than short term paper) of applicant are at any time beneficially owned by more than 100 persons within the meaning of beneficial ownership as used in section 3 (c) (1) of the act, or

2. If applicant shall make a public offering of its securities, or

3. If applicant shall consolidate or merge with any other company, or shall sell all or substantially all of its assets to any other company, or

4. If applicant shall fail to give this Commission written notice of the sale or transfer of any shares (known to it or its officers or directors) within 30 days after such sale or transfer, including (a) the names of all new stockholders, (b) the names of all retiring stockholders, and (c) the name of any person who sold or otherwise transferred shares to a new stockholder, if such person is the applicant or any of its officers or directors or any member of the family of any such officer or director, or

5. If applicant shall fail to transmit to the Commission within 60 days after each fiscal year, current financial statements containing at least a balance sheet and a statement of income for such fiscal year, or their equivalent.

Applicant has also agreed that the Commission may reserve jurisdiction to amend, modify, alter or revoke its order in this proceeding after appropriate notice and opportunity for hearing.

All interested persons are referred to said application which is on file in the offices of the Commission for a more detailed statement of the matters of fact and law asserted.

Notice is further given that an order granting the application may be issued by the Commission on or at any time after March 16, 1949 unless prior thereto a hearing upon the application is ordered by this Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than March 15, 1949 at 5:30 p. m. his views on any additional facts bearing upon the application or the desirability of a hearing thereon or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-1840; Filed, Mar. 9, 1949; 9:00 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

[Vesting Order 12917]

JOHANNA OHMSEN

In re: Estate of Johanna Ohmsen, deceased. File: D-28-12580; E. T. sec. 16779.

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 Esbeth Krecker Hoffman, Margarethe Krecker Moeller, and Karl H. O. Krecker, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by Phil O. Katz, Public Administrator, as Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco, California;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 7, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1839; Filed, Mar. 9, 1949; 8:59 a. m.]