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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

DEFINITIONS

Effective retroactively to the first day of the first pay period after October 28, 1949, the date of enactment of the Classification Act of 1949, the words "in the same agency" are deleted from paragraph (f) of § 25.102. As amended, paragraph (f) reads as follows:

§ 25.102 *Definitions.* * * *

(f) "Repromotion" is a change in position from a lower grade back to a higher grade formerly held by the employee, or to a higher intermediate grade, while continuously employed.

(Sec. 1101, Pub. Law 429, 81st Cong.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50-2227; Filed, Mar. 17, 1950; 8:47 a. m.]

Chapter III—Foreign and Territorial Compensation*

Subchapter C—Civil Service Commission

PART 350—TERRITORIAL POST DIFFERENTIALS AND TERRITORIAL COST-OF-LIVING ALLOWANCES

PLACES AND RATES AT WHICH ALLOWANCES SHALL BE PAID

1. Effective as of the beginning of the first pay period which begins after March 31, 1950, § 350.10 is amended by the deletion of Palmyra Island and its rate. The section now reads:

§ 350.10 *Places and rates at which territorial post differentials shall be paid.* In accordance with the provisions of section 207 of the act and section 202 of Executive Order 10000, and based on (a) extraordinarily difficult living conditions, (b) excessive physical hardship, or (c) notably unhealthful conditions, territorial post differentials are established at the following places and rates:

American Samoa (including the island of Tutuila, the Manua Islands, and all other islands of the Samoan group east of longitude 171° west of Greenwich, together with Swains Island): 25 percent of rate of basic compensation.

Guam: 25 percent of rate of basic compensation.

Johnston or Cornwallis Island, and Sand Island: 25 percent of rate of basic compensation.

Midway Islands: 25 percent of rate of basic compensation.

Wake Island: 25 percent of rate of basic compensation.

Swan Islands: 25 percent of rate of basic compensation.

Canton Island: 25 percent of rate of basic compensation.

The Trust Territory of the Pacific Islands (which comprises the Caroline, Marshall, and Mariana Islands, except Guam): 25 percent of rate of basic compensation.

2. Effective as of the beginning of the first pay period which begins after March 31, 1950, § 350.11 is amended by deleting the existing rate of territorial cost-of-living allowances for Hawaii (excluding Ocean or Kure Island and Palmyra Island) and by substituting 20 percent of rate of basic compensation for such allowances. The section now reads:

§ 350.11 *Places and rates at which territorial cost of living allowances shall be paid.* In accordance with the provisions of section 207 of the act and section 205 of Executive Order 10000, and in consideration of relative consumer price levels in the area and in the District of Columbia, and differences in goods and services available and the manner of living of persons employed in the area concerned in positions comparable to those of United States employees in the area, territorial cost-of-living allowances are established at the following places and rates:

Alaska (including all the Aleutian Islands east of longitude 167° east of Greenwich): 25 percent of rate of basic compensation.

Hawaii (excluding Ocean or Kure Island and Palmyra Island): 20 percent of rate of basic compensation.

Puerto Rico and Virgin Islands of the United States: 25 percent of rate of basic compensation.

(Sec. 202, Part II, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50-2228; Filed, Mar. 17, 1950; 8:47 a. m.]

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FEDERAL REGISTER

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TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS[1]

U. S. STANDARDS FOR GRADES OF CANNED FIELD PEAS AND CANNED BLACK-EYE PEAS

On September 23, 1948, a notice of rule making was published in the FEDERAL REGISTER (13 F. R. 5530) regarding proposed United States Standards for Grades of Canned Field Peas and Canned Black-Eye Peas (7 CFR 52.538). After consideration of all relevant matters, including the proposals set forth in the aforesaid notice, the following United States Standards for Grades of Canned Field Peas and Canned Black-Eye Peas are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., approved June 29, 1949):

§ 52.538 *Canned field peas and canned black-eye peas*—(a) *Identity.* (1) "Canned field peas" means canned field peas as defined in the definitions and standards of identity for canned vegetables (21 CFR, Cum. Supp. 52.990) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(2) "Canned black-eye peas" means canned black-eye peas as defined in the definitions and standards of identity for canned vegetables (21 CFR, Cum. Supp., 52.990), issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(3) "Canned peas" means canned field peas or canned black-eye peas.

(4) "Snap" or "snaps" means a piece or pieces of immature unshelled pods.

(5) "Canned peas without snaps" means canned peas which do not contain immature unshelled pods or pieces thereof.

(6) "Canned peas with snaps" means canned peas which contain pieces of immature unshelled pods.

(7) "Unit" means an individual field pea or black-eye pea or a piece of immature unshelled pod of either.

(b) *Grades of canned peas.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned peas that possess similar varietal characteristics; that possess a normal flavor and odor; that are fairly young; that are practically free from defects; that possess at least a fairly good color; and that score not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned peas that possess similar varietal characteristics; that possess a normal flavor and odor; that possess a fairly good color; that are nearly mature; that are fairly free from defects; and that score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of canned peas that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(c) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container of canned peas be filled with field peas or black-eye peas as full as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the total capacity of the container.

(d) *Recommended drained weight.* The drained weight recommendations in Table No. I of this paragraph are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades. The drained weight of canned peas is determined by emptying the contents of the container upon a No. 8 sieve of proper diameter and allowing to drain for 2 minutes. A sieve 8 inches in diameter is used for the No. 2½ size can (401 x 411) and smaller sizes; and a sieve 12 inches in diameter is used for containers larger than the No. 2½ size can.

TABLE No. 1

[Recommended minimum drained weight, in ounces, of field peas or black-eye peas, including snaps when canned with snaps]

Container size or designation:	*Ounces*
No. 1 (Picnic)	7
No. 1 Tall	10½
No. 300	9¼
No. 303	11
No. 2	13¼
No. 10	72

(e) *Ascertaining the grade.* (1) The grade of canned peas may be ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings of the factors of color, absence of defects, and character. The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

Factors:	*Points*
(i) Color	20
(ii) Absence of defects	40
(iii) Character	40
Total score	100

(2) "Normal flavor and odor" means that the canned peas are free from objectionable flavors and objectionable odors of any kind.

(f) *Ascertaining the rating of each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "15 to 20 points" means 15, 16, 17, 18, 19, or 20 points).

(1) *Color.* (i) Canned peas that possess a good color may be given a score of 15 to 20 points. "Good color" means that the canned peas possess a fairly uniform color and are typical of fairly young field peas or black-eye peas of similar varietal characteristics.

(ii) Canned peas that possess a fairly good color may be given a score of 10 to 14 points. "Fairly good color" means that the canned peas possess a color that may be variable and typical of nearly mature field peas or black-eye peas of similar varietal characteristics.

(iii) Canned peas that are definitely off color for any reason or fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 9 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from extraneous vegetable matter, from loose skins and pieces of skins, loose cotyledons and pieces of cotyledons, mashed or broken units, and units blemished by pathological injury, insect injury, or other means.

(*a*) "Extraneous vegetable matter" means hulls or pieces of hulls, unshelled pods or pieces of unshelled pods (except in peas canned with snaps), leaves, stems, and other similar vegetable matter.

(*b*) "Mashed or broken" means seriously crushed so that the unit has lost its original conformation or is broken to the extent that a cotyledon or portion thereof has become separated from the unit.

(*c*) "Blemished" means discolored or spotted by pathological injury, insect injury, or other means to such an extent that the appearance or eating quality of the unit is materially affected.

(ii) Canned peas that are practically free from defects may be given a score of 35 to 40 points. "Practically free from defects" means that for each 12 ounces drained weight of units there may be present not more than 2 pieces of extraneous vegetable matter, and the combined weight of all loose skins and pieces of skins, loose cotyledons and pieces of cotyledons, and mashed or broken units does not exceed 5 percent, and the weight of blemished units does not exceed 2 percent of the drained weight of the canned peas.

(iii) If the canned peas are fairly free from defects, a score of 30 to 34 points may be given. Canned peas that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that for each 12 ounces drained weight of units there may be present not more than 4 pieces of extraneous vegetable matter, and the combined weight of all loose skins and pieces of skins, loose cotyledons and pieces of cotyledons, and mashed or broken units does not exceed 10 percent, and the weight of blemished units does not exceed 6 percent of the drained weight of the canned peas.

(iv) Canned peas that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 29 points and shall not be graded above U. S. Grade D or Substandard, re-

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

gardless of the total score for the product (this is a limiting rule).

(3) *Character.* (i) This factor refers to the tenderness and maturity of the canned peas.

(ii) Canned peas that are fairly young may be given a score of 35 to 40 points. "Fairly young" means that the units are tender and in a fairly early stage of maturity.

(iii) If the field peas or black-eye peas are nearly mature, a score of 30 to 34 points may be given. Canned peas that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Nearly mature" means that the units are fairly tender and may be mealy but not hard.

(iv) Canned peas that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 29 points, and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(g) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned peas without snaps or canned peas with snaps, the grade for such lot will be determined by averaging the total scores of all containers if:

(i) Not more than one-sixth of the containers comprising the sample fails to meet all the requirements of the grade indicated by the average of such total score, and with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(h) *Score sheet for canned field peas and canned black-eye peas.*

Container size		
Container code or marking		
Label		
Net weight (ounces)		
Vacuum (inches)		
Drained weight (ounces)		
Style		
Factors	Score Points	
I. Color	20	(A) 15–20 (C) 10–14 (D) [1] 0–9
II. Absence of defects	40	(A) 35–40 (C) [1] 30–34 (D) [1] 0–29
III. Character	40	(A) 35–40 (C) [1] 30–34 (D) [1] 0–29
Total score	100	
Grade		
Normal flavor and odor		

[1] Indicates limiting rule.

(i) *Effective time.* The United States Standards for Grades of Canned Field Peas and Canned Black-Eye Peas (which are the first issue) contained in this section shall become effective thirty days after the date of publication of these standards in the FEDERAL REGISTER.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624, Pub. Law 146, 81st Cong.)

Issued at Washington, D. C., this 15th day of March 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 50-2243; Filed, Mar. 17, 1950; 8:50 a. m.]

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

[Lemon Reg. 322]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.429 *Lemon Regulation 322*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), 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, (7 U. S. C. 601 et seq.), 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 information, 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 act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on March 15, 1950, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(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 19, 1950, and ending at 12:01 a. m., P. s. t., March 26, 1950, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 300 carloads;

(iii) District 3: 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," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 17th day of March 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

DISTRICT NO. 2

Storage date: March 5, 1950

[12:01 a. m. Mar. 12, 1950, to 12:01 a. m. Mar. 26, 1950]

Handler	*Prorate base (percent)*
Total	100.000
American Fruit Growers, Inc., Corona	.448
American Fruit Growers, Inc., Fullerton	.703
American Fruit Growers, Inc., Upland	.366
Hazeltine Packing Co	1.113
Ventura Coastal Lemon Co	2.294
Ventura Pacific Co	2.489
Glendora Lemon Growers Association	.974
La Verne Lemon Association	.964
La Habra Citrus Association	2.600
Yorba Linda Citrus Association	.611
Escondido Lemon Association	5.585
Alta Loma Heights Citrus Association	.665
Etiwanda Citrus Fruit Association	.537
Mountain View Fruit Association	.251
Old Baldy Citrus Association	.952
Upland Lemon Growers Association	3.363
Central Lemon Association	.544

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Irvine Citrus Association	1.437
Placentia Mutual Orange Association	1.698
Corona Citrus Association	.552
Corona Foothill Lemon Co	1.619
Jameson Company	.488
Arlington Heights Citrus Co	.394
College Heights Orange & Lemon Association	1.281
Chula Vista Citrus Association	1.715
El Cajon Valley Citrus Association	.346
Escondido Cooperative Citrus Association	.633
Fallbrook Citrus Association	4.893
Lemon Grove Citrus Association	.692
San Dimas Lemon Association	2.155
Carpinteria Lemon Association	2.628
Carpinteria Mutual Citrus Association	2.882
Goleta Lemon Association	2.689
Johnston Fruit Co	4.139
North Whittier Heights Citrus Association	1.526
San Fernando Heights Lemon Association	1.988
Sierra Madre-Lamanda Citrus Association	2.067
Briggs Lemon Association	1.760
Culbertson Lemon Association	.840
Fillmore Lemon Association	.961
Oxnard Citrus Association	5.078
Rancho Sespe	.659
Santa Clara Lemon Association	1.831
Santa Paula Citrus Fruit Association	2.614
Saticoy Lemon Association	2.367
Seaboard Lemon Association	2.154
Somis Lemon Association	1.643
Ventura Citrus Association	.777
Limoneira Co	8.193
Teague-McKevett Association	.615
East Whittier Citrus Association	2.214
Leffingwell Rancho Lemon Association	.828
Murphy Ranch Co	1.421
Whittier Citrus Association	1.122
Whittier Select Citrus Association	.000
Chula Vista Mutual Lemon Association	1.164
Index Mutual Association	1.046
La Verne Cooperative Citrus Association	3.126
Orange Belt Fruit Distributors	1.646
Ventura County Orange & Lemon Association	2.250
Whittier Mutual Orange & Lemon Association	.233
Evans Bros. Packing Co	.044
Johnson, Fred	.000
San Antonio Orchard Co	.133

[F. R. Doc. 50-2339; Filed, Mar. 17, 1950; 11:57 a. m.]

[Orange Reg. 319]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.465 *Orange Regulation 319*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended, (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges 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, (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges 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 act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on March 16, 1950; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges 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 19, 1950, and ending at 12:01 a. m., P. s. t., March 26, 1950, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: No movement;

(*c*) Prorate District No. 3: Unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1,050 carloads;

(*c*) Prorate District No. 3: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended 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," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as given to the respective term in § 966.107 of the current rules and regulations (14 F. R. 6588) contained in this part.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 17th day of March 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Mar. 19, 1950, to 12:01 a. m. Mar. 26, 1950]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.5392
A. F. G. Corona	.0954
A. F. G. Fullerton	.0000
A. F. G. Orange	.0000
A. F. G. Riverside	.6857
A. F. G. Santa Paula	.0265
Eadington Fruit Co	.0000
Hazeltine Packing Co	.1608
Placentia Pioneer Valencia Growers Association	.0000
Signal Fruit Association	1.0248
Azusa Citrus Association	1.1012
Damerel-Allison Co	1.0594
Glendora Mutual Orange Association	.4884
Puente Mutual Citrus Association	.0398
Valencia Heights Orchard Association	.2080
Covina Citrus Association	1.3382
Covina Orange Growers Association	.4665
Glendora Citrus Association	.9986
Gold Buckle Association	8.9520
La Verne Orange Association	4.1207
Anaheim Citrus Fruit Association	.0000
Anaheim Valencia Orange Association	.0000
Fullerton Mutual Orange Association	.0000
La Habra Citrus Association	.0000
Orange County Valencia Association	.0000
Orangethorpe Citrus Association	.0000
Yorba Linda Citrus Association	.0000
Escondido Orange Association	.0000
Alta Loma Heights Citrus Association	.3278
Citrus Fruit Growers	.9151
Cucamonga Citrus Association	.2893
Etiwanda Citrus Fruit Association	.2550
Mountain View Fruit Association	.1201
Old Baldy Citrus Association	.4572
Rialto Heights Orange Growers	.5380
Upland Citrus Association	2.6483
Upland Heights Orange Association	1.2060
Consolidated Orange Growers	.0000
Frances Citrus Association	.0000
Garden Grove Citrus Association	.0000
Goldenwest Citrus Association, The	.0000
Olive Heights Citrus Association	.0000
Santa Ana-Tustin Mutual Citrus Association	.0000
Santiago Orange Growers Association	.0000

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Tustin Hills Citrus Association	0.0000
Villa Park Orchard Association, The	.0000
Bradford Bros., Inc	.0000
Placentia Cooperative Orange Association	.0000
Placentia Mutual Orange Association	.0000
Placentia Orange Growers Association	.0000
Yorba Orange Growers Association	.0000
Call Ranch	.6402
Corona Citrus Association	.9132
Jameson Co	.4430
Orange Heights Orange Association	1.8702
Crafton Orange Growers Association	1.6188
East Highlands Citrus Association	.4563
Fontana Citrus Association	.4877
Redlands Heights Groves	1.0219
Redlands Orangedale Association	1.1278
Break & Sons, Allen	.2518
Bryn Mawr Fruit Growers	1.0773
Mission Citrus Association	.9891
Redlands Cooperative Fruit Association	1.7261
Redlands Orange Growers Association	1.2001
Redlands Select Groves	.5045
Rialto Citrus Association	.5633
Rialto Orange Co	.4227
Southern Citrus Association	1.1644
United Citrus Growers	.6355
Zilen Citrus Co	.2984
Andrews Bros. of California	.6013
Arlington Heights Citrus Co	.9554
Brown Estate, L. V. W	1.9863
Gavilan Citrus Association	1.8951
Highgrove Fruit Association	.6466
Krinard Packing Co	1.6384
McDermont Fruit Co	1.5297
Monte Vista Citrus Association	1.3983
National Orange Co	.5996
Riverside Heights Orange Growers Association	1.1318
Sierra Vista Packing Association	.7923
Victoria Avenue Citrus Association	8.0748
Claremont Citrus Association	.9289
College Heights Orange & Lemon Association	1.8438
Indian Hill Citrus Association	1.2155
Pomona Fruit Growers Exchange	2.0868
Walnut Fruit Growers	.5648
West Ontario Citrus Association	1.1029
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.0000
San Dimas Orange Growers Association	1.0733
Canoga Citrus Association	.0995
Covina Valley Orange Co	.0298
North Whittier Heights Citrus Association	.1465
San Fernando Fruit Growers Association	.3954
San Fernando Heights Orange Association	.2317
Sierra Madre-Lamanda Citrus Association	.1951
Camarillo Citrus Association	.0091
Fillmore Citrus Association	.9862
Ojai Orange Association	1.0714
Piru Citrus Association	1.1005
Rancho Sespe	.0017
Santa Paula Orange Association	.0851
Tapo Citrus Association	.0078
Ventura County Citrus Association	.0317
East Whittier Citrus Association	.0085
Whittier Citrus Association	.0000

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Whittier Select Citrus Association	0.0000
Anaheim Cooperative Orange Association	.0000
Bryn Mawr Mutual Orange Association	.5462
Chula Vista Mutual Lemon Association	.0946
Euclid Avenue Orange Association	2.8730
Foothill Citrus Union, Inc	.3098
Fullerton Cooperative Orange Association	.0000
Golden Orange Groves, Inc	.2653
Highland Mutual Groves, Inc	.2861
Index Mutual Association	.0042
La Verne Cooperative Citrus Association	3.2059
Mentone Heights Association	.6158
Olive Hillside Groves	.0000
Orange Cooperative Citrus Association	.0000
Redlands Foothill Groves	2.8249
Redlands Mutual Orange Association	1.1514
Ventura County Orange & Lemon Association	.3211
Whittier Mutual Orange & Lemon Association	.0000
Allec Bros	.0000
Associated Fruit Distributors, Inc	.0452
Babijucie Corp. of California	.4849
Banks, L. M	.0000
Borden Fruit Co	.0368
Bostick, Mrs. Mattie Welsh	.0102
Cherokee Citrus Co., Inc	1.1303
Chess Co., Meyer W	.5138
Coate, Elwood E	.0928
Dunning Ranch	.1665
Evans Bros. Packing Co	1.2236
Gold Banner Association	2.2859
Granada Hills Packing Co	.0200
Granada Packing House	.3934
Hill, Fred A., Packing House	.8015
Knapp Packing Co., John C	.0000
Orange Belt Fruit Distributors	2.6663
Panno Fruit Co., Carlo	.0572
Paramount Citrus Association	.3508
Placentia Orchard Co	.0000
Prescott, John A	.0000
Riverside Citrus Association	.1893
Russell, John W	.0008
San Antonio Orchard Co	1.4830
Stephens, T. F	.1186
Summit Citrus Packers	.0268
Torn Ranch	.0198
Wall, E. T., Growers-Shippers	1.9588
Western Fruit Growers, Inc	3.5755

[F. R. Doc. 50-2338; Filed, Mar. 17, 1950; 11:58 a. m.]

PART 993—HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

APPROVAL OF BUDGET OF EXPENSES OF PRUNE ADMINISTRATIVE COMMITTEE AND FIXING RATE OF ASSESSMENT FOR CROP YEAR ENDING JULY 31, 1950

Notice was published in the December 30, 1949, issue of the FEDERAL REGISTER (14 F. R. 7856), that consideration was being given to the approval of the budget of the Prune Administrative Committee (established under Marketing Agreement No. 110 and Order No. 93 (14 F. R. 5254), regulating the handling of dried prunes produced in California), and fixing the rate of assessment which each handler who first handles dried prunes shall pay as his pro rata share of such expenses. This regulatory program is effective pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). The expenses and rate of assessment are with respect to operations during the crop year ending July 31, 1950. After consideration of all relevant matters presented, including the recommendations and supporting data submitted by the Prune Administrative Committee, (as set forth in the aforesaid notice), it is hereby ordered that the budget of expenses and rate of assessment shall, upon publication in the FEDERAL REGISTER, be as hereinafter set forth.

It is hereby found and determined that good cause exists for not postponing the effective time of the order with respect to the aforesaid budget of expenses and rate of assessment for 30 days, or any lesser period, after publication of it in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.), in that: the rate of assessment is applicable, pursuant to the said marketing agreement and order, to all salable tonnage prunes handled by the first handler thereof and to all prunes sold to him from surplus tonnage for resale to other than Federal governmental agencies; substantial tonnages have been and are presently being handled; it is essential that the determination regarding the expenses and rate of assessment be made as soon as practicable to enable the Prune Administrative Committee to obtain assessment funds when needed, to administer the program; and no prior preparation on the part of handlers is required in connection herewith.

§ 993.300 *Budget of expenses of the Prune Administrative Committee and rate of assessment for the crop year beginning August 25, 1949, and ending July 31, 1950.* Expenses in the amount of $104,000 are reasonable and are likely to be incurred by the Prune Administrative Committee for its maintenance and functioning during the crop year ending July 31, 1950, and the rate of assessment to be paid by each handler shall be 90 cents per ton, on a natural condition equivalent basis of all salable tonnage prunes handled by him as the first handler thereof and of all prunes sold to him from surplus tonnage for resale to other than Federal governmental agencies, during such crop year. This rate of assessment is hereby fixed as each handler's pro rata share of the aforesaid expenses.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 14th day of March 1950, to become effective upon publication in the FEDERAL REGISTER.

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

[F. R. Doc. 50-2209; Filed, Mar. 17, 1950; 8:45 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 150—DEPORTATION PROCEEDINGS: INVESTIGATION AND ARREST

FINGERPRINTING OF ARRESTED ALIENS

MARCH 13, 1950.

Paragraph (d) of § 150.5, *Execution of warrants of arrest*, Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

(d) *Fingerprints; photographs.* Every alien 14 years of age or older who is arrested under a warrant of arrest in accordance with paragraph (a) of this section, or without a warrant under the authority in § 60.28 of this chapter, shall be fingerprinted. Any alien so arrested, regardless of his age, shall be photographed if a photograph is required by the immigration officer in charge.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 106, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458. Interprets or applies secs. 19, 20, 39 Stat. 889, 890, sec. 14, 43 Stat. 162, 54 Stat. 671, 56 Stat. 1044, 57 Stat. 553; 8 U. S. C. 155, 156, 214)

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date are deemed to be impracticable of application to these regulations because they are so related to the general regulations governing the deportation of aliens published in the FEDERAL REGISTER on March 10, 1950 (15 F. R. 1297), and effective on that date, that they should become effective immediately in order not to impede the due and timely functions of the Immigration and Naturalization Service in the administration of deportation procedures.

A. R. MACKEY,
Acting Commissioner,
Immigration and Naturalization.

Approved: March 13, 1950.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 50-2229; Filed, Mar. 17, 1950; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

[Circular 1737, Amdt. 1]

PART 257—LEASE OR SALE OF SMALL TRACTS NOT EXCEEDING FIVE ACRES FOR HOME, CABIN, CAMP, HEALTH, CONVALESCENT, RECREATIONAL, OR BUSINESS SITES

FEE

Section 257.6 is amended to read as follows:

§ 257.6 *Fee.* Every small tract application must be accompanied by a service fee of $10. This fee will be considered as earned and will be retained, regardless of action on the application, except that where, after January 23, 1950, an application is filed during a simultaneous filing period established by an order of classification, the fee will be returned if no tract is awarded to the applicant as a result of the drawing held. No fee will be required with an application for sale, based on an outstanding lease.

(52 Stat. 609, as amended; 43 U. S. C. 682a)

MARION CLAWSON,
Director.

Approved: March 14, 1950.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 50-2211; Filed, Mar. 17, 1950; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 930]

[Docket No. AO-72-A14]

HANDLING OF MILK IN TOLEDO, OHIO, MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Part 900), a public hearing was conducted at Toledo, Ohio, on October 31 and November 1-2, 1949, pursuant to notice thereof which was issued on October 21, 1949 (14 F. R. 6530).

Upon the basis of the evidence introduced at the hearing and the record thereof the Assistant Administrator, Production and Marketing Administration, on February 8, 1950, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Notice of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on February 14, 1950 (15 F. R. 815).

The material issues and the findings and conclusions of the recommended decision (F. R. Doc. 50-1250, 15 F. R. 815), are hereby approved and adopted as the findings and conclusions of this decision as if set forth in full herein subject to the following amendments:

1. Delete the first paragraph beginning in column 2, 15 F. R. 816 (F. R. Doc. 50-1250) and substitute therefor the following:

Adoption of the proposal will promote the objective desired by the proponent and will promote orderly marketing conditions in the Toledo market. The act provides that a cooperative shall not be prevented from blending the net proceeds of all its sales in all markets in all use classifications. The proponent cooperative is prevented from so doing by order provisions which permit payments directly to member producers, so long as handlers insist on making payments in this manner. The proponent cooperative must collect payments due to producers to be in a position to blend proceeds from sales of milk of its members in different fluid milk markets, or in fluid and manufacturing markets. It is well established that different treatment and special consideration have been accorded cooperative marketing associations by state and congressional legislation alike and that the distinctions between such cooperative and other business organizations have repeatedly been held to justify different treatment. It is not desirable to delay correction of potentially disturbing conditions until a disorderly market situation develops. Except for the possible effect on quality programs, which does not seem to be of controlling importance, the record does not show any adverse effect on handlers of making payments to cooperatives rather than to producers. Such method of payment would relieve handlers of considerable office work which the proponent is willing to assume. Payment of member producers by cooperatives will promote more efficient marketing of milk, aid cooperatives in keeping members well informed, and make possible such disposition of proceeds from milk sales as will best promote market stability. It is concluded therefore that handlers should be required, upon request, to make payments to cooperatives with respect to milk delivered by producers who have authorized the cooperative to receive such payments, and that the market administrator should furnish the cooperative the necessary information for making payments to producers.

Rulings on exceptions. Exceptions to each of the issues (except 2) and to general findings (a) and (b) were filed by handlers.

In arriving at the findings, conclusions and amendment action decided in this decision these exceptions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions and amendment action decided

upon herein are at variance with the exceptions, such exceptions are overruled.

General findings. (a) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The order, as amended and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of November 1949 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in the Toledo, Ohio, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Toledo, Ohio, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 14th day of March 1950.

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

Order[1] Amending Order, as Amended, Regulating Handling of Milk in Toledo, Ohio, Marketing Area

§ 930.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR, Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that;

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Toledo, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Add to § 930.2 (c) the following:

(10) Upon request, supply on or before the 10th day after the end of each delivery period to each cooperative association with respect to each producer specified in § 930.7 (a) the amounts of milk received, the average butterfat tests thereof, the amounts of authorized deductions and such other information necessary to carry out the provisions and intent of § 930.7.

2. Delete § 930.3 (b) (2).

3. Delete § 930.7 (a) and (b) and substitute therefor the following:

(a) *Time and method of final payment.* (1) On or before the 13th day after the end of each delivery period, each handler shall, upon request, pay to a cooperative association with respect to milk of producers for which it has received written authorization to collect payment a total amount not less than the sum of the individual amounts otherwise payable to such producers pursuant to subparagraph (2) of this paragraph.

(2) On or before the 15th day after the end of each delivery period, each handler shall pay each producer (other than those specified in subparagraph (1) of this paragraph) for milk received from him during such delivery period, at not less than the uniform price for such handler adjusted by the butterfat differential pursuant to paragraph (c) of this section, less the amount of payment made pursuant to paragraph (b) of this section.

(b) *Partial payments.* (1) On or before the last day of each delivery period, each handler shall, upon request, pay to a cooperative association with respect to milk received during the first 15 days of the delivery period from producers specified in paragraph (a) (1) of this section, a total amount not less than the sum of the individual amounts for such producers, computed at not less than the uniform price for such handler for the preceding delivery period.

(2) On or before the last day of each delivery period each handler shall pay to each producer (other than those included in subparagraph (1) of this paragraph) for milk received from such producer during the first fifteen (15) days of the delivery period at not less than fifty cents (50¢) under the uniform price for such handler for the preceding delivery period: *Provided,* That in the event a producer discontinues shipping to the market during the delivery period, such partial payments shall not be made and full payment for all milk received from such producer during the delivery period shall be made pursuant to the provisions of (a) of this section.

4. Add to § 930.9 the following:

(c) Upon request the market administrator is authorized to report to any cooperative association qualifying under paragraph (b) of this section for each delivery period the amount of butterfat shortage or overage on member milk found in any handler's plant, as revealed by the records of the market administrator. For the purpose of this report, the butterfat shortage or overage on member milk shall be determined as the percentage of total butterfat shortage or overage which total receipts of butterfat in member milk is of the total receipts of butterfat in the plant.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

5. Delete § 930.5 (a) (1) and substitute therefor the following:

(1) *Class I milk price.* To the basic formula price add the following amounts for the delivery period indicated:

Delivery period:	*Amount*
May and June	$0.75
July, August, March, and April	.95
All others	1.05

[F. R. Doc. 50-2210; Filed, Mar. 17, 1950; 8:45 a. m.]

FEDERAL SECURITY AGENCY

Bureau of Federal Credit Unions, Social Security Administration

[45 CFR, Parts 301 and 302]

STANDARD FORM OF BYLAWS; REGULATIONS CONCERNING RESERVES OF FEDERAL CREDIT UNIONS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act approved June 11, 1946 (60 Stat. 238, 5 U. S. C. 1003) that the amendments to 45 CFR, Part 301 and Part 302, set forth in tentative form below are proposed to be prescribed by the Director of the Bureau of Federal Credit Unions with the approval of the Commissioner of Social Security and the Federal Security Administrator. These proposed amendments will revise, supplement and amend the existing regulations.

Prior to the official adoption of the proposed amendments, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Director of the Bureau of Federal Credit Unions, Federal Security Agency, Federal Security Building, Washington 25, D. C., within a period of thirty days from the date of publication of this notice in the FEDERAL REGISTER. The proposed amendments are to be issued under authority contained in section 16 (a) of the Federal Credit Union Act, as amended (48 Stat. 1221, 12 U. S. C. 1766; section 2 of the Act of June 29, 1948 (62 Stat. 1091); and section 3 of the Act of October 25, 1949 (63 Stat. 890, 12 U. S. C. 1762)).

[SEAL] CLAUDE R. ORCHARD,
Director,
Bureau of Federal Credit Unions.

Approved: March 15, 1950.

A. J. ALTMEYER,
Commissioner for Social Security.

Approved: March 15, 1950.

JOHN L. THURSTON,
Acting Federal Security Administrator.

1. Subparagraphs captioned Article XIII—Reserves, Article XIV—Dividends, and Article XVIII—Definition of Terms of 45 CFR 301.3 (13 F. R. 9341) are hereby amended to read as follows:

ARTICLE XIII—RESERVES

SECTION 1. All entrance fees, transfer fees, and fines and 20 per centum of the net earnings of each year (before the declaration of any dividend) shall be set aside as a regular reserve; *Provided, however,* That when the regular reserve thus established shall equal 10 per centum of the total amount of members' shareholdings, no further transfer of net earnings to such regular reserve shall be required except that such amounts not in excess of 20 per centum of the net earnings as may be needed to maintain this 10 per centum ratio shall be transferred. Net earnings in excess of the above requirements may be transferred to the regular reserve by authorization of the board of directors subject to approval of the members at the annual meeting. The regular reserve shall be used only for losses on loans to members and to other credit unions (including unrecovered collection costs) and such other losses as are specified in the regulations of the Bureau of Federal Credit Unions. The regular reserve shall not be distributed except in the case of final liquidation.

SEC. 2. In addition to the regular reserve, special reserves to protect the interests of members shall be established in accordance with section 12 of the Federal Credit Union Act, as amended.

ARTICLE XIV—DIVIDENDS

SECTION 1. At the annual meeting only, on recommendation of the board of directors, a dividend may be declared from the net earnings remaining after providing for reserves as specified in Article XIII of these bylaws. Any such dividend shall be paid only on shares fully paid up before December 1, and outstanding on December 31, of the preceding year. In the case of any share which became fully paid up during such year and prior to December 1 thereof, the holder shall be entitled to receive a proportional part of said dividend calculated from the first day of the month following such payment in full.

* * * * *

ARTICLE XVIII—DEFINITION OF TERMS

SECTION 1. When used in these bylaws the terms:

(a) "Net earnings", for a given period, shall mean the balance remaining after deducting from the gross income of this credit union actually received during such period all expenses paid or payable during such period, and any losses sustained therein (as determined by the board of directors) for which no specific reserve has been set aside. Amounts set aside during such period as a reserve shall not be deemed items of expense.

(b) "Paid-in and unimpaired capital", as of a given date, shall mean the balance of the paid-in shares account as of such date, less any losses that may have been incurred for which there is no reserve or which have not been charged against undivided profits or surplus.

(c) "Surplus", as of a given date, shall mean the credit balance of the undivided profits account on such date, after all losses have been provided for and net earnings or net losses have been added thereto or deducted therefrom, as the case may be. Reserves shall not be considered as a part of the surplus.

2. Part 302—Reserves (14 F. R. 4850) is amended to read as follows:

PART 302—RESERVES

Sec.
302.1 Reserves in general.
302.2 Regular Reserve.
302.3 Special Reserve for Delinquent Loans.

§ 302.1 *Reserves in general.* Federal credit unions shall establish and maintain such reserves as may be required by the Federal Credit Union Act, as amended, or by regulation, or in special cases by the Director of the Bureau of Federal Credit Unions on his finding that the reserves of the Federal credit union concerned are insufficient.

§ 302.2 *Regular Reserve.* (a) The treasurer shall transfer to a reserve to be known as the Regular Reserve: (1) As of the close of business each month, all entrance fees, transfer fees, and fines collected during the month; (2) as of December 31 of each year, 20% of the net earnings for that year: *Provided, however,* That when the regular reserve thus established shall equal 10% of the total amount of members' shareholdings, transfers of net earnings to the Regular Reserve may be limited to the amount necessary to maintain the Regular Reserve equal to 10% of the total amount of members' shareholdings; and (3) as of the close of business each month, recoveries on items previously charged to the Regular Reserve.

(b) A Federal credit union may charge to its regular reserve losses on uncollectable loans to members and to other credit unions (including unrecovered collection costs).

(c) A Federal credit union may charge to its regular reserve losses other than those resulting from uncollectible loans to members or to other credit unions provided that each such charge has been approved in advance by the Director of the Bureau of Federal Credit Unions. In determining whether such charges shall be approved, the Director of the Bureau of Federal Credit Unions will be guided by the nature of the loss and the financial condition of the Federal credit union concerned as indicated by: the amount of loan delinquency and estimated losses on outstanding loans, current and prospective net earnings, and similar facts which may affect its operations and development.

Applications for approval to charge such losses to the regular reserve shall be made in writing to the Regional Representative of the Bureau of Federal Credit Unions for the region in which the Federal credit union maintains its principal office. The application shall: (1) be authorized by the board of directors of the Federal credit union; (2) state the amount and nature of the loss; (3) describe fully the causes of the loss; and (4) be accompanied by a copy of the Federal credit union's current financial and statistical report (Form FCU 109 rev.) and a copy of the current Schedule of Delinquent Loans (Form FCU 118). The Regional Representative may request such additional information concerning the financial condition, operating practices, and management of the Federal credit union as he may deem necessary in a particular case.

The Regional Representative will investigate each such application and will make a recommendation as to whether it should be approved or disapproved. The application and recommendation of the Regional Representative shall be forwarded to the Division of Field Operations, Bureau of Federal Credit Unions in Washington, D. C. The Division of Field Operations shall consider the application and the recommendations of the Regional Representative and shall make recommendations to the Director of the Bureau of Federal Credit Unions who shall approve or disapprove the application. The Regional Representative will be informed of the Director's action on

the application and will then communicate with the Federal credit union concerned.

§ 302.3 *Special Reserve for Delinquent Loans.* (a) The Regular Reserve of each Federal credit union shall be supplemented by a special reserve to be known as the Special Reserve for Delinquent Loans, which shall be equal to the excess of the sum of 10% of the unpaid balances of loans delinquent more than two months and less than six months, plus 25% of the unpaid balances of loans delinquent from six months to less than 12 months, plus 50% of the unpaid balances of loans delinquent from 12 months to less than 18 months, and plus 100% of the unpaid balances of loans delinquent 18 months or more over the balance in the Regular Reserve. In the event it is necessary to supplement the Regular Reserve by a Special Reserve for Delinquent Loans, the transfer to the Special Reserve for Delinquent Loans shall be made as of December 31 of each year from Undivided Profits before any distribution of dividends. The maintenance of a Special Reserve for Delinquent Loans shall not eliminate the necessity for transferring net earnings as of December 31 each year to the Regular Reserve as required by paragraph (a) of § 302.2. In the event the required transfer exceeds the balance of Undivided Profits, only the balance of Undivided Profits shall be transferred to the Special Reserve for Delinquent Loans.

(b) When, as of December 31 of any year, the amount in the Special Reserve for Delinquent Loans exceeds the amount required by the regulations in this part, the board of directors of the Federal credit union may authorize the transfer of the excess to Undivided Profits.

(c) Upon written application by the Board of Directors of a Federal credit union, the Director of the Bureau of Federal Credit Unions may waive, in whole or in part, the requirement for the maintenance of the Special Reserve for Delinquent Loans contained in paragraph (a) of this section. Such applications shall be addressed to the Regional Representative of the Bureau of Federal Credit Unions in the area in which the Federal credit union concerned maintains its principal offices.

[F. R. Doc. 50-2230; Filed, Mar. 17, 1950; 8:48 a. m.]

NOTICES

DEPARTMENT OF STATE

Bureau of German Affairs

[Public Notice 35]

JUDICIAL POWERS IN RESERVED FIELDS

INTERIM DIRECTIVE

The following proclamations and regulations issued by the Allied High Commission for Germany and by the United States High Commissioner for Germany are deemed to be of interest to certain United States citizens as having legal effect upon them or their property:

INTERIM DIRECTIVE UNDER ALLIED HIGH COMMISSION LAW NO. 13, "JUDICIAL POWERS IN THE RESERVED FIELDS"

The following directive, subject as above, was approved by the Deputy High Commissioner on January 24, 1950.

Pursuant to the authority conferred by Allied High Commission Law No. 13 "Judicial Powers in the Reserved Fields," and pending further action thereunder by the Allied High Commission or the United States High Commissioner for Germany, it is directed as follows:

1. Except as provided in Article 1 (a) of Allied High Commission Law No. 13 German courts are hereby expressly authorized to exercise criminal jurisdiction in the following cases:

a. Any case involving an offense against the Allied Forces and in which the maximum penalty that may be imposed by fine does not exceed 150 Deutsche Marks and the maximum penalty that may be imposed by detention does not exceed six weeks; and

b. Any case involving an offense against the property of the Allied Forces, if the value of the property stolen or unlawfully possessed, or the amount of damage or injury to the property, does not exceed $100.00.

2. German courts shall not be debarred from exercising criminal jurisdiction in any case merely because the alleged offense is a violation of any enactment of the Occupation Authorities.

3. German Courts may, in accordance with applicable German law, issue penal orders (Strafbefehle) against persons other than those referred to in Article 1 (a) of Allied High Commission Law No. 13: *Provided*, That in cases where the accused is a national of the United States of America, the United Kingdom of Great Britain and Northern Ireland or the Republic of France or a Displaced Person or a person with a status assimilated to that of a Displaced Person, the case will be transferred for trial to a United States Court of the Allied High Commission for Germany if the accused shall file a petition for such transfer at or before the stage of the proceedings at which, under German law, objections to such penal order may be made.

4. The exercise of the powers of the United States High Commissioner to authorize the exercise of jurisdiction by German Courts in specific cases pursuant to Articles 1 and 2 and of the powers of withdrawal of German Court proceedings and suspension of German court decisions pursuant to Article 7, paragraphs 1 and 2, of Allied High Commission Law No. 13, is hereby delegated to the Land Commissioners; *Provided*, That such powers may be exercised only within the framework of policies established before January 1, 1950, by the Office of Military Government for Germany (US) or by the Office of the United States High Commissioner for Germany or of instructions to be communicated to the Land Commissioners.

This directive shall take effect as of 1 January 1950 within the Laender Bavaria, Bremen, Hesse and Wuerttemberg-Baden.

Done at Frankfurt on Main, on 24th January 1950.

(S) George P. Hays,
(T) GEORGE P. HAYS,
Major General, U. S. Army, Deputy U. S. High Commissioner for Germany.
(S) A. G. SIMS,
Acting Director, Office of Administration.

Distribution "A".

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Acting Deputy Director, Bureau of German Affairs.

MARCH 10, 1950.

[F. R. Doc. 50-2269; Filed, Mar. 17, 1950; 8:53 a. m.]

[Public Notice 36]

JUDICIAL POWERS IN RESERVED FIELDS

DIRECTIVE

The following proclamations and regulations issued by the Allied High Commission for Germany and by the United States High Commissioner for Germany are deemed to be of interest to certain United States citizens as having legal effect upon them or their property:

DIRECTIVE UNDER ALLIED HIGH COMMISSION LAW NO. 13

Pursuant to authority conferred by Allied High Commission Law No. 13, "Judicial Powers in the Reserved Fields", and pending further action thereunder by the Allied High Commission or the United States High Commissioner for Germany, it is hereby directed that, except as they may be expressly authorized to do so by the appropriate United States Land Commissioner, German courts shall not exercise criminal jurisdiction over any national of the United States of America or the United Kingdom of Great Britain and Northern Ireland or the Republic of France or over any displaced person or person having a status assimilated to that of a displaced person.

This directive shall become effective on 1 January 1950 within the Laender of Bavaria, Bremen, Hesse and Wuerttemberg-Baden.

Done at Frankfurt on Main, on 28 December 1949.

JOHN J. MCCLOY,
United States High Commissioner for Germany.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Acting Deputy Director, Bureau of German Affairs.

MARCH 10, 1950.

[F. R. Doc. 50-2271; Filed, Mar. 17, 1950; 8:53 a. m.]

[Public Notice 37]

RESTITUTION OF IDENTIFIABLE PROPERTY

The following proclamations and regulations issued by the United States High Commissioner for Germany, which amend Military Government Law No. 59 (12 F. R. 7983; 10 CFR, 1947 Sup., 3.75) are deemed to be of interest to certain United States citizens as having legal effect upon them or their property.

[Military Government Law 59, Amdt. 2]

RESTITUTION OF IDENTIFIABLE PROPERTY

ARTICLE I

Paragraph 2 of Article 8 of Military Government Law No. 59, "Restitution of Identifiable Property," is hereby repealed and the following paragraphs are substituted therefor:

2. Where in view of all the circumstances it appears equitable, a juridical person or unincorporated association other than a successor organization appointed by Military Government shall be deemed a successor in interest within the meaning of Article 7 in regard to a claim for restitution described in paragraph 1 of this Article: *Provided, however,* That where a successor organization appointed by Military Government is entitled to a claim for restitution which has been properly filed, no other organization shall be deemed a successor in interest in regard to such claim.

3. The provisions of paragraphs 1 and 2 shall not be applicable to the organizations referred to in Article 9.

ARTICLE II

This amendment shall be deemed to have become effective in the Laender Bavaria, Bremen, Hesse, and Wuerttemberg-Baden on 10 November 1947.

By order of Military Government.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Acting Deputy Director,
Bureau of German Affairs.

MARCH 10, 1950.

[F. R. Doc. 50-2272; Filed, Mar. 17, 1950; 8:53 a. m.]

[Public Notice 38]

RESTITUTION OF IDENTIFIABLE PROPERTY

The following proclamations and regulations issued by the United States High Commissioner for Germany, which amend Military Government Law No. 59 (12 F. R. 7983; 10 CFR 1947 Supp., 3.75) are deemed to be of interest to certain United States citizens as having legal effect upon them or their property.

[Law No. 3]

[Military Government Law No. 59, Amdt. 4]

RESTITUTION OF IDENTIFIABLE PROPERTY

Whereas the Central Filing Agency continues to receive written communications designed to supplement duly filed petitions, written communications which clearly appear to be outside the scope of Military Government Law No. 59 and other written communications;

And in order to facilitate the completion of the program for restitution of identifiable property to Nazi victims at the earliest possible date,

The United States High Commissioner enacts as follows:

ARTICLE 1

The following Article is inserted in Military Government Law No. 59 after Article 58:

ARTICLE 58-A

1. After 28 February 1950 petitioners and other persons shall address all correspondence except that required by paragraph 3 of Article 58, whether in the form of petitions or otherwise to the Restitution Agencies named in the receipts, issued by the Central Filing Agency pursuant to paragraph 5 of Article 58, to which such correspondence relates and shall not address any correspondence, whether in the form of a petition or otherwise, to the Central Filing Agency. Any correspondence addressed to a Restitution Agency pursuant to this Article shall indicate on its face a clear relationship to a petition duly filed pursuant to this Law and regulations issued thereunder. If, notwithstanding the provisions of this Article, the Central Filing Agency receives any correspondence, whether in the form of a petition or otherwise, which indicates on its face a clear relationship to a duly filed petition, the Central Agency shall forward such correspondence to the Restitution Authority named in the receipt specified above and shall not otherwise process nor analyze such correspondence.

2. If, after 28 February 1950, the Central Filing Agency receives any correspondence, in the form of a petition or otherwise, which does not on its face indicate a clear relationship to a duly filed petition, the Central Filing Agency shall take the appropriate one of the following actions:

(a) If, in the opinion of the Central Filing Agency, the correspondence may be relevant to the General Claims Laws (Gesetz zur Wiedergutmachung national-sozialistischen Unrechts (Entschaedigungsgesetz)) of the several Laender, the Central Filing Agency shall forward such correspondence to the Bayrisches Landesentschaedigungsant, Munich;

(b) If, in the opinion of the Central Filing Agency, the correspondence is not within the category referred to in subparagraph (a), the Central Filing Agency shall retain such correspondence in files separate from the files containing petitions and correspondence received prior to 28 February 1950, notify the correspondents that the correspondence is being so retained and will be returned upon request and, upon receipt of such a request, return such correspondence."

ARTICLE 2

Sentence 1, paragraph 1 of Article 59 is repealed as from 28 February 1950.

ARTICLE 3

This Law is applicable within the Laender of Bavaria, Hesse, Wuerttemberg-Baden and Bremen.

Done at Frankfurt-on-Main, on 25 January 1950.

JOHN J. MCCLOY,
United States High Commissioner
for Germany.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Acting Deputy Director,
Bureau of German Affairs.

MARCH 10, 1950.

[F. R. Doc. 50-2273; Filed, Mar. 17, 1950; 8:53 a. m.]

[Public Notice 39]

RESTITUTION OF IDENTIFIABLE PROPERTY

The following proclamations and regulations issued by the United States High Commissioner for Germany, which amend Military Government Law No. 59 (12 F. R. 7983; 10 CFR, 1947 Supp., 3.75) are deemed to be of interest to certain United States citizens as having legal effect upon them or their property.

[Law No. 2]

[Military Government Law No. 59, Amdt. 3]

RESTITUTION OF IDENTIFIABLE PROPERTY

The United States High Commissioner for Germany enacts as follows:

ARTICLE 1

Article 69 of United States Military Government Law No. 59, Restitution of Identifiable Property, is hereby amended to read as follows:

ARTICLE 69—COURT OF RESTITUTION APPEALS

The United States Courts of the Allied High Commission for Germany shall have jurisdiction to review any decision on any claim for restitution under this law and to take any action which they shall deem necessary or proper in respect thereof. The United States High Commissioner for Germany may provide by regulation for the establishment of a standing panel of the United States Courts of the Allied High Commission for Germany to exercise such jurisdiction as a Court of Restitution Appeals. Such regulations shall provide for the jurisdiction and procedure of such court and for such other matters as are deemed appropriate.

ARTICLE 2

This Law is applicable within the Laender of Bavaria, Hesse, Wuerttemberg-Baden and Bremen. It shall become effective on January 1, 1950.

Done at Frankfurt-on-Main, on 28 December 1949.

---,
JOHN J. MCCLOY,
United States High Commissioner
for Germany.

[Military Government Law No. 59., Reg. 7]

RESTITUTION OF IDENTIFIABLE PROPERTY

The United States High Commissioner for Germany enacts as follows:

Regulation No. 4 "Establishment of Board of Review" under Military Government Law No. 59 is hereby amended to read as follows:

ARTICLE 1—ESTABLISHMENT OF COURT OF RESTITUTION APPEALS

1. Pursuant to Article 69 of Military Government Law No. 59 as amended by Law No. 2 of the United States High Commissioner for Germany, a court of restitution appeals is hereby established to exercise the jurisdiction and powers as provided in such Article and to be designated "Court of Restitution Appeals of the United States Courts of the Allied High Commission for Germany".

2. The Court of Restitution Appeals shall consist of not less than three members to be designated as hereinafter provided.

3. The Judicial Council of the United States Courts of the Allied High Commission for Germany shall:

a. Determine the principal seat of the Court of Restitution Appeals;

b. Assign from the Judiciary of the United States Courts of the Allied High Commission for Germany justices and judges to said Court and designate one of such justices to serve as its president; and

c. From time to time make such recommendations as it shall deem necessary or

proper in order to facilitate the proceedings of the Court of Restitution Appeals.

ARTICLE 2—JURISDICTION AND POWERS

1. Any party aggrieved by a decision of the Civil Division of the German Court of Appeals (Oberlandesgericht) may file with the Court of Restitution Appeals a Petition for review of that decision based only on the ground that the decision violates the law.

2. Any party aggrieved by a decision of the Restitution Chamber may file with the Court of Restitution Appeals a petition for review of the decision of the Restitution Chamber upon the following grounds only:

a. That the findings of the fact upon which such decision is based are not supported by substantial evidence;

b. That there has been abuse of discretion by the Chamber;

c. That prejudice on the part of the Chamber is indicated.

3. The Court of Restitution Appeals, in its discretion, may refuse to grant petitions for review under paragraphs 1 and 2, above.

4. The Court of Restitution Appeals, pending final decision upon the petition for review, may stay execution of the decision of the Civil Division of the German Court of Appeals (Oberlandesgericht) or the Restitution Chamber.

5. The Court of Restitution Appeals shall have jurisdiction to enter judgment affirming, modifying or reversing, in whole or in part, the decision reviewed and to order execution thereof, or, in its discretion, to remand the case or any part thereof to the Restitution Chamber or the Civil Division of the German Court of Appeals (Oberlandesgericht) which had previously heard the case.

6. For the purpose of the review of a decision under paragraph 2, above, the Court of Restitution Appeals shall have power to subpoena witnesses, require production of evidence and administer oaths.

7. The United States High Commissioner for Germany may, in his discretion, request the Court of Restitution Appeals to issue an advisory opinion on any question submitted by him.

8. Decisions of the Court of Restitution Appeals shall be final and not subject to further review.

ARTICLE 3—DECISIONS

1. Decisions, rulings, orders, judgments and advisory opinions of the Court of Restitution Appeals shall be by a majority vote of the members sitting, and shall be incorporated in written opinions, except in cases where such Court refuses to review a matter.

2. All opinions of the Court of Restitution Appeals rendered under Article 2 of this Regulation shall be published in a manner to be determined by the United States High Commissioner for Germany. They shall be published in English and German, but in case of any discrepancy the English text shall prevail.

3. All opinions of the Court of Restitution Appeals published pursuant to paragraph 2 of this Article shall, insofar as they involve the interpretation of Military Government Law No. 59, be binding upon all German courts and authorities.

ARTICLE 4—PRACTICE AND PROCEDURE

The proceedings of the Court of Restitution Appeals shall be conducted in accordance with such rules of practice and procedure, including provisions for costs and fees, as the Court of Appeals of the United States Courts of the Allied High Commission for Germany may from time to time prescribe. The members of the Court of Restitution Appeals cannot be challenged by the parties of a proceeding or their counsel. Any member of said Court who feels that for any reason he may be biased in connection with a proceeding may disqualify himself.

ARTICLE 5—TIME LIMITATIONS ON PETITION FOR REVIEW

Petitions for review under paragraphs 1 and 2 of Article 2 of this Regulation may be filed only within the following periods:

a. Petitions for review under paragraph 1 of Article 2 of this Regulation must be filed within one month after the date of service of the decision of the Civil Division of the German Court of Appeals (Oberlandesgericht), or within three months thereafter, if the aggrieved party resides in a foreign country.

b. Where an appeal under paragraph 2 of Article 68 of Military Government Law No. 59 has been taken, petitions for review of the same case under paragraph 2 of Article 2 of this Regulation cannot be filed before and must be filed during the period specified in subparagraph a. of this Article.

c. Where no appeal has been filed with the Civil Division of the German Court of Appeals (Oberlandesgericht) under paragraph 2 of Article 68 of Military Government Law No. 59, a petition for review under paragraph 2 of Article 2 of this Regulation cannot be filed before, and must be filed within one month after, the expiration of the time within which an appeal under Article 68 could have been taken.

ARTICLE 6—TRANSITIONAL PROVISIONS

All proceedings pending before the Board of Review on the effective date of this Regulation as amended and all decisions and actions made or taken by said Board in the due exercise of its jurisdiction and powers shall be deemed proceedings before and decisions and actions of the Court of Restitution Appeals. Said Court in the interest of justice shall permit such proceedings to go forward from the stage at which such proceedings became subject to its jurisdiction or from any earlier stage and may take any action in the premises which it may deem appropriate to protect the interests of the parties thereto: *Provided, however,* That the Court of Restitution Appeals shall not review or reserve final decisions of the Board of Review.

ARTICLE 7

This Regulation is applicable within the Laender of Bavaria, Hesse, Wuerttemberg-Baden and Bremen. It shall become effective on 1 January 1950.

Done at Frankfurt-on-Main, the 28th day of December 1949.

JOHN J. McCLOY,
United States High Commissioner for Germany.

Publication of this notice is not intended to and does not in any way add to or detract from the presently existing legal force and effect of the matter quoted above.

For the Secretary of State.

GEOFFREY W. LEWIS,
Acting Deputy Director, Bureau of German Affairs.

MARCH 10, 1950.

[F. R. Doc. 50–2274; Filed, Mar. 17, 1950; 8:53 a. m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52432]

COAL, COKE, AND BRIQUETS

TAXABLE STATUS WHEN IMPORTED FROM CERTAIN COUNTRIES

MARCH 15, 1950.

Coal, coke made from coal, and coal or coke briquets imported from the following countries and entered for consumption or withdrawn from warehouse for consumption during the period from January 1 to December 31, 1950, inclusive, will not be subject to the tax of 10 cents per 100 pounds prescribed in the Internal Revenue Code, section 3423:

Argentina.	Mexico.
Canada.	Netherlands.
Italy.	

Coal, coke made from coal, and coal or coke briquets produced in the following countries, imported into the United States directly or indirectly therefrom, and entered for consumption or withdrawn from warehouse for consumption during the calendar year 1950 will be exempt from the tax by virtue of the Internal Revenue Code, section 3420:

Belgium.	United Kingdom.

Certain countries from which there have been no importations of coal or allied fuels since January 1, 1948, are not included in the above lists. Further information concerning the taxable status of such fuels imported during the calendar year 1950 will be furnished upon application therefor to the Bureau.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 50–2270; Filed, Mar. 17, 1950; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

DETERMINATION WITH RESPECT TO NUMBER OF NOMINEES WHICH MAY BE NOMINATED BY COOPERATIVE MARKETING ASSOCIATIONS AS MEMBERS OF PRUNE ADMINISTRATIVE COMMITTEE IN 1950 ELECTION YEAR

It is provided, in § 993.2 (c) (2) and (3) of the marketing agreement and order (14 F. R. 5254), regulating the handling of dried prunes produced in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended, (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), that, prior to March 1 of each election year the Prune Administrative Committee, the administrative agency for such program operations, shall report to the Secretary the total tonnage of prunes handled by all handlers as the first handlers thereof and the total tonnage of prunes handled by cooperative marketing associations as the first handlers thereof during the year ending on January 31 of such election year; that prior to March 15 of each election year the Secretary shall determine and announce the number of producer member nominees and producer alternate member nominees to be nominated by cooperative marketing associations handling prunes on the behalf of their members; that such number of nominees shall bear, as far as practicable, the same percentage compared to the total of 14 producer members and their alternates as the prune tonnage handled by cooperative marketing associations as the first handlers thereof bears to the total tonnage

handled by all handlers as the first handlers thereof during the year ending on January 31 of such election year; and that prior to March 15 of each election year, the Secretary shall determine and announce the number of handler member and alternate member nominees to be nominated by cooperative marketing associations handling prunes on the same basis as the determination of the number of cooperative producer nominees.

Pursuant to the aforesaid provision and on the basis of available information, it is hereby determined and announced that cooperative marketing associations handling prunes on behalf of their members shall nominate, pursuant to § 993.2 (c) (2) (ii) of the aforesaid marketing agreement and order, five producer member nominees and five producer alternate member nominees and, pursuant to § 993.2 (c) (3) of the aforesaid marketing agreement and order, two handler member nominees and two handler alternate member nominees.

It is hereby found that it is impracticable and unnecessary to give preliminary notice, engage in public rule-making and to postpone the determination and announcement of the number of member and alternate member nominees to be nominated by cooperative marketing associations handling prunes on behalf of their members unti 30 days after publication thereof in the FEDERAL REGISTER because: (1) The determination is based upon the tonnages handled by all handlers and by each cooperative marketing association, as already reported to the Prune Administrative Committee by each individual handler; (2) this determination and announcement is required to be made by March 15, 1950; (3) the names of the nominees must be submitted to the Secretary of Agriculture before March 31; 1950; (4) compliance with this determination will not require any special preparation on the part of interested parties, and a reasonable time is permitted, in the circumstances, for such compliance.

(48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 7 CFR 993 (14 F. R. 5254)).

Done at Washington, D. C., this 14th day of March 1950.

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

[F. R. Doc. 50–2208; Filed, Mar. 17, 1950; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA–210]

ACCIDENT OCCURRING AT MINNEAPOLIS, MINN.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N–93050, which occurred at Minneapolis, Minnesota, March 7, 1950.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Tuesday, March 21, 1950, at 9:00 a. m., local time, in the Mayor's Reception Room, City Hall Building, Third Avenue South and Fourth Street, Minneapolis, Minnesota.

Dated at Washington, D. C., March 14, 1950.

[SEAL] RUSSELL A. POTTER,
Presiding Officer.

[F. R. Doc. 50–2234; Filed, Mar. 17, 1950; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9383]

JORDAPHONE CORP. OF AMERICA ET AL.

ORDER CONTINUING HEARING

Jordaphone Corporation of America and Mohawk Business Machines Corporation, complainants, against American Telephone and Telegraph Company, et al., defendants; Docket No. 9383.

The Commission having under consideration a petition filed March 7, 1950, by Jordaphone Corporation of America and Mohawk Business Machines Corporation requesting a continuance for approximately 6 weeks of the above-entitled proceedings now scheduled to begin on March 14, 1950, and a pleading in opposition thereto filed March 8, 1950, by the defendants herein; and

It appearing that on February 13, 1950, a petition was filed by the Electronic Secretary, Inc., and Electronic Secretary Industries, Inc., to intervene in the above-entitled proceedings, and that as of this date, the Commission has not acted on said petition and authority to act on said petition may not be exercised by the Hearing Examiner; and

It appearing that the petition of the Electronic Secretary, Inc., and Electronic Secretary Industries, Inc., is in substance a complaint similar to that filed by the Jordaphone Corporation of America and that the defendants, American Telephone and Telegraph Company, et al., on March 8, 1950, filed an answer to the petition of the Electronic Secretary, Inc., and Electronic Secretary Industries, Inc., in which the defendants do not oppose the intervention of said parties and alleged that "* * * the petition to intervene is in fact in the nature of a joint complaint requesting relief * * *"; and

It appearing that it is in the interest of orderly administrative procedure to continue the hearing on the complaint of Jordaphone Corporation of America and Mohawk Business Machines Corporation until the Commission has acted on the above-mentioned petition of the Electronic Secretary, Inc., and Electronic Secretary Industries, Inc., so that in the event that petition is granted, the several complaints may be heard in the same proceeding, and the General Counsel and other parties having waived the requirements of Commission § 1.745 insofar as it requires that a petition must be on file for more than 4 days before it may be acted upon;

It is ordered, This the 8th day of March 1950, that the petition for continuance be and it is hereby granted, and the above-entitled hearing now scheduled for March 14, 1950, is continued to April 25, 1950, at 10:00 a. m., in the offices of the Commission in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary,

[F. R. Doc. 50–2233; Filed, Mar. 17, 1950; 8:48 a. m.]

[Docket Nos. 9594, 9595]

PACIFIC COAST BROADCASTING CO. (KXLA)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Pacific Coast Broadcasting Company (KXLA), Pasadena, California, for modification of license, Docket No. 9594, File No. BML–1328; in re order to show cause directed to Pacific Coast Broadcasting Company (KXLA), Pasadena, California, Docket No. 9595, File No. BS–1189.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of March 1950;

The Commission having under consideration the above-entitled application, filed December 7, 1948, requesting a modification of license to change directional antenna pattern for day use, change transmitter location (geographical coordinates only) and to remove the condition imposed by the Commission on the license granted February 24, 1943;

It appearing, that the applicant is legally, technically, financially, and otherwise qualified to operate Station KXLA, as proposed, but that the operation may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice; and

It further appearing, that on February 24, 1943 Station KXLA was granted a license to operate on 1110 kilocycles, 10 kilowatts power, DA–1, unlimited time, at Pasadena, California subject to the following condition: "The authority herein granted is subject to the condition that further adjustment of the directional antenna system or reduction in power may be required in order to afford adequate protection to any Class I–B station which may be authorized in the Nebraska area as provided for in Appendix I, Table III of NARBA * * *"; and

It further appearing, that on November 6, 1944, Station KFAB was licensed as a Class I–B station to operate on 1110 kilocycles, 50 kilowatt power unlimited time (DA–n) at Omaha, Nebraska; and

It further appearing, that Station KXLA has attempted unsuccessfully since 1941 to adjust the directional array in compliance with the condition in its license; and

It further appearing, that the engineering affidavit accompanying the aforesaid application shows that the signal strength of Station KXLA, within the theoretical one-half millivolt 50 percent skywave contour of Station KFAB, is in excess of 25 microvolts;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at Washington, D. C., on the 1st day of June 1950, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KXLA as proposed and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of Station KXLA, as proposed, would involve objectionable interference with Station KFAB, Omaha, Nebraska, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of Station KXLA, as proposed, would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the protection to be afforded a United States Class I–B station.

It is further ordered, That, pursuant to section 312 (b) of the Communications Act of 1934, as amended, opportunity is afforded Pacific Coast Broadcasting Company, licensee of Station KXLA, Pasadena, California, to show cause why the license issued to said Pacific Coast Broadcasting Company (KXLA), should not be modified to reduce power in order to afford protection to Station KFAB; and

It is further ordered, That KFAB Broadcasting Company, licensee of Station KFAB, Omaha, Nebraska, is made a party to this proceeding.

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

[F. R. Doc. 50–2232; Filed, Mar. 17, 1950; 8:48 a. m.]

[Docket No. 9596]

PLATTE VALLEY BROADCASTING CORP. (KNEB)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Platte Valley Broadcasting Corporation (KNEB), Scottsbluff, Nebraska, for construction permit, Docket No. 9596, File No. BP–7035.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of March 1950;

The Commission having under consideration the above-entitled application for construction permit to change the facilities of Station KNEB, Scottsbluff, Nebraska, from frequency 970 kilocycles, 1 kilowatt power, daytime only to frequency 960 kilocycles, 500 watts, 1 kilowatt-LS power, unlimited time and to install a directional antenna (DA–2) for day and night use and also having under consideration a petition and supplement thereto filed June 20, 1949 and November 30, 1949 respectively by May Broadcasting Company, licensee of Station KMA, Shenandoah, Iowa, requesting that the subject application be designated for hearing and that petitioner be made a party to the proceeding and be afforded an opportunity to furnish program data and a motion to dismiss the said petition filed July 1, 1949 by Platte Valley Broadcasting Corporation;

It appearing, that, the applicant is legally, technically, financially and otherwise qualified to construct and operate Station KNEB as proposed and that no objectionable interference would be involved with the services proposed in any other pending applications for broadcast facilities, but that the proposed operation may involve interference with one or more existing broadcast stations and otherwise not comply with the Commission's rules and Standards of Good Engineering Practice; and

It further appearing, that, the said petition and supplement thereto allege interference outside the normally protected nighttime contour of Station KMA, and that the area between the normally protected contour and the contour to which such station actually serves is not served by any other station carrying the same general program service;

It is ordered, That, the said petition is granted, that the said motion is denied and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing on June 2, 1950 at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KNEB as proposed and the character of other broadcast service available to those areas and populations.

2. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

3. To determine whether the operation of Station KNEB as proposed would involve objectionable interference with Stations KGWA, Enid, Oklahoma, KFEL, Denver, Colorado, KMA, Shenandoah, Iowa, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether Station KMA, Shenandoah, Iowa, renders primary service to ninety percent of the population of the area between its normally protected contour and the contour to which it actually serves and if so, to determine in what respects and to what extent, if any, the general program service supplied differs from the general program service of other stations serving this area.

5. To determine whether the installation and operation of Station KNEB as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That, Public Broadcasting Service, Incorporated, permittee of Station KGWA, Enid, Oklahoma, Eugene P. O'Fallon Incorporated, licensee of Station KFEL, Denver, Colorado, and May Broadcasting Company, licensee of Station KMA, Shenandoah, Iowa, are made parties to this proceeding.

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

[F. R. Doc. 50–2231; Filed, Mar. 17, 1950; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E–6113]

METROPOLITAN EDISON CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING MERGER OF FACILITIES

MARCH 15, 1950.

Notice is hereby given that, on March 8, 1950, the Federal Power Commission issued its order entered March 7, 1950, authorizing and approving merger of facilities of Edison Light and Power Company with those of Metropolitan Edison Company in the above-designated matter.

[SEAL] LEON M. FUQUAY.
Secretary.

[F. R. Doc. 50–2219; Filed, Mar. 17, 1950; 8:46 a. m.]

[Docket No. E–6259]

GULF STATES UTILITIES CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING AND APPROVING ISSUANCE OF COMMON STOCK

MARCH 15, 1950.

Notice is hereby given that, on February 28, 1950, the Federal Power Commission issued its order entered February 28, 1950, supplementing order entered February 14, 1950, published in the FEDERAL REGISTER on February 18, 1950 (15 F. R. 901), authorizing and approving issuance of common stock in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2220; Filed, Mar. 17, 1950; 8:47 a. m.]

[Docket No. E–6260]

OTTER TAIL POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING AND APPROVING ISSUANCE OF SECURITIES

MARCH 15, 1950.

Notice is hereby given that, on March 7, 1950, the Federal Power Commission issued its order entered March 7, 1950, supplementing order of February 14, 1950, published in the FEDERAL REGISTER on February 18, 1950 (15 F. R. 991), au-

thorizing and approving issuance of securities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2221; Filed, Mar. 17, 1950; 8:47 a. m.]

[Docket No. E–6266]

NORTHERN INDIANA PUBLIC SERVICE CO.

NOTICE OF ORDER AMENDING ORDER DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ADJUSTMENT ACCOUNTS

MARCH 15, 1950.

Notice is hereby given that, on March 8, 1950, the Federal Power Commission issued its order entered March 7, 1950, amending order of April 11, 1944, in Docket No. IT–5838, directing disposition of amounts classified in adjustments accounts in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2222; Filed, Mar. 17, 1950; 8:47 a. m.]

[Docket No. G–585]

ALABAMA-TENNESSEE NATURAL GAS CO.

ORDER POSTPONING DATE OF HEARING

On March 13, 1950, the City of Corinth, Mississippi, Protestant herein, filed a request for a postponement to March 27, 1950, of the hearing herein heretofore ordered to commence on March 20, 1950.

On March 14, 1950, Alabama-Tennessee Natural Gas Company (Applicant) filed its concurrence in the requested postponement to March 27, 1950.

The Commission finds: Good cause exists for postponing the hearing as hereinafter ordered.

The Commission orders:

The hearing in this matter now set to commence on March 20, 1950, be and it is hereby postponed to March 27, 1950, at the same hour and place.

Date of issuance: March 14, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2226; Filed, Mar. 17, 1950; 8:47 a. m.]

[Docket No. G–669]

MICHIGAN-WISCONSIN PIPE LINE CO.

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

MARCH 15, 1950.

Notice is hereby given that, on March 6, 1950, the Federal Power Commission issued its order entered March 2, 1950, modifying order of November 30, 1946, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2223; Filed, Mar. 17, 1950; 8:47 a. m.]

[Docket Nos. G–704, G–1143]

TRANS-CONTINENTAL GAS PIPE LINE CO., INC., AND TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF ORDER REOPENING RECORD AND AMENDING ORDERS ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MARCH 15, 1950.

Notice is hereby given that, on March 1, 1950, the Federal Power Commission issued its order entered February 28, 1950, reopening record and amending orders entered May 29 and November 18, 1948, published in the FEDERAL REGISTER on June 5, 1948 (13 F. R. 3041), and on Noyember 28, 1948 (13 F. R. 6961), issuing certificate of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2224; Filed, Mar. 17, 1950; 8:47 a. m.]

[Docket No. G–1299]

ATLANTIC SEABOARD CORP.

NOTICE OF ORDER GRANTING MOTION FOR WITHDRAWAL OF FPC GAS TARIFF AND TERMINATING PROCEEDING

MARCH 15, 1950.

Notice is hereby given that, on February 28, 1950, the Federal Power Commission issued its order entered February 28, 1950, granting motion for withdrawal of FPC Gas Tariff and terminating proceeding in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50–2225; Filed, Mar. 17, 1950; 8:47 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5708]

VALLEY STEEL PRODUCTS CO. AND JOSEPH B. FLEISCHMAN

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Valley Steel Products Company, a corporation, and Joseph B. Fleischman, individually and as an officer of said corporation; Docket No. 5708.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Frank Hier, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Thursday, March 23, 1950, at ten o'clock in the forenoon of that day, c. s. t., in Room 516, U. S. Court House and Custom House, 1114 Market Street, St. Louis, Missouri.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: March 3, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50–2236; Filed, Mar. 17, 1950; 8:49 a. m.]

[Docket No. 5715]

WAYNE HATCHERY AND MARTIN BELDNER

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Wayne Hatchery, a corporation, and Martin Beldner, individually, and as an officer of said corporation; Docket No. 5715.

This matter being at issue, and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Frank Hier, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Wednesday, March 22, 1950, at 10:00 o'clock in the forenoon of that day, c. s. t., in Room 516, U. S. Court House and Custom House, 1114 Market Street, St. Louis, Missouri.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence, and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: March 3, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50–2235; Filed, Mar. 17, 1950; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24944]

IRON AND STEEL ARTICLES FROM ST. LOUIS, MO., TO NORTH PACIFIC COAST POINTS

APPLICATION FOR RELIEF

MARCH 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 1537.

Commodities involved: Electrical appliances and iron and steel articles, carloads.

From: St. Louis, Mo., and points taking St. Louis rates on the Illinois Terminal Railroad.

To: North Pacific Coast points.

Grounds for relief: Circuitous routes and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

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

[F. R. Doc. 50-2237; Filed, Mar. 17, 1950; 8:49 a. m.]

[4th Sec. Application 24945]

PETROLEUM FROM YOUENS, TEX., TO INTERSTATE POINTS

APPLICATION FOR RELIEF

MARCH 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to the tariffs listed below.

Commodities involved: Petroleum, petroleum products and related articles, carloads.

From: Youens, Tex.

To: Points in Southwestern, Southern, Official, Illinois, and Western Trunk Line territories.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: D. Q. Marsh's tariffs I. C. C. Nos. 3585, 3802, 3825, 3651, 3724, and 3494, Supplements Nos. 400, 59, 53, 221, 110, and 187, respectively.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

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

[F. R. Doc. 50-2238; Filed, Mar. 17, 1950; 8:49 a. m.]

[4th Sec. Application 24946]

PEANUTS FROM SOUTH TO ILLINOIS AND WEST

APPLICATION FOR RELIEF

MARCH 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 887.

Commodities involved: Peanuts, carloads.

From: Points in the South.

To: Points in Illinois and Missouri.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 887, Supplement 94.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

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

[F. R. Doc. 50-2239; Filed, Mar. 17, 1950; 8:49 a. m.]

[4th Sec. Application 24947]

AUTOMOBILE BODIES FROM BUFFALO, N. Y., TO CENTRAL TERRITORY

APPLICATION FOR RELIEF

MARCH 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: B. T. Jones, Agent, for and on behalf of carriers parties to the tariffs named in the application, pursuant to fourth-section order No. 9800.

Commodities involved: Passenger automobile bodies, carloads.

From: Buffalo, N. Y.

To: Chicago, Ill., Detroit, Mich., Louisville, Ky., and St. Louis, Mo.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

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

[F. R. Doc. 50-2240; Filed, Mar. 17, 1950; 8:49 a. m.]

[4th Sec. Application 24948]

CAUSTIC SODA SOLUTION IN CENTRAL TERRITORY

APPLICATION FOR RELIEF

MARCH 15, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: B. T. Jones, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 4237, pursuant to fourth-section order No. 9800.

Commodities involved: Caustic soda solution, tank carloads.

From: Cincinnati and Ivorydale, Ohio.

To: Cairo, Gale, Thebes and East St. Louis, Ill., St. Louis, Mo., and Evansville, Ind.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose

their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

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

[F. R. Doc. 50-2241; Filed, Mar. 17, 1950; 8:49 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 17]

SOUTHERN RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, the Southern Railway Company, because of work stoppage is unable to transport traffic routed over its lines to, from or via Atlanta, Georgia: It is ordered that:

(a) *Rerouting traffic.* The Southern Railway Company is hereby authorized and directed to reroute or divert traffic on its lines, routed over its lines to, from or via Atlanta, Georgia, over any available route to expedite the movement; the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers.* The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) *Effective date:* This order shall become effective 4:00 p. m., March 13, 1950.

(e) *Expiration date:* This order shall expire at 11:59 p. m., April 15, 1950, unless otherwise modified, changed, suspended or annulled.

It is further ordered, that this order shall be served upon the Association of American Railroads, Car Service Division as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., March 13, 1950.

INTERSTATE COMMERCE COMMISSION
HOMER C. KING, *Agent.*

[F. R. Doc. 50-2242; Filed, Mar. 17, 1950; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2344]

INTERSTATE POWER 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 13th day of March A. D. 1950.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Interstate Power Company ("Interstate"), a registered holding company. Declarant has designated sections 6 and 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than March 23, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration 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, 1950, 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 transaction as provided in Rules U-20 (a) and U-100.

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

Interstate's presently authorized capital stock consists of 5,000,000 shares of common stock with a par value of $3.50 per share, of which 1,800,000 shares are presently outstanding. Interstate proposes to amend its Certificate of Incorporation so as to provide for the authorization of an additional 500,000 shares of capital stock, to be designated as preferred stock with a par value of $25 per share. The instant declaration is not concerned with the issuance of any shares of said preferred stock proposed to be authorized and any proposed issuance thereof in the future will require the filing of another declaration.

The proposed amendment to the Certificate of Incorporation will require the approval of the holders of a majority of the outstanding common stock and will be voted on by such stockholders at the annual meeting to be held on May 2, 1950. In connection therewith, Interstate proposes to solicit proxies from its common stockholders and will file with the Commission by amendment to the instant declaration a copy of the proxy and proxy statement which it proposes to send its stockholders.

By the Commission.

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

[F. R. Doc. 50-2212; Filed, Mar. 17, 1950; 8:46 a. m.]

[File No. 70-2327]

UTAH POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of March A. D. 1950.

Utah Power & Light Company ("Utah"), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof with respect to the following proposed transactions:

Utah proposes, during the year 1950, to borrow from certain banks amounts not to exceed in the aggregate $10,000,000. Such loans will be evidenced by promissory notes payable December 22, 1950, and bearing interest at the greater of (a) 2% per annum, or (b) the interest rate prevailing on loans by the Federal Reserve Bank of New York under section 10 (b) of the Federal Reserve Act, but in no event at a rate higher than 2¼% per annum. The initial loan is proposed to be made prior to April 5, 1950 and will bear interest at the rate of 2% per annum. The declaration states that at least 10 days prior to each proposed borrowing subsequent to April 5, 1950, Utah will file an amendment herein setting forth the amount of such proposed borrowing and the interest rate thereon, such amendment to become effective 10 days after the filing thereof providing no action is taken with respect thereto within such 10 days' period by the Commission.

The declaration states that the proceeds from the proposed borrowings are to be used in connection with Utah's construction program. It is further stated that during the year 1950 Utah proposes to issue and sell common stock on the minimum basis of one share of additional stock for each eight shares of its common stock now outstanding and to issue and sell first mortgage bonds in an amount presently estimated at not to exceed $10,000,000. Proceeds from such later financing will be used to repay the loans herein proposed and to provide additional funds for Utah's construction program, which, it is estimated, will entail the expenditure of approximately $40,000,000 in the years 1950–1952, inclusive.

Said declaration having been filed on February 10, 1950, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act and observing no basis for adverse findings, and the Commission deeming it appropriate that said declaration be permitted to become effective without the imposition of terms and conditions:

It is ordered, Pursuant to said Rule U-23 and the applicable standards of the

act that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

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

[F. R. Doc. 50-2216; Filed, Mar. 17, 1950; 8:46 a. m.]

[File No. 70-2316]

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

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of March A. D. 1950.

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

Colorado proposes to issue and sell to Utah 15,000 shares of its $20 par value common stock for a cash consideration of $300,000. Colorado further proposes during the year 1950 to borrow from Utah amounts not to exceed in the aggregate $1,000,000, such borrowings to be evidenced by Colorado's promissory notes bearing interest at the rate of 3½% per annum and maturing not more than eleven months from the date of such borrowings.

The application-declaration, as amended, states that the proceeds from the proposed borrowings are to be used to finance Colorado's construction program during the year 1950.

The application-declaration, as amended further states that it is the intention of the companies to seek authorization shortly after January 1, 1951, to convert the $1,000,000 of notes proposed to be issued hereunder into financing of a permanent nature.

Said application-declaration having been filed on January 30, 1950, an amendment thereto having been filed on February 8, 1950, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the standards of the act, the Commission finding that said application-declaration, as amended, should be granted and permitted to become effective without the imposition of terms or conditions, and the Commission deeming its appropriate to grant applicant-declarant's request that the order herein become effective forthwith upon its issuance:

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

By the Commission.

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

[F. R. Doc. 50-2215; Filed, Mar. 17, 1950; 8:46 a. m.]

[File No. 70-2333]

APPALACHIAN ELECTRIC POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of March A. D. 1950.

Appalachian Electric Power Company ("Appalachian"), an electric utility subsidiary of American Gas and Electric Company ("American Gas"), having filed an application-declaration, and amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 particularly section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder with respect to the following proposed transactions:

Appalachian proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $25,000,000 aggregate principal amount of First Mortgage Bonds, __% Series due 1980. Said bonds will be issued under and secured by the company's Mortgage and Deed of Trust dated as of December 1, 1940, as supplemented by the First and Second Supplemental Indentures dated as of December 1, 1947, and March 1, 1950, respectively.

The application-declaration states that the net proceeds from the sale of the bonds will be used in connection with the company's construction program. It is further stated that $7,000,000 of the net proceeds will be deposited with the corporate trustee subject to withdrawal under the terms of the Mortgage.

Said application-declaration having been filed on February 17, 1950, an amendment thereto having been filed on March 9, 1950, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing within the time specified in said notice or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission observing that the proposed transactions have been expressly authorized by the State Corporation Commission of Virginia, the State in which Appalachian is organized and one of the States in which it does business; the Commission also observing that the greater part of the company's assets are located in the State of West Virginia and that the greater part of its sales are made therein, which State has no regulatory authority having jurisdiction to pass on the issue and sale of the bonds; the Commission finding it unnecessary to determine whether under these circumstances the standards of section 6 (b) are satisfied; the Commission finding, however, that the application may be considered as a declaration under section 7 and may be declared effective under the requirements of that section; the Commission deeming it appropriate to permit said declaration to become effective subject to the conditions hereinafter stated, and also deeming it appropriate to grant Appalachian's request that the competitive bidding period provided for by Rule U-50 be shortened so that bids may be received on March 21, 1950:

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

(1) That the proposed sale of bonds of Appalachian shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record as so completed, which order may contain such further terms and conditions as may then be deemed appropriate;

(2) That jurisdiction be, and the same hereby is, reserved with respect to all fees and expenses to be paid in connection with the proposed transactions.

It is further ordered, That the competitive bidding period provided for by Rule U-50 be, and the same hereby is, shortened to 7 days so that bids may be received for the proposed bonds on March 21, 1950.

By the Commission.

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

[F. R. Doc. 50-2214; Filed, Mar. 17, 1950; 8:46 a. m.]

[File No. 70-2169]

NORTH AMERICAN CO.

SUPPLEMENTAL ORDER WITH RESPECT TO LEGAL FEES AND EXPENSES

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 1950.

The Commission, in its findings and opinion and order dated August 24, 1949 (Holding Company Act Release No. 9287), having permitted to become effective a declaration by The North American Company ("North American") with respect to the sale to certain individuals of its holdings of 109,458 shares of Capital Stock, $100 par value, of Capital Transit Company, then a non-utility

subsidiary company of North American; and

The Commission having made no adverse findings as to the payment to Sullivan & Cromwell, counsel for North American, of a fee in the estimated amount of $5,000 as compensation for legal services incurred in connection with such sale; and

It now appearing from post-effective amendments filed by North American on November 10, 1949 and March 6, 1950 and from a statement filed by its counsel that the aforementioned estimate of the fee to be paid for legal services was made without knowledge of the full nature, character and extent of the steps ultimately required to be taken in connection with the sale of such stock and that a fee of $10,000 and expenses of $209.56 have been requested by Sullivan & Cromwell; and

The Commission having examined said amendments and the statement in support thereof and having considered the record herein and it appearing to the Commission that the requested fee of $10,000 and expenses of $209.56 for legal services are not unreasonable in amount and that no adverse findings are necessary with respect thereto:

It is ordered, That the declaration, as further amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

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

[F. R. Doc. 50-2213; Filed, Mar. 17, 1950; 8:46 a. m.]

[File No. 70-2057; Amdt. 3]

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

ORDER GRANTING APPLICATION AND PERMITMITING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of March A. D. 1950.

Utah Power & Light Company ("Utah"), a registered holding company and its wholly owned electric utility subsidiary, The Western Colorado Power Company ("Colorado"), having filed an application-declaration, described as Amendment No. 3 herein, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 9 (a), 10, and 12 (f) thereof, and Rule U-45 of the rules and regulations promulgated thereunder, with respect to the following proposed transactions:

Utah now owns all of the outstanding securities of Colorado consisting of 110,000 shares of $20 par value common stock, a 15-year 4% Note in the principal amount of $2,300,000, and notes maturing in 1950 in the aggregate principal amount of $1,000,000.

By orders dated March 17, 1949, and December 8, 1949, the Commission authorized the borrowings of $1,000,000 by Colorado from Utah to finance the former company's construction program during the year 1949 (Holding Company Act Release Nos. 8937 and 9547). Pursuant to such authorization, loans were made in the aggregate principal amount of $1,000,000 evidenced by notes bearing 3½% interest per annum and maturing at various dates in 1950.

Colorado now proposes to refinance the $1,000,000 principal amount of said notes by issuing and delivering to Utah its 4% Note in the principal amount of $1,000,000 due July 1, 1963.

Said application-declaration having been filed on January 30, 1950, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the standards of the act, the Commission finding that said application-declaration, as amended, should be granted and permitted to become effective without the imposition of terms or conditions, and the Commission deeming it appropriate to grant applicant-declarant's request that the order herein become effective forthwith upon its issuance:

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

By the Commission.

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

[F. R. Doc. 50-2217; Filed Mar. 17, 1950; 8:46 a. m.]

[File No. 70-2328]

COLUMBIA GAS SYSTEM, INC.

MEMORANDUM OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held in its office in the city of Washington, D. C., on the 13th day of March A. D. 1950.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, has filed a declaration, and amendments thereto, pursuant to the provisions of sections 6, 7, and 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder, with respect to the following proposed transactions:

Columbia's presently authorized capital consists of 30,000,000 shares of common stock without par value, of which 14,798,174 shares are presently outstanding. Columbia proposes to amend its Certificate of Incorporation so as to reclassify and change 500,000 shares of unissued common stock without par value into 500,000 shares of unissued preferred stock, $50 par value.

Columbia also proposes to limit the present preemptive rights of its common-stock holders by amending its Certificate of Incorporation so as to permit the sale for cash of shares of common stock by a public offering or an offering of such shares to or through underwriters or investment bankers who shall have agreed to make a public offering of such shares without being required to offer such shares first to its own common-stock holders.

The proposed amendments to the Certificate of Incorporation will require the approval of a majority of the common stockholders of Columbia and will be voted on by such stockholders at the annual meeting to be held on April 27, 1950. In connection therewith Columbia proposes to solicit proxies from its common stockholders and has filed with the Commission a copy of the proxy and proxy statement which it proposes to send to its stockholders.

A common stockholder of Columbia objected to that part of the proposal which provides for an amendment to the Certificate of Incorporation limiting the present preemptive rights of the stockholders. He originally requested a hearing with respect to this matter, but thereafter asked that a memorandum containing his views be accepted in lieu of such hearing. We agreed with this request and such a memorandum was submitted.

The arguments advanced against the proposal to alter the preemptive rights of stockholders may be generally summarized as follows: (1) the proposed change will take away a vested right which the stockholder now has by contract; (2) the Act imposes a duty to require as a matter of policy that strict preemptive rights be accorded stockholders; and (3) the proposal in any event is not a proper one for submission to stockholders, since stockholders cannot be depended on to exercise an intelligent judgment in voting upon the issue even though furnished with adequate information.

He does not argue that the stockholders may not under the present charter provisions give up, or, as is here proposed, alter the preemptive rights now possessed. The only questions are, therefore, whether the Act requires a policy of strict preemptive rights regardless of the stockholders' desires indicated by a proper vote or whether it permits some lesser privilege and, if the latter, whether the proposal here under consideration is a proper one for submission to stockholders.

We believe that the company's proposal may properly be submitted to stockholders. However, our action in permitting the declaration herein to become effective should not be construed as changing in any way our view that common stockholders should normally have the opportunity to buy whatever additional shares of common stock are offered by their corporations. It is, and has long been, our opinion that when holding companies and public utility companies subject to our jurisdiction sell additional shares of common stock, their own interests, as well as the interests of their common stockholders are, absent special circumstances, best served

by allowing common stockholders the right to purchase their proportionate shares of the new issue. It has been our experience that, in so far as the corporation itself is concerned, savings in expenses are made possible by direct sales to its own stockholders, tending to offset, at least in part, the discounts below current market price which are frequently involved in order to make exercise of the rights attractive. Techniques have been developed by Columbia itself,[1] as well as by other corporations,[2] to ensure that at least under favorable market conditions the corporation will have reasonable assurance that a rights offering at a fair price will result in a successful financing. However, there have been and may in the future be situations in which the length of time necessarily required for a preemptive rights offering to stockholders may involve a serious risk of an unsuccessful offering, at a time when funds are urgently needed. The cost of underwriting a preemptive rights offering during unsettled market conditions may be excessive, and the risk of failure without an underwriting dangerous to the financial position of the company. A rigid requirement of preemptive rights in all circumstances leaves no leeway for meeting such problems.

In accordance with the provisions of many other charters which we have approved in recent years, the Certificate of Incorporation, as amended, would require a preemptive rights offering of new shares unless the shares are offered publicly, in which event a rights offering to stockholders would be permitted but not required. In our judgment, the flexibility for the handling of emergency problems of common stock financing afforded by the proposed charter amendment is not inappropriate.

With respect to the proposal to amend the Certificate of Incorporation to authorize preferred stock, it should be clearly understood that while we believe it desirable that the company be in a position to issue such stock if such issuance becomes necessary, and even though the necessary vote of stockholders is obtained, preferred stock can only be issued after a further declaration with respect thereto has been filed with this Commission and permitted to become effective. In determining the issues presented by such a declaration, would be guided by the standards of section 7 (c) (2) of the act requiring findings that the preferred stock is for necessary and urgent corporate purposes, that the issuance of another type of security would impose an unreasonable burden upon the company, and that such issuance met the other applicable requirements of the act.

[1] Columbia Gas System, Inc., — S. E. C. — (1948). Holding Company Act Release No. 8563. Columbia Gas System, Inc., — S. E. C. — (1949), Holding Company Act Release No. 9107.

[2] General Public Utilities Corporation, — S. E. C. — (1949), Holding Company Act Release No. 8924. General Public Utilities Corporation, — S. E. C. — (1949), Holding Company Act Release No. 9206.

Said declaration having been filed on February 13, 1950, the last amendment thereto having been filed on March 10, 1950, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act; and

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

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-2218; Filed, Mar. 17, 1950; 8:46 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 14395]

SANROKU KORO

In re: Rights of Sanroku Koro under Insurance Contract. File No. F-39-74-H-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 Sanroku Koro, 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. 7961735, issued by the New York Life Insurance Company, New York, New York, to Sanroku Koro, together with the right to demand, receive and collect said net proceeds,

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 February 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2244; Filed, Mar. 17, 1950; 8:50 a. m.]

[Vesting Order 14408]

DEUTSCH-SUDAMERIKANISCHE BANK, A. G.

In re: Bank accounts owned by Deutsch-Sudamerikanische Bank, A. G., also known as Deutsch Suedamerikanische Bank, A. G. and as Deutsche Sudamerikanische Bank, Aktiengesellschaft. F-28-857-E-2; E-6/7.

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 Deutsch-Sudamerikanische Bank, A. G., also known as Deutsch Suedamerikanische Bank A. G., and as Deutsche Sudamerikanische Bank, Aktiengesellschaft, the last known address of which is Mohrenstrasse 20-21, Berlin W. 8, 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 the property described as follows: a. That certain debt or other obligation owing to Deutsch-Sudamerikanische Bank, A. G. also known as Deutsch Suedamerikanische Bank, A. G., and as Deutsche Sudamerikanische Bank, Aktiengesellschaft, by Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a checking account entitled Deutsch-Suedamerikanische Bank, A. G., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Deutsch-Sudamerikanische Bank A. G., also known as Deutsch Suedamerikanische Bank A. G., and as Deutsche Sudamerikanische Bank, Aktiengesellschaft, by The National Shawmut Bank of Boston, 40 Water Street, Boston 6, Massachusetts, arising out of a dollar deposit account, entitled Deutsch-Sudamerikanische Bank, A. G., maintained at the aforesaid bank, and any and all rights to demand, enforce, and collect the same, and

c. That certain debt or other obligation owing to Deutsch-Sudamerikanische Bank A. G., also known as Deutsch Suedamerikanische Bank A. G., and as Deutsche Sudamerikanische Bank, Akti-

engesellschaft, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a cash custodian account, account number FS86225, entitled Deutsch Sudamerikanische Bank, A. G., Berlin, Germany, Customers Depot, 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 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 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2249; Filed, Mar. 17, 1950; 8:50 a. m.]

[Vesting Order 14396]

ALFRED LACKEMANN

In re: Rights of Alfred Lackemann under Insurance Contracts. Files No. F–28–24386–H–1, 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 Alfred Lackemann, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies No. 102 962 897 and 96 021 898, issued by the Metropolitan Life Insurance Company, New York, New York, to Alfred Lackemann, together with the right to demand, receive and collect said net proceeds,

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 the national interest of the United States requires that the said Alfred Lackemann 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 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2245; Filed, Mar. 17, 1950; 8:50 a. m.]

[Vesting Order 14397]

TOICHI OKITA

In re: Rights of Toichi Okita under Insurance Contract. File No. F–39–5953–H–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 Toichi Okita, 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. 1 161 046, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Toichi Okita, 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 legal reserves 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 February 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2246; Filed, Mar. 17, 1950; 8:50 a. m.]

[Vesting Order 14399]

JESSIE PFITZNER

In re: Rights of Jessie Pfitzner under Insurance Contracts. Files No. F–28–29146–H–1, H–2, H–3, H–4.

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 Jessie Pfitzner, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies No. 183,380, 183,381, 742,903 and 742,904, issued by The Travelers Insurance Company, Hartford, Connecticut, to Felix Pfitzner, together with the right to demand, receive and collect said net proceeds,

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 the national interest of the United States requires that the said Jessie Pfitzner 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 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2247; Filed, Mar. 17, 1950; 8:50 a. m.]

[Vesting Order 14400]

MATHILDE PROCK

In re: Rights of Mathilde Prock under Insurance Contract. File No. F-28-28989-H-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 Mathilde Prock, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 129,385,567, issued by the Metropolitan Life Insurance Company, New York, New York, to Josef Prock, together with the right to demand, receive and collect said net proceeds,

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 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2248; Filed, Mar. 17, 1950; 8:50 a. m.]

[Return Order 563]

PIERRE DE VITRY D'AVAUCOURT

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

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

Claimant, Claim No., Notice of Intention To Return Published, and Property

Pierre de Vitry d'Avaucourt, Bainbridge, Pa., 40843, February 4, 1950 (15 F. R. 648), property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,003,994. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2256; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 565]

NEDERLANDSE CHEMISCHE VERENIGING

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

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

Claimant, Claim No., Notice of Intention To Return Published, and Property

Nederlandse Chemische Vereniging, Lange Voorhout 5 's-Gravenhage, The Netherlands, Claim No. 41794, February 2, 1950 (15 F. R. 594), property to the extent owned by claimant immediately prior to the vesting thereof described in Vesting Order Nos. 500A-5 (11 F. R. 959, January 25, 1946), 500A-13 (11 F. R. 1235, February 1, 1946), 500A-27 (11 F. R. 961, January 25, 1946) and 500A-42 (11 F. R. 1235, February 1, 1946) relating to the scientific periodical entitled "Recueil des Travaux Chimiques du Pays-Bas" (listed in Exhibit A of said vesting orders).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2257; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 561]

DUSINE MARIE FRIMER

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

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Dusine Marie Frimer, Veslos, Denmark, Claim No. 4734, $1,122.83 in the Treasury of the United States.

Notice of intention to return published January 25, 1950 (15 F. R. 446).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2255; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 567]

FRANCES COPE SETTI

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

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Frances Cope Setti, a/k/a Frances Calenda, Florence, Italy, Claim No. 36976, $1,704.18 in the Treasury of the United States. All right, title and interest of Frances Calenda in and to the trust created under the will of Frances G. Foulke, deceased; Girard Trust Company, Trustee.

Notice of intention to return published February 3, 1950 (15 F. R. 613).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50-2258; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 568]

ANTOINETTE CASTELLI ET AL.

Having considered the claim set forth below and having issued a determination

allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Antoinette Castelli, Washington, D. C., Claim No. 1404, $4,256.25 in the Treasury of the United States.

Charles E. Castelli, Yonkers, New York, Claim No. 32965, $8,512.50 in the Treasury of the United States.

Charlotte Castelli Moreau, Fairway Hills, Maryland, Claim No. 32966, $4,256.25 in the Treasury of the United States.

W. Cameron Burton, Executor of the Estate of Vincent Castelli, Deceased, Washington, D. C., Claim No. 32964, $2,271.40 in the Treasury of the United States.

Notice of intention to return published January 25, 1950 (15 F. R. 460).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 14, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2259; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 569]

ELSIE HERMAN ESSER

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

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Elsie Herman Esser, Guatemala City, Guatemala, Claim No. 35645, 307 shares of the capital stock of Central American Plantations Corporation, registered in the name of the Attorney General of the United States, currently in the custody of the Comptroller's Branch, Office of Alien Property, 120 Broadway, New York, New York. $22,411.00 in the Treasury of the United States representing liquidating dividends from said shares.

Notice of intention to return published February 3, 1950 (15 F. R. 613).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 14, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2260; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 570]

HERMAN ROTTENBERG ET AL.

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

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Herman Rottenberg, Brooklyn, New York, Emanuel David Rothenberg, Waco, Texas, Ruth Dina Rottenberg, New York, New York, Gusti Rottenberg, New York, New York, Regina Rottenberg, Brooklyn, New York, Claim No. 24741, all right, title, interest and claim of any kind or character of Mina Rottenberg in and to the trust created under the will of Aaron Hanauer, deceased, in equal shares to the claimants. $7,740.40 in the Treasury of the United States in equal shares to the claimants.

Notice of intention to return published January 25, 1950 (15 F. R. 446).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2261; Filed, Mar. 17, 1950; 8:51 a. m.]

[Return Order 571]

IDA FRANK ET AL.

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

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

Claimant, Claim No., and Property

Ida Frank, New York 34, New York, $4356.50 in the Treasury of the United States.

Jakob Richard Spear, Enfield, Middlesex, England, $3008.80 in the Treasury of the United States.

Emilie Heymann, Bremgarten Aargan, Switzerland, $1389.48 in the Treasury of the United States.

Carl Herbert Spear, Enfield, Middlesex, England, $1269.34 in the Treasury of the United States.

Else Spear, Enfield, Middlesex, England, $423.11 in the Treasury of the United States. A certain debt in the amount of $20,000, plus interest due J. W. Spears and Sons, Inc. of New York City from J. W. Spears and Sons, Ltd. of London, England, 41.7% thereof to Ida Frank, 28.8% thereof to Jakob Richard Spear, 13.3% thereof to Emilie Heymann, 12.15% thereof to Carl Herbert Spear, and 4.05% thereof to Else Spear. Claim No. 6554.

Notice of intention to return published February 7, 1950 (15 F. R. 675).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2262; Filed, Mar. 17, 1950; 8:51 a. m.]

EMILIE MACK

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Emilie Mack, Murrhardt, Wurttemberg, Germany, 4833, $4,663.92 in the Treasury of the United States.

An undivided one-seventh (1/7) interest in five hundred (500) shares of the $1.00 par value capital stock of the Mexico Oil Corporation, evidenced by Certificate No. 32951 registered in the name of Richard Klier, presently in the custody of the Comptroller's Branch, Office of Alien Property, Department of Justice, New York, New York.

An undivided one-seventh (1/7) interest in an Option Warrant for the purchase of 8 shares of the no par value common stock of the American and Foreign Power Company, Inc. (Maine), at $25.00 per share, evidenced by Certificate No. 90239 registered in the name of the Alien Property Custodian, Washington, D. C., Account No. 28–8907, presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York.

All right, title, interest and claim of any kind or character whatsoever of Emily Mack in and to the Estate of Richard Klier, deceased.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2263; Filed, Mar. 17, 1950; 8:51 a. m.]

KAROLINE WEISSOFNER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Karoline Weissofner, a/k/a Karoline Pebock, Aschach 23, Upper-Austria, Claim No. 42611, $1,851.09 in the Treasury of the United States. Real Estate, Lots 11 and 12 in Block 14, McCoy's Addition, Pierce County, Washington, being known as premises 922 East 61st Street, Tacoma, Washington.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2264; Filed, Mar. 17, 1950; 8:51 a. m.]

BARONESS TANIA BLIXEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant and Property

Baroness Tania Blixen, Rungstedlund, Rungsted Kyst, Denmark, Claim No. 42936, Property to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944) relating to the works entitled "Seven Gothic Tales", "Out of Africa", and "Winter's Tales" (listed in Exhibit A of said vesting order) including royalties pertaining thereto in the amount of $33,558.67.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2265; Filed, Mar. 17, 1950; 8:52 a. m.]

S. A. DES PAPETERIES DE GENVAL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant and Property

S. A. des Papeteries de Genval, Genval, Belgium, Claim No. 39346, property described in Vesting Order No. 675 (8 F. R. 5029, April 17, 1943), relating to United States Letters Patent No. 2,094,730.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2266; Filed, Mar. 17, 1950; 8:52 a. m.]

BALLET FOUNDATION

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, and Property

The Ballet Foundation, 36 West 44th Street, New York 18, New York, Claim No. 31924, $9,947.68 in the Treasury of the United States. All rights and interests acquired by the Attorney General under Vesting Order No. 2095 (8 F. R. 16460, December 7, 1943), relating to the ballet entitled "Gaite Parisienne".

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2267; Filed, Mar. 17, 1950; 8:52 a. m.]

ERNST W. BANSE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Ernst W. Banse, Omaha, Nebraska, Claim No. 42813, $3,296.12 in the Treasury of the United States. One-fourth of all right, title and interest of Emma Banse in the Estate of William H. Schmoller, deceased.

Executed at Washington, D. C., on March 13, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2268; Filed, Mar. 17, 1950; 8:52 a. m.]

[Vesting Order 14413]

SERGIUS VON KOEPPEN

In re: Debt owing to Sergius von Koeppen also known as Serguis von Koeppen and as Serguis Koeppen. F–28–30125–C–1, 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 Sergius von Koeppen also known as Serguis von Koeppen and as Serguis Koeppen, whose last known address is 24A Garlsdorf Bei Winsen-Luhe, Kreis, Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Sergius von Koeppen also known as Serguis von Koeppen and as Sergius Koeppen by the Bank of New York and Fifth Avenue Bank, 48 Wall Street, New York 15, New York, as depositary of the Moscow Fire Insurance Company of Moscow, Russia, in the amount of $816.66 as of December 31, 1945, represented liquidating dividends on shares of the aforesaid company, together with all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 28, 1950.

For the Attorney General.

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

[F. R. Doc. 50–2253; Filed, Mar. 17, 1950; 8:50 a. m.]