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1949 Edition

CODE OF FEDERAL REGULATIONS

The Code of Federal Regulations, 1949 Edition, contains a codification of Federal administrative rules and regulations issued on or before December 31, 1948, and in effect as to facts arising on or after January 1, 1949.

The following book is now available:

Title 3, 1948 Supplement, containing the full text of Presidential documents issued during 1948, with appropriate reference tables and index.

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Act within the period during which it was open for signature pursuant to paragraph 4 thereof, said trade agreement specified in the 1st recital of this proclamation was, pursuant to article XXXIII, as amended, of said general agreement, supplemented on September 14, 1948 by a Protocol for the Accession of Signatories of the Final Act of October 30, 1947, a copy of which, in the English and French languages, is annexed to this proclamation;¹

WHEREAS (6) said protocol for accession having been signed by the govern-

¹The text of the Protocol for Accession of Signatories of the Final Act of 30 October, 1947, signed September 14, 1948, in the English and French languages, is contained in the United Nations publication of January 1949, entitled General Agreement on Tariffs and Trade, Protocols signed at Geneva on 14 September 1948. The text of this protocol in the original languages will be published in the Treaties and Other International Acts Series of the Department of State, and in the Statutes at Large. The English text of this protocol will be printed in Treasury Decision 52167 (Customs).

ment of the Republic of Chile on February 14, 1949, and having then been signed by two-thirds of the governments then contracting parties to said general agreement, the government of the Republic of Chile will become a contracting party to said general agreement on March 16, 1949;

WHEREAS (7) I, Harry S. Truman, President of the United States of America, determine that the application of each of the concessions provided for in part I of schedule XX of said general agreement which were withheld from application in accordance with article XXVII of said general agreement by said proclamation of December 16, 1947 as are identified in the following list is required or appropriate to carry out, on and after March 16, 1949, said trade agreement specified in the 1st recital of this proclamation:

Item (paragraph)	Rates of duty
745 -----	1/4¢ per lb.
752 [first]----	17 1/2% ad val. [first such rate]
	17 1/2% ad val. [second such rate]
765 -----	2¢ per lb.
	1 1/2¢ per lb. [first such rate]
767 -----	1/4¢ per lb.
770 [first]----	1 3/4¢ per lb.
770 [second]--	3/4¢ per lb.
1658 -----	Free
1698 -----	Free
1766 -----	Free, identified only as to sodium nitrate, crude or refined
(section)	
312 -----	Exempt from duty and import tax, subject to the provisions of section 312, Tariff Act of 1930
	Rates of import tax
3425 [first]---	2¢ per lb. on the copper contained therein
3425 [second]-	1 1/2¢ per lb.
3425 [third]--	1 1/2% ad val. or 3/4¢ per lb., whichever is the lower;

WHEREAS (8) I determine that, in view of the determination set forth in the 7th recital of this proclamation, and in view of the provisions relating to item 745 in part I of schedule XX of said general agreement which are contained in the Protocol of Rectifications of March 24, 1948 specified in the 7th recital of said proclamation of June 11, 1948, a copy of which is annexed thereto, the deletion of item 745 from the list set forth in the 9th recital of said proclamation of December 16, 1947, and such modifications of existing duties and other import restrictions and such continuance of existing customs or excise treatment as are proclaimed in subdivision (b) of part I of this proclamation, are required or appropriate to carry out, on and after March 16, 1949, said trade agreement specified in the 1st recital of this proclamation;

WHEREAS (9) I determine that, in view of the determination set forth in the 7th recital of this proclamation, it is required or appropriate to carry out said exclusive trade agreement specified in the 3rd recital of this proclamation that on and after March 16, 1949 the second item 765 in the list set forth in the 9th recital of said proclamation of January 1, 1948, as amended and rectified, be amended to read as follows:

Tariff Act of 1930, paragraph	Description of products	Rate of duty
765	Beans, not specially provided for, dried, when entered for consumption during the period from September 1, in any year, to the following April 30, inclusive, or when withdrawn from warehouse for consumption at any time.	2.4¢ per lb.

WHEREAS (10) said trade agreement specified in the 1st recital of this proclamation was also supplemented on September 14, 1948 by: (a) a Second Protocol of Rectifications to the General Agreement on Tariffs and Trade, which protocol provides that the rectifications included therein shall be applied as if they had formed a part of said general agreement on October 30, 1947, and a copy of which, in the English and French languages, is annexed to this proclamation;² (b) a Protocol Modifying Part II (articles III, VI, XIII, XV, and XVIII) and Article XXVI of the General Agreement on Tariffs and Trade, numbered paragraph 5 of which protocol provides that the amendment set forth in paragraph 1 thereof shall, upon the deposit of the instruments of acceptance pursuant to paragraphs 3 and 4 thereof by two-thirds of the governments which are at that time contracting parties, enter into force in accordance with the provisions of article XXX of said general agreement, and a copy of which, in the English and French languages, is annexed to this proclamation, and (c) a Protocol Modifying Part I (articles I and II) and Article XXIX of the General Agreement on Tariffs and Trade, numbered paragraph 5 of which protocol provides that the amendment set forth in paragraph 1 thereof shall, upon the deposit of the instruments of acceptance pursuant to paragraphs 3 and 4 thereof by all of the governments which are at that time contracting parties, enter into force in accordance with the provisions of article XXX of said general agreement, and a copy of which, in the English and French languages, is annexed to this proclamation;

WHEREAS (11) I determine that it is required or appropriate to carry out said trade agreement specified in the 1st recital of this proclamation that part I of schedule XX of said general agreement be rectified in the manner provided for

²The texts of each of the three protocols referred to in the 10th recital, in the English and French languages, are contained in the United Nations publication of January 1949, entitled General Agreement on Tariffs and Trade, Protocols signed at Geneva on 14 September 1948. The text of these protocols in the original languages will, following their entry into force, be published in the Treaties and Other International Acts Series of the Department of State, and in the Statutes at Large. The English text of these protocols, except that part of the Second Protocol of Rectification to the General Agreement on Tariffs and Trade referring to Schedule XVIII of the General Agreement and that part of the Protocol Modifying Part I and Article XXIX of the General Agreement on Tariffs and Trade referring to Annex A of the General Agreement, will be printed in Treasury Decision 52167 (Customs).

in said second protocol of rectifications specified in the 10th recital of this proclamation;

WHEREAS (12) the amendment contained in said protocol modifying part II and article XXVI of the general agreement, specified in the 10th recital of this proclamation, had on December 14, 1948 been accepted by two-thirds of the contracting parties to the general agreement, including the United States of America;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, acting pursuant to the authority vested in me by the Constitution and statutes, including said section 350 of the Tariff Act of 1930, as so amended, do proclaim:

PART I

To the end that said trade agreement specified in the 1st recital of this proclamation may be carried out, that:

(a) Each of the concessions provided for in part I of said schedule XX which are identified in the 7th recital of this proclamation shall, on and after March 16, 1949, no longer be identified in the 8th recital of said proclamation of December 16, 1947, and on and after March 16, 1949 the rate of duty representing each such concession identified in the 7th recital of this proclamation shall be applied to articles of a kind provided for in the description of products in the column at the left of said rate;

(b) Effective on and after March 16, 1949, the list set forth in the 9th recital of said proclamation of December 16, 1947 shall be amended by the deletion therefrom of item 745, and on and after March 16, 1949 the rate of duty representing each concession provided for in item 745 in part I of said schedule XX, as rectified by the provisions of said protocol of rectifications of March 24, 1948 relating to said item 745, shall be applied to articles of a kind provided for in the description of products in the column at the left of said rate;

(c) The provisions of part I of schedule XX of said general agreement shall be applied as if the rectifications in said second protocol of rectifications specified in the 10th recital of this proclamation had appeared in said general agreement on October 30, 1947;

(d) Effective on and after December 14, 1948, the provisions of parts II and III and annex I of said general agreement shall be applied as amended by said protocol modifying part II and article XXVI of the general agreement specified in the 10th recital of this proclamation;

(e) Effective on and after the day on which said protocol modifying part I and article XXIX of the general agreement specified in the 10th recital of this proclamation has been accepted by all the contracting parties to said general agreement, the provisions of parts I and III and annex I of said general agreement shall be applied as amended by said protocol modifying part I and article XXIX; and

(f) The application of the rates, rectifications, and amendments provided for in paragraphs (a), (b), (c), (d), and (e) above shall be subject to the applicable

terms, conditions, and qualifications set forth in schedule XX and parts I, II, and III of said general agreement, in said protocol of provisional application specified in the 1st recital of this proclamation, and in subdivision (a), other than exception (I) thereof, of said proclamation of December 16, 1947, including any amendments and rectifications of said general agreement and said proclamation which have been proclaimed by the President; and

PART II

To the end that said exclusive trade agreement specified in the 3rd recital of this proclamation may be carried out, that the list set forth in the 9th recital of said proclamation of January 1, 1948, as amended and rectified, shall on and after March 16, 1949 be further amended in the manner indicated in the 9th recital of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of March, in the year of our Lord nineteen hundred and [SEAL] forty-nine and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-1983; Filed, Mar. 11, 1949;
12:36 p. m.]

PROCLAMATION 2830

CANCER CONTROL MONTH, 1949

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS for many years cancer has steadily increased in importance as a cause of death in this country and now accounts for approximately one death in every eight; and

WHEREAS according to the best medical opinion a large number of cancer deaths could be prevented if full use were made of our present knowledge concerning early diagnosis and treatment of the disease; and

WHEREAS every citizen should be informed of the nature of cancer and the available means of combatting it; and

WHEREAS the program of cancer education, research, and control undertaken by the Federal and State Governments and by private organizations must have the wholehearted support of our people if we are to make progress against this disease; and

WHEREAS by a joint resolution approved March 28, 1938 (52 Stat. 148), the Congress authorized and requested the President to issue annually a proclamation setting apart the month of April as Cancer Control Month:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States

of America, do hereby set apart the month of April 1949 as Cancer Control Month; and I invite the Governors of the several States and the Territories and possessions of the United States to issue similar proclamations.

I also invite the medical profession, the press, the radio, the motion-picture industry, and all organizations and individuals interested in a national program for the control of cancer by education and other cooperative means to unite during the month of April in a public dedication to this program and in a concerted effort to impress upon the people of the Nation the necessity for such a program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of March in the year of our Lord nineteen hundred and [SEAL] forty-nine, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-1984; Filed, Mar. 11, 1949;
12:39 p. m.]

PROCLAMATION 2831

FURTHER POSTPONING THE EFFECTIVE DATE OF PROCLAMATION NO. 2775¹ OF MARCH 26, 1948, PRESCRIBING CHANGES IN PANAMA CANAL TOLL RATES

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS section 411 of title 2 of the Canal Zone Code, approved June 19, 1934, authorizes the President to prescribe and from time to time change the tolls that shall be levied by the Government of the United States for the use of the Panama Canal, and provides that no tolls when so prescribed shall be changed, unless six months' notice thereof is given by the President by proclamation; and

WHEREAS increased tolls for the use of the Panama Canal were prescribed by Proclamation No. 2775 of March 26, 1948, the said proclamation to become effective on October 1, 1948; and

WHEREAS, by Proclamation No. 2808² of September 7, 1948, the effective date of the said Proclamation No. 2775 was postponed until April 1, 1949; and

WHEREAS by House Resolution 44 of the 81st Congress, 1st Session, adopted February 28, 1949, the Committee on Merchant Marine and Fisheries (1) is authorized to make a full and complete study and analysis of the financial operation of the Panama Canal and to recommend to the Congress concerning what elements of cost should be properly used in the future as the basis of a

¹ 3 CFR, 1948 Supp., p. 30; 13 F. R. 1623.

² 3 CFR, 1948 Supp., p. 75; 13 F. R. 5229.

policy to be followed in establishing and levying tolls for the use of the Panama Canal for transit purposes, and (2) is directed to report its findings, together with its recommendations for such legislation as it may deem advisable, to the House at the earliest practicable date, but not later than June 30, 1949; and

WHEREAS the President is requested by the said resolution to defer until after submission of the Committee's report any change in tolls currently levied for the use of the Panama Canal; and

WHEREAS it appears consistent with the public interest to postpone the effective date of the said Proclamation No. 2775 until September 1, 1949, so as to permit continuance of the present tolls until the Congress shall have had adequate opportunity for consideration of the Committee's report:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid section 411 of title 2 of the Canal Zone Code, do hereby proclaim that the effective date of the said Proclamation No. 2775 of March 26, 1948, is further postponed to, and shall be, September 1, 1949.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of March in the year of our Lord nineteen hundred and [SEAL] forty-nine, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-2031; Filed, Mar. 14, 1949;
12:06 p. m.]

EXECUTIVE ORDER 10041

RESTORING CERTAIN LANDS OF THE UNITED STATES NAVAL RESERVATION AT HANAPEPE, KONA, KAUAI, TO THE JURISDICTION OF THE TERRITORY OF HAWAII

WHEREAS certain hereinafter-described lands in the District of Hanapepe, County of Kauai, Territory of Hawaii, were reserved for the use of the United States Navy Department as a radio station by Executive Order No. 145, dated April 27, 1923, of the Governor of the Territory of Hawaii; and

WHEREAS such lands and the improvements thereon are no longer needed by the Navy Department for use as a radio station, and it is deemed advisable and in the public interest that they be restored to the use of the Territory of Hawaii:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

The following-described lands, comprising a part of the United States Naval Reservation at Hanapepe, Kona, Kauai, together with all improvements located thereon, are hereby restored to the jurisdiction of the Territory of Hawaii:

Lots 1, 2, and 3, Hanapepe Beach Lots, Kona, Kauai, and the land between such lots and highwater mark, more particularly described as follows:

BEGINNING at a 2-inch pipe at the Northwest corner of this piece, the Northeast corner of Lot 4, Hanapepe Beach Lots, and on the South side of Beach Road, the coordinates of said point of beginning referred to Government Survey Trig. Station "Puolo" being 4,025.9 feet North and 3,533.4 feet East, as shown on Government Survey Registered Map No. 2615, and running by true azimuths:

1. 257° 24' 300.0 feet along South side of Beach Road to a 2-inch pipe;
 2. 347° 24' 225.0 feet along government land to point at highwater mark, passing over a 2-inch pipe at 150.0 feet;
 3. 73° 35' 300.7 feet along highwater mark;
 4. 167° 24' 245.0 feet along Beach Reserve and along Lot 4 to the point of beginning.
- AREA, 70,500 square feet.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 10, 1949.

[F. R. Doc. 49-2023; Filed, Mar. 14, 1949;
10:37 a. m.]

EXECUTIVE ORDER 10042

MAKING CERTAIN CHANGES IN THE CUSTOMS FIELD ORGANIZATION

By virtue of the authority vested in me by section 1 of the act of August 1, 1914, 38 Stat. 623 (19 U. S. C. 2), and in the interest of the internal management of the Government, it is ordered that the following changes be, and they are

hereby, made in the customs field organization:

1. Elkin, North Carolina, is designated as a customs port of entry in Customs Collection District Number 15 (North Carolina).

2. Cordova, Alaska, is designated as a customs port of entry in Customs Collection District Number 31 (Alaska).

3. The designation of Cheboygan, Michigan, as a customs port of entry in Customs Collection District Number 38 (Michigan) is revoked.

4. The designations of Arecibo, Puerto Rico, and Arroyo, Puerto Rico, as customs ports of entry in Customs Collection District Number 49 (Puerto Rico) are revoked.

5. The limits of the customs port of entry of Alexandria Bay, New York, in Customs Collection District Number 7 (St. Lawrence), are extended to include the Township of Alexandria, County of Jefferson, State of New York, and that portion of the Township of Orleans, County of Jefferson, State of New York, lying north of 44°15', north latitude.

6. The limits of the customs port of entry of Wilmington, North Carolina, in Customs Collection District Number 15 (North Carolina), are extended to include, that portion of the Township of Masonboro, County of New Hanover, State of North Carolina, lying west of 77°55', west longitude.

7. The limits of the customs port of entry of Mobile, Alabama, in Customs Collection District Number 19 (Mobile), are extended to include that portion of Blakeley Island lying south of the Cochran Bridge and west of the Cochran Bridge Causeway; Pinto Island; and the area comprising the Brookley Air Field.

8. The limits of the customs port of entry of San Francisco-Oakland, Cali-

ornia, in Customs Collection District Number 28 (San Francisco), are extended to include all points on San Pablo Bay, Carquinez Strait, and Suisun Bay, and all points on the San Joaquin River in Contra Costa County, State of California, as far as Antioch Bridge.

This order shall become effective on the thirtieth day following the date hereof.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 10, 1949.

[F. R. Doc. 49-2025; Filed, Mar. 14, 1949;
10:37 a. m.]

EXECUTIVE ORDER 10043

CHANGING THE NAME OF THE PRESIDENT'S COMMITTEE ON RELIGIOUS AND MORAL WELFARE AND CHARACTER GUIDANCE IN THE ARMED FORCES

By virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces, the name of the President's Committee on Religious and Moral Welfare and Character Guidance in the Armed Forces, established by Executive Order No. 10013 of October 27, 1948, is hereby changed to the President's Committee on Religion and Welfare in the Armed Forces.

The said Executive Order No. 10013 is amended accordingly.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 10, 1949.

[F. R. Doc. 49-2024; Filed, Mar. 14, 1949;
10:37 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

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

[Lemon Reg. 310]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.417 *Lemon Regulation 310*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq.; 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available in-

formation, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01

a. m., P. s. t., March 13, 1949, and ending at 12:01 a. m., P. s. t., March 20, 1949 is hereby fixed as follows:

- (i) District 1: 260 carloads;
- (ii) District 2: Unlimited movement.

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

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 10th day of March 1949.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

¹ 3 CFR, 1948 Supp., p. 245; 13 F. R. 6343.

PRORATE BASE SCHEDULE

DISTRICT NO. 1

[Storage date: March 6, 1949]

[12:01 a. m. Mar. 13, 1949, to 12:01 a. m.
Mar. 27, 1949]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.365
American Fruit Growers, Inc., Fullerton	1.520
American Fruit Growers, Inc., Lindsay	.000
Hazeltine Packing Co.	1.950
Ventura Coastal Lemon Co.	1.033
Ventura Pacific Co.	2.195
Total A. F. G.	7.063
Klink Citrus Association	.589
Lemon Cove Association	.345
Glendora Lemon Growers Association	2.560
La Verne Lemon Association	1.040
La Habra Citrus Association, The	1.357
Yorba Linda Citrus Association, The	1.035
Escondido Lemon Association	6.556
Alta Loma Heights Citrus Association	.313
Etiwanda Citrus Fruit Association	.778
Upland Lemon Growers Association	7.586
Central Lemon Association	.563
Irvine Citrus Association, The	1.502
Piacentia Mutual Orange Association	.810
Corona Citrus Association	.384
Corona Foothill Lemon Co.	1.823
Jameson Co.	1.217
Arlington Heights Citrus Co.	.589
College Heights Orange & Lemon Association	3.004
Chula Vista Citrus Association, The	1.200
El Cajon Valley Citrus Association	.609
Fallbrook Citrus Association	3.952
Lemon Grove Citrus Association	.645
San Dimas Lemon Association	2.137
Carpinteria Lemon Association	1.855
Carpinteria Mutual Citrus Association	1.592
Goleta Lemon Association	1.524
Johnston Fruit Co.	4.859
North Whittier Heights Citrus Association	.515
San Fernando Heights Lemon Association	3.081
Sierra Madre-Lamanda Citrus Association	2.168
Tulare County Lemon & Grapefruit Association	.200
Briggs Lemon Association	.531
Culbertson Lemon Association	.586
Fillmore Lemon Association	1.969
Oxnard Citrus Association	5.291
Rancho Sespe	.579
Santa Clara Lemon Association	.335
Santa Paula Citrus Fruit Association	2.842
Saticoy Lemon Association	1.865
Seaboard Lemon Association	3.637
Somis Lemon Association	1.348
Ventura Citrus Association	.488
Limoneira Co.	2.757
Teague-McKevett Association	.572
East Whittier Citrus Association	.789
Leffingwell Rancho Lemon Association	.463
Murphy Ranch Co.	1.215
Whittier Citrus Association	.500
Whittier Select Citrus Association	.027
Total C. F. G. E.	82.131
Chula Vista Mutual Lemon Association	.848
Escondido Cooperative Citrus Association	.533
Index Mutual Association	.305

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 1—continued

Handler	Prorate base (percent)
La Verne Cooperative Citrus Association	3.159
Orange Belt Fruit Distributors	2.864
Orange Cooperative Citrus Association	.116
Ventura County Orange & Lemon Association	2.044
Whittier Mutual Orange & Lemon Association	.320
Total M. O. D.	10.189
California Citrus Groves, Inc., Ltd.	.000
Dunning, William A.	.015
El Rio Lemon Co.	.022
Evans Brothers Packing Co.	.010
Flint, Arthur E.	.000
Harding & Legget	.000
Johnson, Fred	.061
Lorbeer, Carroll W. C.	.095
MacDonald, Hugh J.	.000
Reimers, Don H.	.000
Ricca, Lawrence J.	.000
Sachs, Maurice A.	.033
San Antonio Orchard Co.	.337
Sarnoff, Irving	.011
Sentinel Butte Corp.	.000
Tetley, F. A., Jr.	.000
Torn Ranch	.000
Winkler, William	.033
Zaninovich Bros., Inc.	.000
Total Independents	.617

[F. R. Doc. 49-1939; Filed, Mar. 14, 1949; 9:02 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

DISCONTINUANCE OF AROOSTOOK FALLS ROAD, MAINE, AS CLASS B PORT OF ENTRY

FEBRUARY 28, 1949.

Section 110.1 *Designated ports of entry except by aircraft*, Chapter I, Title 8 of the Code of Federal Regulations, is amended by deleting "Aroostook Falls Road, Maine" from the list of Class B ports of entry in District No. 1.

This amendment shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date is unnecessary because this port has already ceased to be a customs port and for that reason it is impracticable to continue it as a port of entry for aliens.

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

WATSON B. MILLER,
Commissioner of

Immigration and Naturalization.

Approved: March 9, 1949.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 49-1941; Filed, Mar. 14, 1949; 8:49 a. m.]

TITLE 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 40—CONTROL OF SOURCE MATERIAL

MISCELLANEOUS AMENDMENTS

Part 40, Control of Source Material is hereby amended in the following respects:

1. A new subheading "Right to Require Deliveries" is added, to precede § 40.53.
2. A new § 40.53 is added, reading as follows:

§ 40.53 *Right to require deliveries reserved.* No license granted under the regulations in this part shall be deemed to constitute a waiver of the Commission's right to require delivery of source material to it under the conditions stated in section 5 (b) (7) of the Atomic Energy Act of 1946 (60 Stat. 755).

3. A new item (h) is added to *Schedule I: Exempted Products*, reading as follows:

(h) Thoriated tungsten containing not more than 3% by weight thorium.

Dated at Washington, D. C., this 9th day of March 1949.

By order of the Commission.

DAVID E. LILIENTHAL,
Chairman.

[F. R. Doc. 49-1930; Filed, Mar. 14, 1949; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Regs., Serial No. ER-139]

PART 228—FREE AND REDUCED RATE TRANSPORTATION

FREE TRAVEL FOR POSTAL EMPLOYEES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 7th day of March 1949.

The purpose of this amendment is (a) to provide a more workable basis for designating the Post Office employees eligible to travel by air free of charge upon presentation of appropriate credentials and transportation requests, and (b) to make it the duty of the Postmaster General to provide for accrediting such employees through issuance of credentials, preparation of transportation request forms and promulgation of rules and regulations pertaining to travel on official business relating to the transportation of mail.

The wording of this revision is identical to the revision heretofore proposed in the notice of proposed rule making which appeared in the FEDERAL REGISTER on January 13, 1949 (14 F. R. 188) with the exception of minor changes in the titles of certain Post Office officials appearing in paragraphs (a) (3) and (6).

Interested persons have been afforded an opportunity to participate in the making of this amendment and due consideration has been given to all relevant matter submitted.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends

§ 228.1 of the Economic Regulations (14 CFR § 228.1, Free travel for postal employees) as follows effective April 11, 1949:

By revising the entire section to read as follows:

§ 228.1 *Free travel for postal employees*—(a) *Postal employees to be carried free.* Every air carrier carrying the mails shall carry, on any plane that it operates and without charge therefor, the persons in charge of the mails when on duty, and the following officers, agents, and inspectors of the Post Office Department, when such persons are traveling on official business relating to the transportation of mail by aircraft and are duly accredited as hereinafter provided:

- (1) Postmaster General.
- (2) The Executive Assistant to the Postmaster General.
- (3) The First Assistant Postmaster General; the Third Assistant Postmaster General; the Fourth Assistant Postmaster General; the Second Assistant Postmaster General; his Confidential Assistant; his Under Second Assistant and his four Deputy Second Assistants; the Administrative Officer, Air Postal Transport; the Solicitor of the Post Office Department and the Associate Solicitor and any attorney in the Office of the Solicitor who at the time is assigned by the Solicitor to handle matters relating to the transportation of mail by aircraft; the Chief Inspector and the Assistant Chief Inspector.
- (4) The Director of Domestic Air Postal Transport and the Director of Foreign Air Postal Transport.
- (5) The five Regional Superintendents, and the five Assistant Regional

Superintendents, Air Postal Transport, located respectively at New York, N. Y., Chicago, Ill., San Francisco, Calif., Atlanta, Ga., and Fort Worth, Texas; the Regional Superintendents and Assistant Regional Superintendents at Large, Air Postal Transport.

(6) The General Superintendent, 13th Division, Railway Mail Service, located at Seattle, Wash., and the District Superintendent and Assistant District Superintendent, Railway Mail Service, located at Anchorage, Alaska, when traveling between Seattle, Wash., and Alaska or within Alaska on official business relating to the transportation of mail to, from and within Alaska.

(7) Any inspector of the Post Office Department.

(8) Any additional agent or officer of the Post Office Department designated by the Postmaster General.

(b) *Credentials required.* (1) Any person described in paragraphs (a) (1) to (a) (6) of this section shall be deemed to be duly accredited upon exhibition of a certificate of the Postmaster General that the bearer is one of the persons so described and is entitled to free transportation when traveling on official business relating to the transportation of mail by aircraft, and bearing the signature of the person so described.

(2) Any person described in paragraphs (a) (7) and (8) of this section shall be deemed to be duly accredited upon exhibition of proper credentials evidencing that he is an inspector, officer, employee, or agent of the Post Office Department, and upon presentation of a "Request for Free Transportation by Air" (on such form as the Post Office

Department may prescribe) executed by him in triplicate and stating:

(i) The points from and to which the person is to be furnished free transportation;

(ii) The tariff fare for the transportation requested, and

(iii) The official position of the traveler and that such travel is on official business relating to the transportation of mail by aircraft.

(c) *Requests to be filed.* Each air carrier on or before the 20th day of each month shall forward one copy of every "Request for Free Transportation by Air" accepted by it during the preceding calendar month, to the Secretary, Civil Aeronautics Board, Washington 25, D. C., and one copy to the Deputy Second Assistant Postmaster General, Post Office Department, Washington, D. C.¹

(d) *Issuance of credentials and transportation request forms by Post Office Department.* With regard to free air travel by the persons described in paragraph (a) of this section, the Postmaster General shall be responsible (1) for the issuance of proper credentials, (2) for prescribing proper transportation request forms where required, and (3) for authorizing such travel, subject to such rules and regulations as he may prescribe.

(Secs. 205 (a), 405 (m), 407 (a); 52 Stat. 984, 994, 1000; 49 U. S. C. 425 (a), 485 (m), 487)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-1943; Filed, Mar. 14, 1949; 8:50 a. m.]

PROPOSED RULE MAKING

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Part 249]

PROPOSED ADOPTION OF FORM 9-K FOR QUARTERLY REPORTS OF GROSS SALES AND OPERATING REVENUES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal for the adoption of a separate form, designated Form 9-K¹ (17 CFR 249.309), for quarterly reports of gross sales and operating revenues pursuant to sections 13 and 15 (d) of the Securities Exchange Act of 1934.

At the present time the information required in such reports is furnished in response to Item 11 of Form 8-K (17 CFR 249.308), and must be filed within 45 days after the end of the respective fiscal quarter. Current reports on Form 8-K are required to be filed within 10 days after the end of any month during which an event has occurred which requires the filing of such a report.

¹ Filed as part of the original document.

It is felt that the filing of both current and quarterly reports would be facilitated and simplified if separate forms were prescribed for each type of report. Accordingly, Form 9-K has been proposed as a separate form for the quarterly reports. This form calls for substantially the same information as Item 11 of the present Form 8-K. However, the instructions have been amplified somewhat to set forth certain administrative interpretations applicable to the furnishing of such reports.

All interested persons are invited to submit data, views and comments on the proposed form in writing to the Securities and Exchange Commission at its principal office, 425 Second Street NW., Washington 25, D. C., on or before April 15, 1949.

A copy of the proposed form is attached to this release.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

MARCH 3, 1949.

[F. R. Doc. 49-1936; Filed, Mar. 14, 1949; 8:48 a. m.]

[17 CFR, Part 249]

REVISION OF FORMS FOR ANNUAL AND OTHER REPORTS OF ISSUERS HAVING SECURITIES REGISTERED ON NATIONAL SECURITIES EXCHANGES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed revision of Form 10-K¹ (17 CFR 249.310), under the Securities Exchange Act of 1934. This form is prescribed for annual reports under section 13 of that act by issuers having securities listed and registered on a national securities exchange. It is proposed that the revised form replace the present Form 10-K (17 CFR 249.310), for corporations, Form 11-K (17 CFR 249.311), for unincorporated issuers, Form 13-K (17 CFR 249.313), for insurance companies and Form 24-K (17 CFR 249.324), for bank holding companies. It is also proposed that the revised form be used for annual reports

¹ The third copy shall be preserved by the air carrier in its records in compliance with the requirements of these regulations. See: § 202.3 (d) Item 48-B and such amendments thereof as may be adopted from time to time.

under section 15 (d) of the act by issuers which have heretofore used Form 1-MD (17 CFR 249.401).

The principal changes which the revision makes in the items of the form are as follows: The item with respect to changes in the business during the fiscal year has been somewhat expanded to give the investor more information as to important changes which have occurred. A new item has been added calling for information regarding important changes in the physical properties of the issuer and its subsidiaries. Another new item calls for information with respect to materially important legal proceedings or important developments in such proceedings. The remuneration items have been substantially conformed with the remuneration requirements of the proxy rules as recently amended by the Commission. Items with respect to the description of new and modified securities and contracts and other exhibits have been deleted since this information will be reported on the revised Form 8-K (17 CFR 249.308). The remaining items of the form have been revised and the instructions elaborated in line with changes which have been made in other more recent forms of the Commission.

All interested persons are invited to submit data, views and comments on the proposed revision in writing to the Securities and Exchange Commission at its principal office, 425 Second Street NW., Washington, D. C., on or before April 15, 1949.

A copy of the proposed revision is attached to this release.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

MARCH 3, 1949.

[F. R. Doc. 49-1937; Filed, Mar. 14, 1949;
8:48 a. m.]

[17 CFR, Part 249]

REVISION OF FORMS FOR ANNUAL AND OTHER REPORTS OF ISSUES HAVING SECURITIES REGISTERED ON NATIONAL SECURITIES EXCHANGES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed revision of

Form 8-K¹ (17 CFR 249.308), under the Securities Exchange Act of 1934. This form is prescribed for current reports under sections 13 and 15 (d) of that act. Reports on this form are required to be filed within ten days after the end of any month during which any one or more of certain specified events have occurred. These are events such as the issuance of new or additional securities, the granting, extension or exercise of options to purchase equity securities, a person's becoming or ceasing to be a parent or subsidiary of the registrant, a substantial revaluation of assets, the execution of a voting trust agreement, certain contracts or indentures, and similar matters.

It has long been recognized that the form is materially deficient because of its failure to require information with respect to a number of events which are of material importance to security holders. Accordingly, the primary purpose of the proposed revision is to broaden the scope of the form so as to require information with respect to these additional matters. Quarterly reports of gross sales and operating revenues, heretofore filed on this form would, in the future, be filed on a separate form.

It is proposed that new items be added to Form 8-K calling for information with respect to the following subject matters: Changes in the general character of the business; the acquisition or disposition of a substantial amount of assets; the institution or termination of important litigation; the submission of plans of reorganization, readjustment or succession to any group of security holders; guaranteeing securities of other issuers; defaults upon senior securities; and the institution of bonus, profit-sharing, pension and retirement plans.

All interested persons are invited to submit data, views and comments on the proposed revision in writing to the Securities and Exchange Commission at its principal office 425 Second Street NW., Washington 25, D. C., on or before April 15, 1949.

A copy of the proposed revision is attached to this release.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

MARCH 3, 1949.

[F. R. Doc. 49-1938; Filed, Mar. 14, 1949;
8:49 a. m.]

[17 CFR, Part 249]

REVISION OF FORMS FOR APPLICATIONS FOR REGISTRATION OF SECURITIES ON NATIONAL SECURITIES EXCHANGES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed revision of Form 10¹ (17 CFR 249.210), under the Securities Exchange Act of 1934. This form is the general form prescribed for the registration of securities of commercial and industrial corporations on a national securities exchange.

It is proposed that the revised form replace the present Form 10 (17 CFR 249.210), for corporations and also the following forms: Form 7 (17 CFR 249.207), for provisional registration, Form 11 (17 CFR 249.211), for unincorporated issuers, Form 13 (17 CFR 249.213), for insurance companies, Form 15 (17 CFR 249.215), for incorporated investment companies, Form 17 (17 CFR 249.217), for unincorporated investment companies, Form 22 (17 CFR 249.222), for reorganized issuers, Form 23 (17 CFR 249.223), for successor issuers, and Form 24 (17 CFR 249.224), for bank holding companies.

The general purposes of the revision of Form 10 is to simplify the process of registration of securities and at the same time to obtain more complete information for investors. Among the more important changes made are the amplification of the items pertaining to the business and property of the issuer so as to call for a more complete description than has heretofore been required and the revision of the remuneration items to accord with the recent amendments to the Commission's proxy rules.

All interested persons are invited to submit data, views and comments on the proposed revision in writing to the Securities and Exchange Commission at its principal offices, 425 Second Street NW., Washington, D. C., on or before April 15, 1949.

A copy of the proposed revision is attached to this release.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

MARCH 3, 1949.

[F. R. Doc. 49-1939; Filed, Mar. 14, 1949;
8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR Bureau of Land Management

[2117654]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LAND; NOTICE OF FILING OF SUPPLEMENTAL PLAT OF SURVEY

MARCH 4, 1949.

In an exchange of lands under the provisions of section 8 of the act of June 28,

1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315g), the land hereinafter described has been reconveyed to the United States, subject to a reservation of all minerals therein.

The land affected by this order is described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 19 N., R. 105 W.,
Sec. 22, lot 17.

¹Filed as part of the original document.

Notice is given that the supplemental plat of survey of the above-described land will be officially filed in the District Land Office at Evanston, Wyoming, effective at 10:00 a. m., on April 8, 1949.

The area described aggregates 10 acres. Available data indicates that the land is mountainous desert.

No applications for this land may be allowed under the homestead, small tract, desert-land or any other nonmineral public-land laws, unless the land has already been classified as suitable for such

type of application or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 8, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 8, 1949, to July 8, 1949, inclusive, the public lands affected by this order and notice shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 19, 1949, to April 7, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 8, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 9, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 18, 1949, to July 8, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 9, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Evanston, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and

the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Evanston, Wyoming.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49-1942; Filed, Mar. 14, 1949; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 15, Sub 2]

NEW YORK FOREIGN-TRADE ZONE OPERATORS, INC.

APPLICATION FOR PERMISSION TO MANIPULATE RUMS BY MIXING AND COLORING

In the matter of an appeal from Acting Commissioner of Customs' ruling denying application of New York Foreign-Trade Zone Operators, Inc., for permission to manipulate rums by mixing and coloring. Docket No. 8—Appeal.

Pursuant to the authority contained in the Foreign-Trade Zones Act of June 18, 1934 (48 Stat. 998-1003; 19 U. S. C. 81a-81u), the Foreign-Trade Zones Board has adopted the following order which is promulgated for the information and guidance of all concerned:

The New York Foreign Trade Zone Operators, Inc., duly filed with this Board on July 6, 1948 its appeal from a ruling of the Acting Commissioner of Customs denying an application for permission to conduct the following operation in the New York Foreign-Trade Zone under section 3 of the above-cited act:

Docket No. 8—Mixing and coloring different rums.

Accordingly, after full consideration, it is hereby ordered as follows:

1. The action of the Acting Commissioner of Customs in denying the application for permission to conduct the operation as described in Docket No. 8 is overruled and this operation is hereby approved.

2. This order in no way determines the applicability of Federal Internal Revenue taxes to the operation set forth above and as described in Docket No. 8.

3. The Executive Secretary is directed to notify the Appellant, the Acting Commissioner of Customs and other interested parties of the action above taken.

This order is effective March 10, 1949.

[SEAL] CHARLES SAWYER,
Secretary of Commerce,
Chairman Foreign-Trade Zones Board.

[F. R. Doc. 49-1928; Filed, Mar. 14, 1949; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 1705 et al.]

AIR FREIGHT RATE INVESTIGATION; DIRECTIONAL COMMODITY RATES

NOTICE OF HEARING

In the matter of the investigation of directional rates and charges for the

transportation of freight by air established, demanded, and charged by certificated and noncertificated air carriers.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1002 of said act, that hearing in the above-entitled proceeding is assigned to be held on March 28, 1949, at 10:00 a. m. (eastern standard time) in the West Ballroom, Shoreham Hotel, Washington, D. C., before Examiner Herbert K. Bryan.

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

I. Whether there should be directional or backhaul rates for specific commodities.

A. If so;
(1) Between what points or areas should such rates be applicable?

(2) In what form should such rates be established?

(3) At what levels should such rates be fixed?

(4) To what commodities should such rates be applicable?

II. If specific directional or backhaul rates are not required, what measures can be adopted to develop satisfactory operating load factors in the air freight industry?

For more detailed information with respect to the issues involved, attention is directed to the prehearing conference report issued in this proceeding.

Notice also is given that any person, other than parties and interveners of record as of March 9, 1949, desiring to be heard in this proceeding must file with the Board on or before March 28, 1949, a statement setting forth the issues of fact or law raised by this proceeding on which he desires to be heard.

For further details with respect to this investigation, interested parties are referred to the pertinent orders of the Civil Aeronautics Board on file in the docket.

Dated at Washington, D. C., March 9, 1949.

By the Civil Aeronautics Board,
[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-1929; Filed, Mar. 14, 1949; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

ORGANIZATION AND ASSIGNMENT OF WORK

MARCH 8, 1949.

The Interstate Commerce Commission announces that it has amended its order as to assignment of work, entered June 8, 1942, as amended, pursuant to the provisions of section 17 of the Interstate Commerce Act, as amended, and section 3 (a) of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. Supp. 1001), by revising section 11, *Bureau Organization*, so that the first paragraph of subdivision (d), *Bureau of Formal Cases*, (1) *Functions*, shall read as follows:

(d) *Bureau of Formal Cases*—(1) *Functions*. This bureau, headed by a Chief Examiner, handles the Commission's formal proceedings in connection with rates, fares, charges, classifications, regulations and practices of carriers under Parts I, III, and IV, and in certain proceedings under Part II of the act, except those assigned to the Commission, a division or to an individual Commissioner for administrative handling. The cases fall in the following categories: (i) Hearings on general investigations instituted by the Commission on its own motion, and complaint and answer cases, (ii) hearings growing out of orders for investigation and suspension of newly filed rates by reason of protests, or on the Commission's own motion, (iii) hearings on applications under section 4 (49 U. S. C. 4) and other sections of the act, (iv) hearings on applications for operating authority under Parts III and IV of the act, (v) hearings in motor-carrier proceedings arising under section 5, Part I, and in all proceedings arising under Part II of the act, wherein an employee of the Commission assigned to the Bureau of Motor Carriers performs any investigative or prosecuting functions, and (vi) hearings on matters arising under section 5a relating to agreements between or among carriers.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 49-1940; Filed, Mar. 14, 1949;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2562]

AMERICAN SILVER CORP.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPOR- TUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of March A. D. 1949.

The San Francisco Mining Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Common Capital Stock, 10¢ Par Value, Nonassessable, of American Silver Corporation.

The application alleges that (1) the American Silver Corporation has filed a petition in bankruptcy in the District Court of the United States for the Southern District of California; (2) these shares of stock no longer can be transferred on the stock transfer records of the American Silver Corporation; (3) on April 14, 1948 the San Francisco Mining Exchange suspended the above security from trading on that exchange; and (4) the rules of the San Francisco Mining Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to April 5, 1949, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine

whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission:

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-1931; Filed, Mar. 14, 1949;
8:45 a. m.]

[File Nos. 54-139, 59-12, 70-1806]

ELECTRIC POWER AND LIGHT CORP. ET AL.

ORDER APPROVING PLAN FILED

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.

In the matter of Electric Power & Light Corp., File No. 54-139; Electric Bond and Share Company, Electric Power & Light Corporation, et al., Respondents, File No. 59-12; Electric Bond and Share Company, File No. 70-1806.

Electric Power & Light Corporation ("Electric"), a registered holding company and a subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act") and other applicable provisions of the act for approval of a plan, and amendments thereto ("the Plan"), providing, among other things, for the dissolution of Electric and for its liquidation through the distribution of its assets among its security holders;

Bond and Share having filed an application-declaration respecting its acquisition and disposition of the securities which it is to receive under the Plan, as amended, and its payment to Electric of \$2,200,000 in settlement of certain claims asserted by the latter;

Public hearings having been duly held after appropriate notice, at which hearings all interested persons were afforded opportunity to be heard;

Electric having requested the Commission to enter an order reciting that the transactions proposed in the Plan are necessary to effectuate the provisions of section 11 (b) of the act and are fair and equitable to the persons affected thereby, and that such order contains recitals in accordance with the requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof;

Electric having further requested the Commission, pursuant to section 11 (e)

of the act, to apply to an appropriate court, in accordance with the provisions of section 18 (f) of the act, to enforce and carry out the terms and provisions of the Plan;

The Commission having considered the record in the matter and having filed its findings and opinion herein on March 1, 1949, finding therein that the Plan is necessary to effectuate the provisions of section 11 (b) of the act and, if amended in certain respects as set forth in said findings and opinion, fair and equitable to all persons affected thereby;

Electric having, on March 3, 1949, filed an amendment to the Plan modifying the Plan in accordance with the aforesaid findings and opinion of the Commission;

The Commission having considered the aforesaid amendment filed on March 3, 1949, in the light of its findings and opinion of March 1, 1949, and finding that the Plan, as thus amended, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected by it;

It is ordered, On the basis of the record herein and the said findings and opinion, pursuant to section 11 (e) of the act and other applicable provisions of the act, that the said Plan, as amended, be and it hereby is approved subject to the terms and conditions contained in Rule U-24 and to the following additional terms and conditions:

1. That the order entered herein shall not be operative to authorize the consummation of the transactions proposed in the Plan, as amended, until an appropriate United States District Court shall, upon application thereto, enter an order enforcing said Plan, as amended;

2. That jurisdiction be and hereby is specifically reserved to determine the reasonableness and appropriate allocation of all fees and expenses and other remuneration incurred or to be incurred in connection with the said Plan, as amended, and the transactions incident thereto, other than the fairness and reasonableness of the fees and expenses incident to the stockholders' actions enumerated in Part II of the Plan, as amended;

3. That jurisdiction be and hereby is specifically reserved with respect to the appropriateness under the act of the proposed charter provisions and new Board of Directors of United Gas Corporation ("United"), both of which matters are the subject of a separate application-declaration filed by United under File No. 70-1949;

4. That jurisdiction be and hereby is specifically reserved to entertain such further proceedings, to make such supplementary findings and to take such further action as may be necessary in connection with the Plan, as amended, the transactions incident thereto and the consummation thereof, and to institute and conduct such further proceedings under section 11 (b) of the act with respect to Middle South Utilities, Inc. ("Middle South") as may be necessary or appropriate;

It is further ordered, that the application-declaration of Bond and Share referred to above be and it is hereby

granted and permitted to become effective;

It is further ordered and recited, That the issues, distributions, transfers and exchanges of securities and the expenditures, investments and transactions specified and itemized below, all as provided by the Plan, as amended, are necessary or appropriate to the integration or simplification of the holding company systems of which Electric and Bond and Share are members, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof:

1. The organization of Middle South, as provided in the Plan, as amended, and the transfer to it by Electric of all securities owned by Electric in Arkansas Power & Light Company, Louisiana Power & Light Company, Mississippi Power & Light Company, New Orleans Public Service, Inc., and Gentilly Development Company, Inc., and cash in the amount of \$2,000,000 in exchange for the issuance and transfer to Electric by Middle South of all its initially outstanding capital stock, except directors' qualifying shares;

2. The distribution and transfer by Electric of 6.5 shares of Common Stock of United and 4.5 shares of Common Stock of Middle South in exchange for each share of \$7 Preferred Stock of Electric, including all accumulated and unpaid dividends thereon, surrendered for retirement pursuant to the Plan, as amended, by holders of the \$7 Preferred Stock;

3. The distribution and transfer by Electric of 5.9 shares of Common Stock of United and 4.1 shares of Common Stock of Middle South in exchange for each share of \$6 Preferred Stock of Electric, including all accumulated and unpaid dividends thereon, surrendered for retirement pursuant to the Plan, as amended, by holders of the \$6 Preferred Stock;

4. The distribution and transfer by Electric of 6.25 shares of Common Stock of United and 4.3 shares of Common Stock of Middle South and cash as provided in the Plan, as amended, in exchange for each share of \$7 Second Preferred Stock, including all accumulated and unpaid dividends thereon, surrendered for retirement pursuant to the Plan, as amended, by holders of the \$7 Second Preferred Stock;

5. In connection with the complete liquidation of Electric, the distribution and transfer of the remaining assets, consisting of Common Stock of Middle South, Common Stock of United and cash, among holders of the Common Stock and Option Warrants of Electric pursuant to the Plan, as amended;

6. The issuance, distribution, transfer and exchange of Common Stock scrip of United and of Middle South to the extent necessary to carry out the Plan, as amended;

7. The revocation, abrogation and cancellation of all the outstanding securities of Electric, pursuant to the Plan, as amended; and

8. All other exchanges and transfers of the \$7 Preferred Stock, the \$6 Preferred Stock, the \$7 Second Preferred Stock, the Common Stock and the Option Warrants of Electric for Common Stock and Common Stock scrip of United and of Middle South which are required in order to carry out the Plan, as amended.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-1933; Filed, Mar. 14, 1949;
8:47 a. m.]

[File No. 70-2067]

STANDARD GAS AND ELECTRIC CO.

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 8th day of March 1949.

Standard Gas and Electric Company ("Standard"), a registered holding company, has filed an application pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 ("act") relating to the transactions summarized below:

Standard proposes to purchase on the New York Stock Exchange such number of shares of the Common Stock, without par value, of Northern States Power Company, a Minnesota corporation ("Northern States"), as it may deem necessary or appropriate for the purpose of stabilizing the market price of such stock. Such purchases, if any, are proposed to be made by Standard during a period beginning after Standard gives notice, of a time for receipt of bids, to all persons who have previously advised Standard of their desire for an opportunity to bid with respect to the purchase of 364,684 shares of such stock of Northern States owned by Standard (which time is to be not less than 12 hours after such notice has been given) and continuing until the opening of such bids, but in no event for a period longer than 3 days.

Applicant states that any shares it may purchase pursuant to the stabilizing program will be promptly disposed of after appropriate notice to the Commission.

Appropriate notice pursuant to Rule 44 (c) with respect to the proposed sale of the aforesaid shares of stock of Northern States has been given to the Commission by Standard and no filing has been required by the Commission with respect to such sale. Standard will report the results of the bidding and its acceptance of any bid will be subject to the entry by the Commission of an order, conforming to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended.

The application having been filed on February 21, 1949, and an amendment thereto having been filed on February 24, 1949, notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application, as amended,

within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding, with respect to the proposal to acquire shares of Common Stock, without par value, of Northern States, for the purpose of stabilizing the market price of such stock, that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, and that it is not necessary to impose any terms and conditions other than those set forth below, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that the said application, as amended, be granted:

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

It is further ordered, That the Commission's order of August 8, 1941, the effect of which is to require Standard Gas and Electric Company to sever its relationship with Northern States Power Company, a Minnesota corporation, by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the act or of the rules and regulations promulgated thereunder, of its direct and indirect ownership, control and holding of securities issued by Northern States Power Company, a Minnesota corporation, shall be deemed to require the disposition of any shares of Common Stock, without par value, of Northern States Power Company, a Minnesota corporation, acquired by Standard Gas and Electric Company as a result of stabilizing the market price of such stock, as authorized herein, with the same force and effect as if said shares had been held by Standard Gas and Electric Company as of the date of the said order.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-1932; Filed, Mar. 14, 1949;
8:45 a. m.]

[File No. 70-2071]

MONTAUP ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of March A. D. 1949.

Notice is hereby given that Montaup Electric Company ("Montaup"), an indirect public-utility subsidiary company of Eastern Utilities Associates ("EUA"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935. Montaup has designated section 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 23, 1949, request the Commission in writing that a hearing be held on such mat-

ters, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration, as filed or as amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 23, 1949, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

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

Montaup proposes to issue from time to time unsecured promissory notes in an aggregate amount not in excess of \$4,000,000. The notes, bearing an interest rate of 2¼% per annum and maturing not later than one year less one day after the date of issue of the first of said notes and in no event later than March 31, 1950, will be issued to The First National Bank of Boston. The notes may be prepaid at any time without premium.

The declaration states that the proceeds of the notes will be used to prepay (without premium) \$740,000 face amount of presently outstanding unsecured 2¼% short-term bank notes and to finance construction requirements through March 31, 1950. The declaration further states that Montaup plans a construction program involving the installation of a 60,000 kilowatt steam-electric generating unit, now on order. It is contemplated by Montaup that, prior to the maturity of the proposed notes, a plan of permanent financing will be formulated to provide that company with sufficient funds to pay the proposed notes at maturity and to supply additional capital for the construction program.

The declaration indicates that with respect to the proposed transactions, it is not necessary to secure the approval of any State commission or Federal commission, other than this Commission. The expenses in connection with the proposed transactions are estimated in the declaration at \$1,200, of which \$1,000 represents estimated fees and expenses for legal services.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-1934; Filed, Mar. 14, 1949;
8:48 a. m.]

[File Nos. 70-2072, 70-2074]

OKLAHOMA GAS AND ELECTRIC CO. AND
STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 9th day of March 1949.

Notice is hereby given that applications have been filed with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") by Standard Gas and Electric Company ("Standard"), a registered holding company and a subsidiary of Standard Power and Light Corporation, also a registered holding company, and by Standard's subsidiary, Oklahoma Gas and Electric Company ("Oklahoma"). Oklahoma designates section 6 (b) and Standard designates sections 9 (a) and 9 (c) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 23, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said applications which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 23, 1949, either or both of the applications may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction or transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said applications, which are on file at the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Oklahoma proposes to issue and sell for cash 89,000 shares of its authorized and unissued Common Stock, par value \$20 per share. It proposes to issue to the holders of its outstanding Common Stock, full share and fractional share Subscription Warrants carrying (a) a subscription right for shares of such Common Stock on the basis of one share for each ten shares of Common Stock held of record, and, except in the case of the Subscription Warrants to be issued to Standard, (b) the privilege to subscribe at the same subscription price per share for any additional number of shares not subscribed for through the exercise of the aforesaid Subscription Warrants, subject to pro rata allotment of such additionally subscribed shares. Any shares which remain unsubscribed for upon the expiration of the aforesaid Subscription Warrants and oversubscription privileges, may be subscribed for by Standard at the same subscription price. It is expected that the record date will be March 23, 1949. The period of the duration of the offer (which will be approximately 15 days) and the subscription price per share are to be supplied by Oklahoma by amendment herein.

No subscription will be accepted for fractional shares; Subscription Warrants to be issued for fractional shares will be required to be aggregated for one or more full shares. The full share Subscription Warrants will be in registered form, transferable at Oklahoma's stock

transfer offices in Oklahoma City, Chicago and New York; the fractional share Subscription Warrants will be in bearer form, transferable by delivery.

Of the 890,000 issued and outstanding shares of \$20 par value Common Stock of Oklahoma, Standard owns 500,025 shares, which constitute 31.95% of the voting control of Oklahoma. Under the terms of the proposed offering, Standard will receive and proposes to exercise Subscription Warrants for 50,002 full shares of additional Common Stock of Oklahoma. Standard further proposes to subscribe for those shares, if any, of the proposed offering which remain unsubscribed for upon the expiration of the aforesaid Subscription Warrants and oversubscription privileges.

Standard states that if permitted to acquire Oklahoma Common Stock as proposed, it intends to sell in the near future 200,000 shares of Common Stock of Oklahoma plus any shares purchased on oversubscription, or, in lieu of such sale of Oklahoma Common Stock, not less than an equivalent dollar amount of shares of the Common Stock of Louisville Gas and Electric Company, also a subsidiary of Standard.

Oklahoma has filed applications with the Corporation Commission of the State of Oklahoma and the Arkansas Public Service Commission for authorization with respect to the proposed issuance.

Oklahoma requests that the Commission's order authorizing the proposed offering be issued on March 24, 1949, and that it become effective forthwith upon issuance. Standard requests that the Commission's order herein authorizing the proposed acquisition by Standard be issued and become effective on or before the date of issuance of the order authorizing the proposed offering by Oklahoma.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-1935; Filed, Mar. 14, 1949;
8:48 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 12815]

MINA FUCHS

In re: Stock owned by Mina Fuchs also known as (Frau) Mina Fuchs and as Minna Fuchs. F-28-29148-A-1/2.

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

1. That Mina Fuchs also known as (Frau) Mina Fuchs and as Minna Fuchs, whose last known address is Landstrasse 28, Schriesheim an der Bergstrasse, Land Baden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Four (4) shares of \$20.00 par value common capital stock of First National Bank of New Rochelle, 491 Main Street, New Rochelle, New York, evidenced by a certificate numbered 719, registered in the name of (Frau) Mina Fuchs, together with all declared and unpaid dividends thereon, and

b. Four (4) shares of \$20.00 par value common capital stock of First National Bank of New Rochelle, 491 Main Street, New Rochelle, New York, evidenced by a certificate numbered 4687, registered in the name of (Frau) Mina Fuchs, and presently in the custody of the said First National Bank of New Rochelle, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 49-1944; Filed, Mar. 14, 1949; 8:50 a. m.]

[Vesting Order 12838]

ASA SAKATA

In re: Debt owing to Asa Sakata. F-39-5982-C-1.

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

1. That Asa Sakata, whose last known address is 982 Matsukoga Ozu Kikuchi Gun Kumamoto, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Asa Sakata by Union Pacific

Railroad Company, 1416 Dodge Street, Omaha 2, Nebraska, in the amount of \$63.22 representing wages due as of June 1941, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on February 15, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1945; Filed, Mar. 14, 1949; 8:50 a. m.]

[Vesting Order 12873]

WALTER DOBLER

In re: Estate of Walter Dobler, deceased, File No. D-28-10983; E. T. sec. 16733.

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 Anna Dobler and Fritz Dobler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Walter Dobler, 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 Paul Wendler, Jr., as executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not

within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1946; Filed, Mar. 14, 1949; 8:50 a. m.]

[Vesting Order 12881]

EDWARD MALLINCKRODT ET AL.

In re: Trust agreement dated June 7, 1921, between Edward Mallinckrodt, donor, and the St. Louis Union Trust Company, trustee, for the benefit of Carl Wiskott. File No. D-28-7353-G-1.

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

1. That Irene Thesing and Mrs. Walter (Hertha) Kabberich, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to and arising out of or under that certain trust agreement dated June 7, 1921, by and between Edward Mallinckrodt, donor, and the St. Louis Union Trust Company, trustee, for the benefit of Carl Wiskott, presently being administered by St. Louis Union Trust Company, trustee, 323 North Broadway, St. Louis 2, Missouri,

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

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 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 con-

sultation 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 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1947; Filed, Mar. 14, 1949;
8:50 a. m.]

[Vesting Order 12882]

YOSHI SUGAMURA

In re: Rights of Yoshi Sugamura under Insurance Contract. File No. F-39-1146-H-2.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1032976, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Yoshihiro Sugamura, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and the legal reserve maintained in the United States),

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1948; Filed, Mar. 14, 1949;
8:50 a. m.]

[Vesting Order 12883]

HELENE THOMAS

In re: Estate of Helene Thomas, deceased. File No. D-28-10456; E. T. sec. 14871.

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 Augusta Rohde, Fritz Thomas, Johanna Neumann, Annie Thomas, Hans Thomas, Ernest Thomas, Greta Thomas Kratzwhol, Emma Babel Deppe, Agnes Babel, — Babel (given name unknown), — Babel (given name unknown), Helen Babel Laufenkötter, Wilhelm Babel, Hans Thomas, Meta Thomas Danner, Louise Babel Deppe, Franz Thomas, Helen Thomas, Eva Thomas and Manfred Thomas, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Helene Thomas, 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 Maria Martha Kibat, as administratrix c. t. a., acting under the judicial supervision of the County Court of McLennan County and the 74th District Court of McLennan County, Waco, Texas;

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 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1949; Filed, Mar. 14, 1949;
8:50 a. m.]

[Vesting Order 12885]

MARIE WERNER

In re: Trust under will of Marie Werner, deceased. File No. D-28-12434.

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

1. That the domiciliary personal representatives, heirs-at-law, next of kin, legatees and distributees, names unknown, of Reinhold Willenberg, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, in and to the trust created under paragraph Second B of the will of Marie Werner, 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 Albert W. Venino and Johannes Wiedmann, as co-trustees, acting under the judicial supervision of the Surrogate's Court, County of Kings, New York;

and it is hereby determined:

4. That to the extent that the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Reinhold Willenberg, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1950; Filed, Mar. 14, 1949;
8:50 a. m.]

[Vesting Order 12886]

HELENE FREYTAG ET AL.

In re: Claims owned by Helene Freytag, and others.

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

1. That the persons, whose names and last known addresses appear below, are residents of Germany and nationals of a designated enemy country (Germany);

Names and Last Known Addresses

- Helene Freytag, Germany.
- Liselotte Jacobs, Germany.
- Mariagnes Mueller, Germany.
- Alice Nagel, Germany.
- Anna von Unruh, Germany.
- Leni von Unruh, Germany.
- Susanna Storch, Germany.
- Horst Rabetge, Hindenburgstrasse 32 Hanover, Germany.
- Gisela Rabetge, Hindenburgstrasse 32, Hanover, Germany.

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Georg Christof von Unruh, also known as Georg von Unruh, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of the Fidelity-Philadelphia Trust Company, Broad and Walnut Streets, Philadelphia 9, Pennsylvania, arising out of an account entitled Agency for Beneficiaries under the Will of Else C. Freytag, Account #46210, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Georg Christof von Unruh, also known as Georg von Unruh, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Georg Christof von Unruh, also known as Georg von Unruh, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the inter-

est 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 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1951; Filed, Mar. 14, 1949; 8:51 a. m.]

[Vesting Order 12889]

FRANZ HERTZBERG ET AL.

In re: Bank account owned by Franz Hertzberg, and others.

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 Franz Hertzberg, Gertrud Oderich, Wilhelm Hertzberg, Ursula Wartenbach, Erika Hertzberg, Klara Hertzberg, Mertha Hertzberg, also known as Martha Hertzberg, and Rudolf Redmer, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the Chemical Bank & Trust Company, 165 Broadway, New York, New York, arising out of an account entitled Estate of Clara Witte, deceased, maintained at the branch office of the aforesaid bank located at 30 Broad Street, New York, New York, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

The 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 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1952; Filed, Mar. 14, 1949; 8:51 a. m.]

[Vesting Order 12891]

K. ISHU

In re: Claim owned by K. Ishu, also known as K. Ishuin. 9-017-15040, F-39-6382-C-1.

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

1. That K. Ishu, also known as K. Ishuin, whose last known address is Kumomoto Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to K. Ishu, also known as K. Ishuin, by C. Dan Lange, Esq., 351 California Street, San Francisco, California, representing a portion of the funds received by the said C. Dan Lange, as a result of the compromise settlement of a certain deed of trust, which was executed by Hiroshi Endo, on December 19, 1932, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1953; Filed, Mar. 14, 1949; 8:51 a. m.]

[Vesting Order 12914]

KARL T. VILLMANN

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Karl T. Villmann, deceased. F-28-29255-E-1.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees of Karl T. Villmann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the Hoboken Bank for Savings, Hoboken, New Jersey, arising out of a Savings Account, Account number 186517, entitled Karl T. Villmann, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Karl T. Villmann, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Karl T. Villmann, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all actions 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 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1956; Filed, Mar. 14, 1949;
8:52 a. m.]

[Vesting Order 12916]

N. V. POTASH (KALI) EXPORT MAATSCHAPPIJ

In re: Bank accounts owned by N. V. Potash (Kali) Export Maatschappij.

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 Deutsches Kallsyndikat G. m. b. H., the last known address of which is Berlin, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That N. V. Potash (Kali) Export Maatschappij is a corporation organized under the laws of the Netherlands, whose principal place of business is located at Amsterdam, Holland and is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by or acting or purporting to act directly or indirectly for the benefit of or on behalf of the aforesaid Deutsches Kallsyndikat G. m. b. H. and is a national of a designated enemy country (Germany);

3. That the property described as follows: Those certain debts or other obligations of the banks listed in Exhibit A, attached hereto and by reference made a part hereof, arising out of the accounts described in said Exhibit A, and any and all rights to demand, enforce and collect the same;

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

and it is hereby determined:

4. That N. V. Potash (Kali) Export Maatschappij is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany); and

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

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

EXHIBIT A

Name and Address of Bank and Description of Account

The National City Bank of New York, 55 Wall Street, New York, N. Y.: Checking account entitled N. V. Potash (Kali) Export M. I. J., Deposit Account, maintained at branch office located at 17 East 42d Street, New York, N. Y.

J. Henry Schroder Banking Corp., 46 William Street, New York, N. Y.: Current account entitled N. V. Potash Export Maatschappij.

The First National Bank of Boston, 67 Milk Street, Boston, Mass.: Checking account entitled N. V. Potash Export My., Inc., of Amsterdam, Holland, Deposit Account.

[F. R. Doc. 49-1957; Filed, Mar. 14, 1949;
8:52 a. m.]

[Vesting Order 9236, Amdt.]

GEORGE Y. NISHIMURA

In re: Debts or other obligations owing to and stocks and bonds owned by George Y. Nishimura.

Vesting Order 9236, dated June 23, 1947, is hereby amended as follows and not otherwise:

a. By deleting from Exhibit B attached to and by reference made a part of the aforesaid Vesting Order 9236 the certificate number 3733 set forth with respect to the City of Tokyo, Japan 5½% External Sinking Fund bonds due October 1961 and substituting therefor the number 3737, and

b. By deleting from Exhibit B attached to and by reference made a part of the aforesaid Vesting Order 9236 the certificate numbers 42970, 42036, and 42969 set forth with respect to Empire of Japan, Imperial Japanese Government External Sinking Fund 5½% bonds due May 1, 1965 and substituting therefor the numbers 970, 2036 and 969.

All other provisions of said Vesting Order 9236 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 2, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1958; Filed, Mar. 14, 1949;
8:52 a. m.]