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FEDERAL REGISTER

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Washington, Saturday, April 9, 1949

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Foreign Service Reg. S–55]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

APRIL 5, 1949.

Section 325.11 *Designation of differential posts*, is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the pay period which includes January 2, 1949, paragraph (a) is amended by the addition of the following post:

Chocola, Guatemala.

2. Effective as of the beginning of the pay period which includes January 2, 1949, paragraph (b) is amended by the addition of the following post:

Fort Churchill, Canada.

3. Effective as of the beginning of the pay period which includes January 2, 1949, paragraph (d) is amended by the addition of the following posts:

Waller Air Force Base, Trinidad.
Lagens Air Force Base, Azores.

4. Effective as of the beginning of the first pay period after March 5, 1949, paragraph (a) is amended by the addition of the following post:

Amman, Transjordan.

5. Effective at the close of the pay period which includes April 30, 1949, paragraph (d) is amended by the deletion of the following posts:

Lima, Peru.
Mexicali, Mexico.

(Sec. 207, Pub. Law 491, 80th Cong., as amended by sec. 104, Pub. Law 862, 80th Cong.; Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453, 3 CFR, 1948 Supp.)

For the Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 49–2715; Filed, Apr. 8, 1949; 8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

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

Subchapter C—Loans, Purchases, and Other Operations

PART 610—DAIRY PRODUCTS

SUBPART—BUTTERFAT PRICE SUPPORT PROGRAM

§ 610.100 *Price support program for butterfat.* (a) Commodity Credit Corporation (hereinafter called CCC) will purchase, during the remainder of 1949, salted creamery butter of U. S. Grade B or higher, f. o. b. offered delivery points at any location in the United States, at the following prices for butter of the grades specified, delivered to CCC during the periods indicated:

Delivery period	U. S. Grade A and higher	U. S. Grade B
	Cents per lb.	*Cents per lb.*
Before Sept. 1, 1949	59	57
On and after Sept. 1, 1949	62	60

(b) Butter purchased shall be produced and located in the continental United States. Purchases will be made on an offer and acceptance basis, in units of not less than minimum carlots as prescribed by the Office of Defense Transportation for the area where the butter is located. The butter shall be bulk butter, solid-packed in commercial containers. Weights and grades of the butter shall be evidenced by inspection certificates issued by the U. S. Department of Agriculture.

(c) Purchases will be made by CCC subject to the terms and conditions of Announcement Da–64 and any amendments which may be issued thereto. Copies of Announcement Da–64 may be obtained from the Director, Dairy Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C.

(d) Butter acquired under the program will be available for sale in the do-

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

mestic market at not less than the purchase price plus storage and other carrying costs incurred by CCC, or for sale to other Government agencies and school lunch programs. (62 Stat. 1247)

Done at Washington, D. C., this 7th day of April 1949.

[SEAL] HAROLD K. HILL,
Acting Manager,
Commodity Credit Corporation.

[F. R. Doc. 49-2758; Filed, Apr. 8, 1949; 9:01 a. m.]

TITLE 7—AGRICULTURE

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

[Orange Reg. 163]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.433 *Orange Regulation 163*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR and Supps. Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will

tend to effectuate the declared policy of the act.

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

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., April 11, 1949, and ending at 12:01 a. m., e. s. t., April 25, 1949, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (*a*) are in the same container with oranges which grade at least U. S. No. 1 Russet and (*b*) are not in excess of 50 percent, by count, of the number of all oranges in such container; or

(iv) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," "standard pack," "container," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Oranges (13 F. R. 5174, 5306). Shipments of Temple oranges grown in the State of Florida are subject to the provisions of Orange Regulation 159 (14 F. R. 501, 637). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR and Supps. Part 933)

Done at Washington, D. C., this 6th day of April 1949.

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

[F. R. Doc. 49-2741; Filed, Apr. 8, 1949; 8:56 a. m.]

[Lemon Reg. 314]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.421 *Lemon Regulation 314*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq.; 13 F. R. 766), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available 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 Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., April 10, 1949, and ending at 12:01 a. m., P. s. t., April 17, 1949, is hereby fixed as follows:

(i) District 1: 340 carloads;

(ii) District 2: Unlimited movement.

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

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

Done at Washington, D. C., this 7th day of April 1949.

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

PRORATE BASE SCHEDULE

DISTRICT NO. 1

Storage date: April 3, 1949

[12:01 a. m. Apr. 10, 1949, to 12:01 a. m. Apr. 24, 1949]

Handler	*Prorate base (percent)*
Total	100.000
American Fruit Growers, Inc., Corona	.442
American Fruit Growers, Inc., Fullerton	1.177
American Fruit Growers, Inc., Lindsay	.000
Hazeltine Packing Co	1.180
Ventura Coastal Lemon Co	1.296
Ventura Pacific Co	2.247
Total A. F. G	6.342
Klink Citrus Association	.079
Lemon Cove Association	.044
Glendora Lemon Growers Association	1.270
La Verne Lemon Association	.542
La Habra Citrus Association, The	1.542
Yorba Linda Citrus Association, The	1.031
Escondido Lemon Association	6.280
Alta Loma Heights Citrus Association	.277
Etiwanda Citrus Fruit Association	.417
Upland Lemon Growers Association	2.452
Central Lemon Association	1.735
Irvine Citrus Association, The	1.120
Placentia Mutual Orange Association	1.440
Corona Citrus Association	.784
Corona Foothill Lemon Co	2.216
Jameson Company	.650
Arlington Heights Citrus Co	1.156
College Heights Orange & Lemon Association	1.358
Chula Vista Citrus Association, The	1.085
El Cajon Valley Citrus Association	.240
Fallbrook Citrus Association	1.383
Lemon Grove Citrus Association	.357
San Dimas Lemon Association	2.026
Carpinteria Lemon Association	2.144
Carpinteria Mutual Citrus Association	2.488
Goleta Lemon Association	1.865
Johnston Fruit Co	5.275
North Whittier Heights Citrus Association	.815
San Fernando Heights Lemon Association	1.858
Sierra Madre-Lamanda Citrus Association	1.771
Tulare County Lemon & Grapefruit Association	.317
Briggs Lemon Association	1.607
Culbertson Lemon Association	1.190
Fillmore Lemon Association	1.731
Oxnard Citrus Association	8.162
Rancho Sespe	1.137
Santa Clara Lemon Association	2.926
Santa Paula Citrus Fruit Association	4.126
Saticoy Lemon Association	2.539
Seaboard Lemon Association	4.804
Somis Lemon Association	3.128
Ventura Citrus Association	.707
Limoneira Co	3.132
Teague-McKevett Association	.912
East Whittier Citrus Association	.928
Leffingwell Rancho Lemon Association	.593
Murphy Ranch Co	1.272
Whittier Citrus Association	.558
Whittier Select Citrus Association	.182
Total C. F. G. E	85.651
Chula Vista Mutual Lemon Association	.587
Escondido Cooperative Citrus Association	.439

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 1—continued

Handler	Prorate base (percent)
Index Mutual Association	0.191
La Verne Cooperative Citrus Association	1.228
Orange Belt Fruit Distributors	1.902
Orange Cooperative Citrus Association	.106
Ventura County Orange & Lemon Association	2.704
Whittier Mutual Orange & Lemon Association	.236
Total M. O. D	7.393
Evans Brothers Packing Co	.093
Hill, Emma H	.005
Johnson, Fred	.110
Lorbeer, Carroll W. C	.060
MacDonald, Hugh J	.000
Manos, Gus and William	.008
Paramount Citrus Association	.029
Robb, Homer F	.022
Robinson, A. A	.072
Sachs, Maurice A	.000
San Antonio Orchard Co	.117
Schaefer, Charles A	.005
Table Praise Avocado Co., Inc	.089
Winkler, William	.004
Total independents	.614

[F. R. Doc. 49-2791; Filed, Apr. 8, 1949; 10:11 a. m.]

[Orange Reg. 275]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.421 *Orange Regulation 275*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) 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, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said 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 Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of 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., April 10, 1949, and ending at 12:01 a. m., P. s. t., April 17, 1949, 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: 500 carloads;

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

(2) The prorate base of each handler who has made application therefor, as provided in the said 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," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 8th day of April 1949.

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

PRORATE BASE SCHEDULE

[12:01 a. m. Apr. 10, 1949, to 12:01 a. m. Apr. 17, 1949]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.3859
A. F. G. Corona	.3580
A. F. G. Fullerton	.0000
A. F. G. Orange	.0414
A. F. G. Riverside	.7403
Hazeltine Packing Co	.1320
Placentia Pioneer Valencia Growers Association	.0660
Signal Fruit Association	.9115
Azusa Citrus Association	1.2616
Damerel-Allison Co	1.2632
Glendora Mutual Orange Association	.5617
Irwindale Citrus Association	.4838
Puente Mutual Citrus Association	.0502
Valencia Heights Orchards Association	.2137
Covina Citrus Association	1.8578
Covina Orange Growers Association	.6034
Glendora Citrus Association	.9929
Glendora Heights Orange & Lemon Growers Association	.1711
Gold Buckle Association	3.3006
La Verne Orange Association	4.1144
Anaheim Citrus Fruit Association	.0000
Anaheim Valencia Orange Association	.0000
Eadington Fruit Co	.2103
Fullerton Mutual Orange Association	.2550
La Habra Citrus Association	.1257
Orange County Valencia Association	.0000
Orangethorpe Citrus Association	.0263

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Placentia Cooperative Orange Association	0.0000
Yorba Linda Citrus Association	.0000
Escondido Orange Association	.3851
Alta Loma Heights Citrus Association	.3257
Citrus Fruit Growers	.9319
Cucamonga Citrus Association	.3816
Rialto Heights Orange Growers	.3927
Upland Citrus Association	3.3341
Upland Heights Orange Association	1.0203
Consolidated Orange Growers	.0234
Frances Citrus Association	.0116
Garden Grove Citrus Association	.0000
Goldenwest Citrus Association	.0000
Olive Heights Citrus Association	.0410
Santa Ana-Tustin Mutual Citrus Association	.0131
Santiago Orange Growers Association	.1478
Tustin Hills Citrus Association	.0383
Villa Park Orchard Association	.0387
Bradford Brothers, Inc	.2239
Placentia Mutual Orange Association	.1671
Placentia Orange Growers Association	.2744
Yorba Orange Growers Association	.0311
Call Ranch	.6201
Corona Citrus Association	.9741
Jameson Co	.3818
Orange Heights Orange Association	1.5806
Crafton Orange Growers Association	1.2165
East Highlands Citrus Association	.4185
Fontana Citrus Association	.4453
Highland Fruit Growers	.6674
Redlands Heights Groves	.8852
Redlands Orangedale Association	.9901
Break & Sons, Alien	.2475
Bryn Mawr Fruit Growers Association	.9581
Mission Citrus Association	.7953
Redlands Cooperative Fruit Association	1.5701
Redlands Orange Growers Association	1.0256
Redlands Select Groves	.3775
Rialto Citrus Association	.6538
Rialto Orange Co	.3110
Southern Citrus Association	.7183
United Citrus Growers	.6695
Zilen Citrus Co	.5473
Andrews Bros. of Calif	.1330
Arlington Heights Citrus Co	.9189
Brown Estate, L. V. W	1.8479
Gavilan Citrus Association	1.9200
Highgrove Fruit Association	.6996
Krinard Packing Co	1.7877
McDermont Fruit Co	1.9893
Monte Vista Citrus Association	1.3127
National Orange Co	.9234
Riverside Heights Orange Growers Association	1.3906
Sierra Vista Packing Association	.8073
Victoria Avenue Citrus Association	2.6256
Claremont Citrus Association	1.1591
College Heights Orange & Lemon Association	1.2636
El Camino Citrus Association	.4451
Indian Hill Citrus Association	1.3683
Pomona Fruit Growers Exchange	1.8790
Walnut Fruit Growers Association	.5721
West Ontario Citrus Association	1.2218
El Cajon Valley Citrus Association	.2823
San Dimas Orange Growers Association	1.3562
Ball & Tweedy Association	.0000
Canoga Citrus Association	.0000
Covina Valley Orange Association	.2048
North Whittier Heights Citrus Association	.1511
San Fernando Fruit Growers Association	.4301

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
San Fernando Heights Orange Association	0.4075
Sierra Madre-Lamanda Citrus Association	.0000
Camarillo Citrus Association	.0000
Fillmore Citrus Association	1.2934
Ojai Orange Association	.9042
Piru Citrus Association	1.2521
Santa Paula Orange Association	.1318
Tapo Citrus Association	.0000
Ventura County Citrus Association	.0000
East Whittier Citrus Association	.0000
Whittier Citrus Association	.2243
Whittier Select Citrus Association	.0000
Anaheim Cooperative Orange Association	.0610
Bryn Mawr Mutual Orange Association	.4621
Chula Vista Mutual Lemon Association	.0000
Escondido Cooperative Citrus Association	.0000
Euclid Avenue Orange Association	3.1289
Fullerton Cooperative Orange Association	.0000
Garden Grove Orange Cooperative, Inc	.0386
Golden Orange Groves, Inc	.3087
Highland Mutual Groves	.3219
Index Mutual Association	.0000
La Verne Cooperative Citrus Association	3.4684
Mentone Heights Association	.0000
Olive Hillside Groves, Inc	.0000
Orange Cooperative Citrus Association	.0343
Redlands Foothill Groves	2.7173
Redlands Mutual Orange Association	.9311
Riverside Citrus Association	.1753
Ventura County Orange & Lemon Association	.2442
Whittier Mutual Orange & Lemon Association	.0000
Babijuice Corp. of California	.3959
Borden Fruit Co	.0000
California Associated Growers	.0000
Cherokee Citrus Co., Inc	1.0319
Chess Co., Meyer W	.3476
Evans Bros. Packing Co	1.0832
Gold Banner Association	2.1416
Granada Packing House	.0000
Hill Packing House, Fred A	.6202
Inland Fruit Dealers, Inc	.0000
MacDonald Fruit Co	.2060
Orange Belt Fruit Distributors	2.1548
Panno Fruit Co., Carlo	.0350
Paramount Citrus Association	.5511
San Antonio Orchard Co	1.1850
Snyder & Sons, W. A	.5901
Wall, E. T	1.8990
Western Fruit Growers, Inc., Redlands	2.9178

[F. R. Doc. 49-2802; Filed, Apr. 8, 1949; 11:25 a. m.]

TITLE 25—INDIANS

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

Subchapter L—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

WIND RIVER INDIAN IRRIGATION PROJECT, WYOMING

APRIL 5, 1949.

On January 6, 1949, the Regional Director of the Indian Office, Region II, Billings, Montana, published in the FEDERAL REGISTER a notice of intended amendment to § 130.95 of Title 25, Code of Federal Regulations, by increasing the annual operation and maintenance assessment rate on the diminished part of the Wind River Irrigation Project, Wyoming, from $1.25 to $2.00 per acre. Interested persons were given opportunity to participate in preparing the proposed amendment by submitting data or written arguments within 30 days from date of the publication of the notice.

Formal protests were received direct and through their Congressional Delegation from non-Indian water users on the Upper Wind River Unit of the Project and from the Arapahoe Business Council of the Wind River Reservation.

The non-Indian owners felt that the increase in rates was not justified and they emphasized the fact that the project is in an area of short crop-growing season and therefore it is impracticable for them to produce appreciable quantities of "cash crops" for distribution when markets are most favorable, and they felt that certain elements of costs were improperly related to the increase being considered.

The Tribal Business Council opposed the increase because delinquent operation and maintenance assessments made against Indian lands prior to 1946 had not been cancelled and because considerable portions of the Indian lands are in fractionated heirship status. (The numerous fractionated inherited interests render it impracticable in many instances to utilize the lands in economic units.)

After meetings with the interested groups and further study of the whole problem, it was concluded that some of the needed work could be further postponed and that the necessary work for this season would require an amount of $1.65 per acre on the diminished portion of the project for the calendar year 1949. Accordingly, § 130.95 of Title 25, CFR, is hereby amended and approved pursuant to authority delegated by the Secretary of the Interior to the Commisisoner of Indian Affairs, January 11, 1949 (14 F. R., 258–259), effective for the calendar year 1949 and thereafter until further notice, to read as follows:

§ 130.95 *Charges.* In compliance with the provisions of the act of August 1, 1914 (38 Stat. 583; 25 U. S. C. 385), the operation and maintenance charges for the lands under the Wind River Irrigation Project, Wyoming, for the calendar year 1949 and subsequent years until further notice, are hereby fixed at $1.65 per acre for the assessable area under constructed works on the Diminished Wind River Project and at $2.50 per acre on the Ceded Wind River Project; except in the case of all irrigable trust patent Indian land which lies within the Ceded Reservation and which is benefited by the Big Bend Drainage District where an additional assessment of 45 cents per acre is hereby fixed. (38 Stat. 583; 45 Stat. 210; 25 U. S. C. 385, 387)

WILLIAM ZIMMERMAN, Jr.,
Acting Commissioner.

[F. R. Doc. 49-2696; Filed, Apr. 8, 1949; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

[Circular 1727]

PART 191—GENERAL REGULATIONS APPLICABLE TO PERMITS, LEASES, AND LICENSES (PARTS 192–198)

PART 192—OIL AND GAS LEASES

PART 196—PHOSPHATE LEASES AND USE PERMITS

PART 250—PUBLIC SALES

MISCELLANEOUS AMENDMENTS

1. Section 191.4 is amended to read as follows:

§ 191.4 *Rights of aliens.* Aliens may not acquire or hold any direct or indirect interest in permits or leases, except that they may own or control stock in corporations holding permits or leases, if the laws of their country do not deny similar or like privileges to citizens of the United States. A corporation is required to file a certified copy of its articles of incorporation and it must furnish a statement showing the percentage of each class of its stock, and the percentage of all of its stock, which is owned or controlled by or on behalf of persons whom the corporation knows to be or who the corporation has reason to believe are aliens, or who have addresses outside of the United States, indicating which classes of stock have voting rights. If more than 10 percent of the voting stock, or of all the stock, is owned or controlled by or on behalf of such persons, the corporation must give their names and addresses, the amount and class of stock held by each, and, to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each such person. If any appreciable percentage of the stock of the corporation is held by aliens of the excepted class, its application will be denied. (41 Stat. 450, 44 Stat. 302, 1058; 30 U. S. C. 189, 275, 285)

2. Subparagraph (2) of paragraph (a) of § 192.42 is amended to read as follows:

§ 192.42 *Applications for noncompetitive leases.* * * *

(a) * * *

(2) A statement as to citizenship; in case of an individual whether native-born or naturalized, and, if naturalized, the date of naturalization, the court in which naturalized, and the number of the certificate, if known; if a woman, whether she is married or single, and, if married, the date of her marriage and the citizenship of her husband. A corporation is required to file a certified copy of its articles of incorporation and it must furnish a statement showing the percentage of each class of its stock, and the percentage of all of its stock, which is owned or controlled by or on behalf of persons whom the corporation knows to be or who the corporation has reason to believe are aliens, or who have addresses outside of the United States, indicating which classes of stock have

voting rights. If more than 10 percent of the voting stock, or of all of the stock, is owned or controlled by or on behalf of such persons, the corporation must give their names and addresses, the amount and class of stock held by each, and, to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each such person. If any appreciable percentage of the stock of the corporation is held by aliens of the excepted class, its application will be denied. If 20 percent or more of the stock of any class is owned or controlled by or on behalf of any one stockholder a separate showing of his citizenship and holdings must be furnished.

(41 Stat. 437, 450, 44 Stat. 1058, 60 Stat. 950, 957; 30 U. S. C. 181, 189)

3. Paragraph (c) of § 196.7 is amended to read as follows:

§ 196.7 *Application for lease.* * * *

(c) Proof of citizenship; in the case of an individual, by a statement as to whether native-born or naturalized and, if naturalized, date of naturalization, court in which naturalized, and number of certificate, if known; if a woman, whether she is married or single, and if married, the date of her marriage and citizenship of her husband. Associations are required to file a certified copy of their articles of association and the same showing as to the citizenship and holdings of their members as required of an individual and specified herein. A corporation is required to file a certified copy of its articles of incorporation and it must furnish a statement showing the percentage of each class of its stock, and the percentage of all of its stock, which is owned or controlled by or on behalf of persons whom the corporation knows to be or who the corporation has reason to believe are aliens, or who have addresses outside of the United States, indicating which classes of stock have voting rights. If more than 10 percent of the voting stock, or of all of the stock, is owned or controlled by or on behalf of such persons, the corporation must give their names and addresses, the amount and class of stock held by each, and, to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each such person. If any appreciable percentage of the stock of the corporation is held by aliens of the excepted class, its application will be denied. If 20 percent or more of the stock of any class is owned or controlled by or on behalf of any one stockholder, a separate showing of his citizenship and holdings must be furnished.

(Sec. 9–12, 32, 41 Stat. 440, 441, 450; 30 U. S. C. 211–214, 189)

4. Paragraph (b) of § 250.12 is amended to read as follows:

§ 250.12 *Action after purchaser is declared.* * * *

(b) The purchaser must, within 10 days after he has been so declared, also file with the manager evidence that he is a citizen of the United States, or if a partnership, evidence of the citizenship of its members. If the purchaser is an unincorporated association, evidence must be filed that each of its officers are citizens. Such associations shall indicate the citizenship of each member. A corporation is required to file a certified copy of its articles of incorporation showing that it is organized under the laws of the United States, or of some State, Territory or possession thereof, and that it is authorized to acquire and hold real estate in the State in which the land is situated, and it must furnish a statement showing the percentage of each class of its stock, and the percentage of all of its stock, which is owned or controlled by or on behalf of persons whom the corporation knows to be or has reason to believe are aliens, or who have addresses outside of the United States, indicating which classes of stock have voting rights. If more than 10 percent of the voting stock, or of all of the stock, is owned or controlled by or on behalf of such persons, the corporation must give their names and addresses, the amount and class of stock held by each, and, to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each such person.

If any appreciable number of the members of an unincorporated association are aliens or any appreciable percentages of the stock of a corporation is held by aliens, the bid of said association or corporation will be rejected.

(R. S. 453, 2478; 43 U. S. C. 2, 1201)

NOTE: The reporting requirement of this regulation has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MARION CLAWSON,
Director.

Approved: April 5, 1949.

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 49–2697; Filed, Apr. 8, 1949; 8:46 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 49–9]

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

REGISTRATION OF STAFF OFFICERS; HOSPITAL CORPSMAN, FIRST CLASS

A change in the rating structure of the Navy, Coast Guard, and Maritime Service has changed the rating "pharmacist's mate, first class" to "hospital corpsman, first class." In order that persons will not be discriminated against, the rating "hospital corpsman, first class" is inserted in § 10.25–9 (a) (6), covering the experience requirements for a "junior assistant purser and pharmacist's mate." In accordance with the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001 et seq.), notice of proposed rule making, public procedure thereon, and publication thirty days prior to its effective date are found to be contrary to the public interest in that this regulation imposes no new experience requirement for "junior assistant purser and pharmacist's mate."

By virtue of the authority vested in me as Commandant, United States Coast Guard, by section 7, act of August 1, 1939 (53 Stat. 1147, 46 U. S. C. 247), and section 101 of Reorganization Plan No. 3 of 1946 (60 Stat. 1097, 46 U. S. C. 1), the following amendment to the regulations is prescribed, which shall become effective on the date of publication of this document in the FEDERAL REGISTER:

§ 10.25–9 *Experience requirements.* (a) * * *

(6) *Junior assistant purser and pharmacist's mate.* A rating of at least Pharmacist's Mate, First Class, or Hospital Corpsman, First Class, in the U. S. Navy, U. S. Coast Guard, U. S. Maritime Service, or an equivalent rating in the U. S. Army (not less than Technical Sergeant, Medical Department, U. S. A.), and a period of service of at least 1 month in a U. S. Naval, U. S. Marine, or U. S. Army Hospital.

(Sec. 7, 53 Stat. 1147; 46 U. S. C. 247)

Dated: April 4, 1949.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 49–2743; Filed, Apr. 8, 1949; 8:57 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 20, 43]

ELIMINATION OF SPIN TEST REQUIREMENTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments of Parts 20 and 43 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received within 30 days from the date of this publication will be considered by the Board before taking further action on the proposed rules.

The presently effective Civil Air Regulations require that an applicant for a private pilot certificate shall have at least

2 hours of dual flight instruction after solo which shall include instruction in the recovery from spins. In addition, the applicant, accompanied by an inspector or a flight examiner, is required to demonstrate his competency with respect to recovery from a right and left spin of at least one turn each. The regulations further provide that a student pilot shall not operate an aircraft in solo flight until he has been given instruction in recovery from stalls and spins. With respect to a pilot limited by his rating to nonspinnable airplanes, the presently effective regulations require that he shall, prior to making application for removal of such limitations, have at least 3 hours of certified dual instruction on spinnable airplanes.

Aviation interests, representing aircraft owners, pilots, manufacturers, and aeronautical schools have recommended that spins be deleted from the certification requirements prescribed by the Civil Air Regulations. They have expressed the opinion that the present requirement has deterred manufacturers from greater production of spin-resistant or spinproof aircraft.

It has been further stated that the deletion of the spin requirement would provide an incentive for the operator or schools to use spin-resistant or spinproof aircraft and that a wider use of such aircraft would produce greater air safety than is now had by the required instruction and testing in spins.

Moreover, statistical records of the Accident Analysis Division of the Bureau of Safety Investigation show that accidents resulting from true "spins" are so rare that the Bureau of Safety Investigation has stopped using the term "stall-spin accidents." Such records also indicate that the so-called "stall-spin accidents" have occurred at such low altitudes that the spin does not have sufficient time to actually develop.

As a result of these observations the Bureau of Safety Regulation considers it desirable to eliminate spins from the pilot certification requirements of Parts 20 and 43 and, in lieu thereof, to provide for instruction in the prevention of and recovery from power-off and power-on stalls entered from all normally anticipated flight attitudes and for a demonstration of ability therein.

It is proposed to amend Parts 20 and 43 as follows:

1. By amending § 20.25 (a) to read as follows:

§ 20.25 *Aeronautical experience*—(a) *Powered aircraft.* An applicant for a pilot certificate with a private rating in powered aircraft shall meet the requirements of either subparagraphs (1) or (2), and (3) of this paragraph.

(1) In spinnable aircraft he shall have at least 30 hours of solo flight time, and at least 10 hours of dual instruction time given by a rated flight instructor of which at least 2 hours shall have been after solo. The dual instruction shall include instruction in the prevention of and recovery from power-off and power-on stalls entered from all normally anticipated flight attitudes. Not more than 50% of the required solo flight time may be had in gliders: *Provided,* That the applicant is the holder of a pilot certificate with a private or commercial glider rating; or

(2) In nonspinnable aircraft he shall have at least 20 hours of solo flight time, and at least 7 hours of dual instruction time given by a rated flight instructor of which at least 2 hours shall have been after solo. Not more than 50% of the required solo flight time may be had in gliders: *Provided,* That the applicant is the holder of a pilot certificate with a private or commercial glider rating; and

(3) In either spinnable or nonspinnable aircraft he shall have at least 3 hours of solo cross-country flight time which shall include at least one solo flight to a point not less than 50 miles distant from the point of departure with at least 2 full-stop landings at different points along the course.

2. By rescinding § 20.26 (a) (6).

3. By rescinding § 20.36 (a) (4) and by amending and redesignating § 20.36 (a) (5) to read as follows:

(4) Recovery from power-on and power-off stalls entered from all normally anticipated flight attitudes.

4. By amending § 20.40 to provide that a pilot limited by his rating to nonspinnable airplanes, when applying for removal of this restriction, shall have instruction in the prevention of and recovery from power-on and power-off stalls entered from all normally anticipated flight attitudes.

5. By amending § 43.51 (c) to read as follows:

(c) He has been given instruction in the prevention of and recovery from power-on and power-off stalls entered from all normally anticipated flight attitudes.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601–610, 52 Stat. 984, 1007–1012; 49 U. S. C. 425 (a), 551–560)

Dated: April 5, 1949, at Washington, D. C.

By the Bureau of Safety Regulations.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 49-2713; Filed, Apr. 8, 1949; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 904]

HANDLING OF MILK IN GREATER BOSTON, MASS., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED AMENDMENT TO THE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq.), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed amendment to the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Interested parties may file written exceptions to the recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing on the record of which a proposed amendment to the tentative marketing agreement and the order, as amended, was formulated, was called by the Production and Marketing Administration, United States Department of Agriculture. The hearing was held at Boston, Massachusetts, March 16 and 17, 1949, pursuant to a notice published in the FEDERAL REGISTER (14 F. R. 1129) on March 12, 1949.

The material issues presented on the record were concerned with the following:

1. The published prices for nonfat dry milk solids to be used as a Class II price formula factor and increased handling allowances in Class II price.

2. Alternative prices to be used for butterfat values if Boston weighted average cream prices are not published.

3. Revision of the formula factors representing the pounds of butterfat in a 40-quart can of 40 percent cream and the pounds of nonfat dry milk solids obtainable from a hundredweight of Class II milk.

4. An increase in the allowance to handlers for Class II milk which is manufactured into butter and cheese during April, May, June, and July.

5. Reduction of the Class I price for that Class I milk sold outside the Boston marketing area to the level of prices established for such milk under the New York milk order.

6. General.

Findings and conclusions. The following findings and conclusions on each of the material issues, except issue number 5, are based upon the evidence introduced at the hearing and the record thereof.

1. *Nonfat dry milk solids prices and increased handling allowance.* Two proposals were made at this hearing which were intended to provide handlers with a wider margin for handling Class II milk. One proposal would increase the allowances set forth in the order by 10 cents per hundredweight. This method of increasing the allowance was recommended for its simplicity and the fact that it would bring prices more nearly in line with those established for milk used in similar products by handlers regulated by the New York milk marketing order.

The proposal sponsored by 14 cooperative associations of milk producers would

substitute in the Class II price formula for the New York prices now used in the order a series of prices reported by the United States Department of Agriculture for nonfat dry milk solids f. o. b. manufacturing plants in the Chicago area. The Chicago prices are consistently lower than the New York prices and would thus result in a lower Class II buying price for handlers. The representatives of producers associations stressed the merits of the Chicago price series over the New York reported prices because the Chicago prices are obtained from written reports rather than an oral communication such as is the case with respect to the New York series. Prices reported by Boston handlers for nonfat dry milk solids sold by them are lower than the New York series. The prices reported by Boston handlers were manufacturing plant prices.

The Chicago area plant price quotation for roller process nonfat dry milk is a simple average of prices reported by 45 plants in Indiana, Illinois, Michigan, Wisconsin, and Minnesota. As with the New York reported price, there is no distinction made between advertised and other brands. The New York price is reported as a weekly range. The record does not show the range of prices included in the Chicago area reported price. Both prices are for the product manufactured by the roller process for human consumption.

The testimony of witnesses indicates that they have more confidence in the Chicago area price than in the New York reported price as a measure of the changes in the value of the nonfat portion of Class II milk handled in the Boston area.

As one would expect, the Chicago series appears to reflect about the same changes in the nonfat dry milk solids market as those reflected by the New York series. Since the Chicago series appears to be fully as adequate as the New York series and it is recommended by the handlers and producers associations in the market the Chicago series should be used as the price basis.

The substitution of the Chicago series for the New York series is expected to result in a drop of 10 to 13 cents per hundredweight in the price of Class II milk.

The principal argument advanced by handlers and cooperative associations of producers which market milk was that handlers regulated by the New York milk marketing order are able to purchase milk at less than the Boston order Class II price for disposition to buyers who normally purchase Class II milk and milk products from Boston handlers.

Manufacturers of certain types of cheese are in position to purchase Class II milk from New York or Boston handlers depending on which source is cheaper. Products used by ice cream manufacturers, particularly condensed products, are manufactured in each market and sold competitively in Northeastern markets. Any substantial loss of these markets to New York handlers will restrict the market for seasonal excess milk in the Boston market. If all of the outlets for Class II milk to cheesemakers are lost to New York handlers it is possible that the existing capacity for manufacturing Class II milk in New England would not be sufficient for handling the product during the flush production months. During June 1948, 35 million pounds of Class II milk was utilized by Boston handlers in various types of cheese out of approximately 84 million pounds of Class II milk used in manufactured milk products. Class II milk received from producers has been greater for several months than the quantity of Class II milk in the corresponding months last year.

Some coordination between the New York and Boston order prices for milk and milk products sold in the same markets is obviously necessary. Precise alignment of prices would be impossible without adopting the same classification of milk in each market. Several witnesses who urged adjustments to bring Boston prices in line with New York prices for milk used similarly asked not for the adoption of the New York price formulas verbatim but for certain modifications of the Boston formula based on average differences between New York and Boston prices.

The New York order Class III price effective April 1, 1949 is based on butter prices for the months March through July. The lower fat value based on butter averaged 5 cents per hundredweight of 3.7 percent milk in 1947 and 25 cents per hundredweight in 1948 for the 5-month period below the fat value based on the Boston weighted average cream price. Since about two-thirds of the Class II purchased by Boston handlers from producers is purchased during the months March to July, inclusive, the average annual advantage to New York handlers based on the relative butterfat values of 1947 and 1948 would have been 3 cents and 15 cents per hundredweight. On the other hand the Chicago area plant price reported for nonfat dry milk solids proposed for Boston would establish a lower price to Boston handlers of about 8 cents based on 1947 prices and nearly 9 cents on 1948 prices. The handling allowance under the New York order is 70 cents each month whereas the allowances in the Boston order vary seasonally from 57½ to 75½ cents and weighted by the volume of Class II milk purchased in 1948 equal about 68 cents. The net differences between prices based on these factors indicate a possible net advantage to Boston handlers if the Chicago nonfat dry milk solids quotation is adopted of 3 cents per hundredweight based on 1947 prices or a possible disadvantage of 8 cents based on 1948 prices.

Several witnesses urged the adoption of separate allowances calculated to apply to the skim milk value factor and to the butterfat value factor. Any attempt to calculate separate values for these components of Class II milk would be confusing since the record contains no reliable basis for computing such values. Separate allowances would be meaningless in the principal adjustment needed at this time, the alignment of Class II prices with prices paid by New York handlers, since the New York and Boston price formulas differ in several respects.

In order to assure producers of a market for all milk during 1949, the Class II prices should be reduced by allowing handlers a larger margin for handling Class II milk. A change in the basis of pricing to use the Chicago area f. o. b. plant prices reported by the United States Department of Agriculture for nonfat dry milk solids is desirable. The 10 to 13 cents additional handling allowance which would be afforded by a shift to the Chicago price base is approximately the amount needed to maintain an outlet for all Class II milk this year. Therefore, the change in the price basis which will give handlers more incentive to handle Class II milk should be made.

2. *Alternative butterfat values.* It was proposed at the hearing that the substitute formula for computing the butterfat value factor in the absence of the designated weighted average cream price reported for the Boston market by the United States Department of Agriculture be revised. The substitute value per pound of butterfat is now computed by multiplying the average price of 92-score butter sold wholesale at Chicago by 1.4. The evidence indicates that this formula would have produced in 1948 from 10 cents per hundredweight below the cream value formula price in one month to 32 cents above the formula price in another month.

The proposed amendment would provide for computing the substitute butterfat value by adding 2 cents to the United States Department of Agriculture reported price for 92-score butter sold wholesale at New York, and multiplying the result by 1.24. This alternative would have produced prices during 1947 and 1948 from 10 cents per hundredweight above the cream value formula price to 42 cents per hundredweight below. The range is substitute values relative to cream prices under either the present order or the proposed amendment is too wide to rely on for the determination of a substitute value in the event that cream prices are not reported. There is a possibility that cream prices may not be reported every month. Some price determination would have to be made under such a circumstance. The order contains a provision directing the Secretary to establish an equivalent price if the price used in a formula is not reported. No additional provision is necessary. The substitute butterfat value provision should be deleted.

3. *Formula conversion factors.* The revision of the formula factors representing the pounds of butterfat in a 40-quart can of 40 percent cream and the pounds of nonfat dry milk solids obtainable from a hundredweight of Class II milk was proposed. It is not clear from the record just what the proposed conversion factors are intended to represent. No change should be made in these factors without more evidence.

4. *Butter and cheese differential.* Two proposals were made at this hearing which were intended to increase the amount of allowance to handlers on milk used in the manufacture of butter or Cheddar-types of cheese. One proposal would have increased the allowance by 10 to 13 cents per hundredweight of milk, and the other proposal would have made

the butter and cheese differential a flat 4 cents per pound of butterfat.

Some evidence was offered at the hearing to indicate that the allowance on milk used in the manufacture of butter and cheese should be increased by an amount at least equivalent to the increase in the allowance on regular Class II milk effected by the January 1, 1949 amendment to the order. It was argued that the costs of handling milk used for butter or cheese had increased as much as the cost of handling other Class II milk. Other evidence offered was intended to show that the proposed increases in the allowance on milk used for butter or cheese were needed in order to align the price of this milk with the price of milk for the same uses under the New York order. One proponent argued that the proposed amendments to the New York order would give handlers in that market incentive to ship cream to the Boston market, thus forcing some of the Boston handlers' butterfat into butter and cheese.

Evidence given at this hearing indicated that most of the butter manufactured from producers' milk was made at plants at least as distant as the 201–210 mileage zone. Therefore the increases in zone differentials, based partly on cream freight costs, effective January 1, 1949, resulted in some additional allowance on milk used for making butter.

The evidence did not substantiate that precise alignment of the allowance on milk used for butter or cheese with the allowance under the New York order for similar uses was needed.

Prior to the amendment of this order on January 1, 1949, the total allowance on milk the butterfat from which was used in the manufacture of butter or Cheddar-type cheese was about 5 cents less per hundredweight (based on market prices of butter and nonfat solids) than the total allowance on regular Class II milk (based on market prices of cream and nonfat solids). Such a relationship of the allowances on milk in these uses tends to discourage use of milk in butter and cheese and to stimulate handlers to seek outlets in higher valued uses.

Pending thorough study of the factors affecting the pricing of milk utilized in butter and cheese, it is reasonable to maintain the relationship of such prices to the regular Class II prices which existed for several years prior to January 1, 1949.

It is recommended that the total allowance on milk the butterfat from which is used in the manufacture of salted butter and Chedder-type cheese be established at a level approximately in the same relationship to the total allowance on regular Class II milk as existed prior to January 1, 1949.

5. *Class I milk sold outside the Boston marketing area.* It was proposed at the hearing that milk from the Boston pool sold outside the Boston marketing area in markets not under Federal regulation should be priced at a level comparable to the Class I–C price under the New York order. Under the New York order handlers must pay producers for pool milk sold in markets not under Federal regulation the blend price plus 20 cents.

Examination of the record indicates that the problems involved in pricing Boston pool milk sold outside the marketing area at a price lower than Class I milk could not be adequately treated on an emergency basis, and that further study of these problems is necessary. The decision on this issue is therefore deferred until fuller consideration can be given. It appears, however, that consideration of this issue should not delay action on other issues considered at the hearing upon which proponents urged that the earliest possible action be taken.

6. *General.* (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 proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, regulates the handling of milk in the same manner and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement upon which hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (c) of the act are not reasonable in view of the price of feed, available supplies of feeds, and other economic conditions which affect market supply and demand for such milk, 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 as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Rulings on proposed findings and conclusions. Briefs were filed in behalf of: Northern Farms Cooperative, Inc., Maine Dairymen's Association, Inc., United Farmers of New England, Inc., Bethel Cooperative Creamery, Milton Cooperative Dairy Corporation, Grand Isle Cooperative Creamery, Richmond Cooperative Creamery, Mt. Mansfield Cooperative Creamery and Grain Association, Independent Cooperative Association, Inc., and The Eastern New York Dairy Cooperative, Inc.

The proposed findings and conclusions contained in the briefs, and the arguments in support thereof, were carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth.

To the extent that any of the proposed findings and conclusions are inconsistent with the findings and conclusions hereinbefore set forth, the request to make such proposed findings or reach such proposed conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended amendment to the order. The following amendment to the order, as amended, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The amendments to a proposed marketing agreement are not repeated because they would be identical to the following:

1. In § 904.7 (b), delete subparagraphs (1), (2), (3), and (4), and substitute the following:

(1) Subject to paragraph (d) (3) of this section, subtract 52.5 cents from the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the month during which such milk is received, divide the remainder by 33.48, and multiply the result by 3.7.

(2) Multiply by 7.5 the average price per pound of roller process nonfat dry milk solids for human consumption, in carlots, f. o. b. Chicago area manufacturing plants, as reported by the United States Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the month during which such milk is received.

2. In § 904.7 (b), renumber subparagraph (5) as (3), and change the reference "subparagraphs (3) and (4)" therein to "subparagraphs (1) and (2)."

3. In § 904.7 (d) (3), change the reference "§ 904.9 (d) (1)" to "§ 904.9 (d) (2)."

4. Delete § 904.7 (d) (4).

5. In § 904.7 (e) (1), delete the phrase "deduct 5 cents,".

6. Delete § 904.7 (e) (2) and substitute the following:

(2) Divide by 3.7 the amount determined pursuant to paragraph (b) (1) of this section, and subtract from the quotient the amount determined pursuant to subparagraph (1) of this paragraph. The result is the butter and cheese differential.

7. Delete § 904.9 (d) and substitute the following:

(d) *Butterfat differential.* (1) In making the payments to each producer for milk received from him, each pool handler shall add for each one-tenth of 1 percent average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent average butterfat content below 3.7 percent, an amount per hundredweight calculated by the market administrator pursuant to subparagraph (2) of this paragraph.

(2) Subject to § 904.7 (d) (3), subtract 52.5 cents from the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the period between the 16th day of the preceding month and the 15th day inclusive of the month during which such milk is delivered, and divide the remainder by 334.8.

Issued at Washington, D. C., this 6th day of April, 1949.

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

[F. R. Doc. 49-2747; Filed, Apr. 8, 1949; 8:59 a. m.]

[7 CFR, Part 934]

HANDLING OF MILK IN LOWELL-LAWRENCE, MASS, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED AMENDMENT TO THE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq.), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed amendment to the order as amended regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area. Interested parties may file written exceptions to the recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing on the record of which a proposed amendment to the tentative marketing agreement and the order, as amended, was formulated, was called by the Production and Marketing Administration, United States Department of Agriculture. The hearing was held jointly at Boston March 16 and 17, 1949 on the consideration of amendments to the orders regulating the handling of milk in the Greater Boston, Fall River, and Lowell-Lawrence markets, pursuant to a notice published in the FEDERAL REGISTER (14 F. R. 1129) on March 12, 1949.

The material issues presented on the record with respect to the regulation of the handling of milk in the Lowell-Lawrence market concerned the question of whether the price of Class II milk in this market should be modified in the same manner as the Boston Class II price would be modified by proposed amendments to the Federal order for that market. The proposed amendments which would modify the pricing of Class II milk in the Lowell-Lawrence market concerned the following:

1. The published prices for nonfat dry milk solids to be used as a Class II price formula factor and increased handling allowances in the Class II price.

2. Alternative prices to be used for butterfat values if the Boston weighted average cream prices are not published.

3. Revision of the formula factors representing the pounds of butterfat in a 40-quart can of 40 percent cream and the pounds of nonfat dry milk solids obtainable from a hundredweight of Class II milk.

4. General.

A recommended decision with respect to the handling of milk in the Boston market issued simultaneously herewith contains findings and conclusions on the above-listed issues as applied to the order, as amended, regulating the handling of milk in the Greater Boston marketing area. For purposes of reference, the specific issues listed above are numbered the same as they are numbered in the decision with respect to the Boston order.

Findings and conclusions. The following findings and conclusions on material issues are based upon the evidence introduced at the hearing and the record thereof.

The findings and conclusions made on issues 1, 2, and 3 in the recommended decision (F. R. Doc. 49–2747, *supra*) issued simultaneously herewith with respect to the order, as amended, regulating the handling of milk in the Boston market, are adopted as the findings and conclusions of this decision as though fully set forth herein except insofar as such findings and conclusions may be modified by the supplementary findings and conclusions hereinafter set forth.

In an order issued March 28, 1949 (14 F. R. 1478), amending the order, as amended, regulating the handling of milk in the Lowell-Lawrence marketing area, the Class II price formula was modified for the purpose of making Class II prices under this order equivalent to Class II prices under the Boston order. Adoption of amendments to the Lowell-Lawrence order similar to the amendments now recommended on the aforesaid issues for the Boston order in the concurrent recommended decision for that order would be needed if the Class II prices in the two markets are to be kept on an equivalent basis.

Manufactured dairy products made from Class II milk in this market must be disposed of in competition with similar products made from Class II milk in the Boston market. The supply areas of the two markets overlap so that producers supplying the Lowell-Lawrence market are located within the supply area of the Boston market. Because of the close relationship of these two markets, the Class II price under each order, which in both cases applies to milk in the same product utilizations, should be equal for producers under the two orders.

General. (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 proposed marketing agreement and the order, as amended and as hereby proposed to be 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 the said tentative marketing agreement upon which the hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (e) of the act are not reasonable in view of the price of feed, available supplies of feed, and other economic conditions which affect market supply and demand for such milk, 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 as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Rulings on proposed findings and conclusions. A brief was filed proposing certain findings and conclusions with respect to the material issues considered at the hearing. The proposed findings and conclusions, and arguments in support thereof, were carefully considered in making the findings and reaching the conclusions contained herein. To the extent that any of the proposed findings and conclusions are inconsistent with the findings and conclusions hereinabove set forth, the request to make such proposed findings or reach such proposed conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended amendment to the order. The following amendment to the order, as amended, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The amendments to a proposed marketing agreement are not repeated because they would be identical to the following:

1. In § 934.6 (d), delete subparagraphs (1), (2), (3), and (4), and substitute the following:

(1) Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the month during which such milk is delivered, and multiply the result by 3.7.

(2) Multiply by 7.5 the average price per pound of roller process nonfat dry milk solids for human consumption, in carlots, f. o. b. Chicago area manufacturing plants, as reported by the United States Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the month during which such milk is received.

2. Renumber § 934.6 (d) (5) as (3), and change the reference "subparagraphs (3) and (4)", therein to "subparagraphs (1) and (2)."

3. Delete § 934.8 (c) and substitute the following:

(c) *Butterfat differential.* (1) Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, an amount per hundredweight calculated by the market administrator pursuant to subparagraph (2) of this paragraph.

(2) Divide by 33.48 the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the period between the 16th day of the preceding month and the 15th day inclusive of the month during which such milk is deliv-

ered, subtract 1.5 cents, and divide the result by 10.

Issued at Washington, D. C., this 6th day of April 1949.

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

[F. R. Doc. 49-2748; Filed, Apr. 8, 1949; 8:59 a. m.]

[7 CFR, Part 947]

HANDLING OF MILK IN FALL RIVER, MASS., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED AMENDMENT TO THE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq.), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed amendment to the order as amended regulating the handling of milk in the Fall River, Massachusetts, marketing area. Interested parties may file written exceptions to the recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing on the record of which a proposed amendment to the tentative marketing agreement and the order, as amended, was formulated, was called by the Production and Marketing Administration, United States Department of Agriculture. The hearing was held jointly at Boston March 16 and 17, 1949 on the consideration of amendments to the orders regulating the handling of milk in the Greater Boston, Fall River, and Lowell-Lawrence markets, pursuant to a notice published in the FEDERAL REGISTER (14 F. R. 1129) on March 12, 1949.

The material issues presented on the record with respect to the regulation of the handling of milk in the Fall River market concerned the question of whether the price of Class II milk in this market should be modified in the same manner as the Boston Class II price would be modified by proposed amendments to the Federal order for that market. The proposed amendments which would modify the pricing of Class II milk in the Fall River market concerned the following:

1. The published prices for nonfat dry milk solids to be used as a Class II price formula factor and increased handling allowances in the Class II price.

2. Alternative prices to be used for butterfat values if the Boston weighted average cream prices are not published.

3. Revision of the formula factors representing the pounds of butterfat in a 40-quart can of 40 percent cream and the pounds of nonfat dry milk solids obtainable from a hundredweight of Class II milk.

4. General.

A recommended decision with respect to the handling of milk in the Boston market issued simultaneously herewith contains findings and conclusions on the above-listed issues as applied to the order, as amended, regulating the handling of milk in the Greater Boston marketing area. For purposes of reference, the specific issues listed above are numbered the same as they are numbered in the decision with respect to the Boston order.

Findings and conclusions. The following findings and conclusions on material issues are based upon the evidence introduced at the hearing and the record thereof.

The findings and conclusions made on issues 1, 2, and 3 in the recommended decision (F. R. Doc. 49-2747, *supra*) issued simultaneously herewith with respect to the order, as amended, regulating the handling of milk in the Boston market are adopted as the findings and conclusions of this decision as though fully set forth herein except insofar as such findings and conclusions may be modified by the supplementary findings and conclusions hereinafter set forth.

In an order issued March 28, 1949 (14 F. R. 1484), amending the order regulating the handling of milk in the Fall River marketing area, the Class II price formula was modified for the purpose of making Class II prices under this order equivalent to Class II prices under the Boston order. Adoption of amendments to the Fall River order similar to the amendments now recommended on the aforesaid issues for the Boston order in the concurrent recommended decision for that order would be needed if the Class II prices in the two markets are to be kept on an equivalent basis.

Manufactured dairy products made from Class II milk in this market must be disposed of in competition with similar products made from Class II milk in the Boston market. The supply areas of the two markets overlap so that different prices for Class II milk in the two markets may result in handlers shifting their source of supply.

Because of the close relationship of these two markets, the Class II price under each order, which in both cases applies to milk in the same product utilizations, should be equal for producers under the two orders.

General. (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 proposed marketing agreement and the order, as amended and as hereby proposed to be 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 the said tentative marketing agreement upon which the hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (c) of the act are not reasonable in view of the price of feed, available supplies of feed, and other economic conditions which affect market supply and demand for such milk, 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 as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Rulings on proposed findings and conclusions. A brief was filed proposing certain findings and conclusions with respect to the material issues considered at the hearing. The proposed findings and conclusions, and arguments in support thereof, were carefully considered in making the findings and reaching the conclusions contained herein. To the extent that any of the proposed findings and conclusions are inconsistent with the findings and conclusions hereinbefore set forth, the request to make such proposed findings or reach such proposed conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended amendment to the order. The following amendment to the order, as amended, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The amendments to a proposed marketing agreement are not repeated because they would be identical to the following:

In § 947.6 (b) (1) delete subdivision (ii) and substitute the following:

(ii) Multiply by 7.5 the average price per pound of roller process nonfat dry milk solids for human consumption, in carlots, f. o. b. Chicago area manufacturing plants, as reported by the United States Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the month during which such milk is received.

Issued at Washington, D. C., this 6th day of April 1949.

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

[F. R. Doc. 49-2749; Filed, Apr. 8, 1949; 8:59 a. m.]

[7 CFR, Part 927]

MILK IN NEW YORK METROPOLITAN MARKETING AREA

NOTICE OF PUBLIC MEETING FOR CONSIDERATION OF PROPOSED AMENDMENT TO RULES AND REGULATIONS

Pursuant to provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR, Supps. 927.1 et seq., 13 F. R. 1396, 1641, 4242,

8734, 14 F. R. 791, 1466), regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001–1011), notice is hereby given of a public meeting to be held on April 11, 1949, at 10 a. m., e. s. t., at the office of the Market Administrator, 205 East 42nd Street, New York, New York, for consideration of a proposed amendment to the rules and regulations heretofore issued (11 F. R. 11266, 12 F. R. 457, 3241, 13 F. R. 2709, 14 F. R. 519, 1476) pursuant to said order. Interested persons will be afforded an opportunity to participate in the meeting through the submission of written data, views, or arguments or to present the same orally. Copies of the said rules and regulations as heretofore issued and of the proposed amendment to be considered at this public meeting may be procured from the Market Administrator.

The proposed amendment to be considered at said public meeting on April 11, 1949, including all of the terms and provisions of the temporary amendment issued on March 24, 1949 (14 F. R. 1476), consists of the following proposed changes:

I. 1. Amend § 927.101 as follows: In paragraph (h) change the "period" to a "comma" and add the following: "or the mixture from which such products are made."

2. Amend § 927.102 as follows:

A. In paragraph (d) add the following: "If such butterfat is pooled butterfat and is received in the form of fluid milk products or fluid cream products, it should be deducted, as far as possible, from Class I–A, or Class II, as the case may be. If such butterfat is non pooled butterfat and is received in the form of fluid milk products or fluid cream products, it should be deducted pro rata, as far as possible, from Class I–B, Class I–C or from Class III."

B. In paragraph (d) delete the words "frozen desserts and homogenized mixtures," and delete paragraphs (f) and (g).

C. In paragraph (m) insert the following sentence just prior to the last sentence: "Deduct remaining butterfat in the opening inventories or received in the form of cultured or flavored milk drinks of less than 3 percent or more than 5 percent from butterfat in products in which the handler claims to have used such butterfat."

D. In paragraph (ff) add the following sentence: "Deduct remaining butterfat in the opening inventories or received in the form of cultured or flavored milk drinks containing 3 percent butterfat or more but not more than 5 percent butterfat from products in which the handler claims to have used such butterfat."

E. In paragraph (11) insert the following sentence just prior to the last sentence: "Deduct remaining butterfat in the opening inventories or received in the form of cultured or flavored milk drinks containing 3 percent butterfat or more but not more than 5 percent butterfat from products in which the handler claims to have used such butterfat."

3. Amend § 927.104 as follows: Change the first sentence to read as follows: "Butterfat or skim milk in closing inventories of milk, fluid milk products, fluid skim milk, cultured or flavored milk drinks, cream, sour cream and fluid cream products may be accounted for and classified by the handler at the time of filing reports in accordance with § 927.6 (a) of the orders in any of the products and classes in which it is intended that butterfat or skim milk in like products be assigned during the next month."

4. Amend § 927.105 as follows: In the table set forth in paragraph (a) delete the word "salt" after the first word "Butter", delete the words "Butter (unsalted) --- 82", and the words "Victory-mix --- 11."

5. Change the paragraph numbering to conform with other proposed changes.

II.1. Amend § 927.101 as follows:

A. In paragraph (k) change the term "Class II–B" to "Class III," and change the section reference from § 927.4 (c) (5) to § 927.4 (c) (5) (ii).

B. Add new definitions as follows:

(aa) "Fluid milk products" means products which meet the definition of milk as set forth in paragraph (e) of this section, but to which are added ingredients other than those derived from milk, such ingredients not to exceed 4 percent. This definition shall not be deemed to include products that are included in other definitions in this section.

(bb) "Fluid cream products" means products which meet the definition of cream as set forth in paragraph (j) of this section, but to which are added ingredients other than those derived from milk, such ingredients not to exceed 8 percent, which products are not subsequently utilized in frozen desserts. This definition shall not be deemed to include products that are included in other definitions in this section.

2. Amend § 927.102 as follows:

A. In paragraph (c) (3) change the words "lowest class price" to "lowest net return."

B. In paragraphs (k) (2), (s), (u), (w), (x), (z), and (dd) change the words "Class II–A" to "Class II" wherever they appear.

C. In paragraph (l) add the words "or more than 5 percent" after the words "less than 3 percent" wherever they appear.

D. Amend paragraph (m) to read as follows:

(m) Deduct butterfat received in the form of cultured or flavored milk drinks of less than 3 percent or more than 5 percent butterfat from butterfat in cultured or flavored milk drinks of less than 3 percent or more than 5 percent butterfat leaving the plant or in closing inventories at the plant. If such butterfat is pooled butterfat it should be deducted, as far as possible, from butterfat in cultured or flavored milk drinks of less than 3 percent or more than 5 percent butterfat classified as Class II. If such butterfat is nonpooled butterfat, it should be deducted, as far as possible, from butterfat in cultured or flavored milk drinks of less than 3 percent or more than 5 percent butterfat classified as Class III. Deduct any remaining butterfat in opening inventories or received in the form of cultured or flavored milk drinks of less than 3 percent or more than 5 percent butterfat from plant loss and classify it as Class II.

E. In paragraph (q) delete the words "and classified as II–B."

F. In paragraph (x) change the words "Class III cheese" to "other cheese, except those to which the butter-cheese adjustment is applicable."

G. Amend paragraph (y) to read:

(y) Deduct the remaining butterfat in the opening inventories or received in the form of frozen cream pro rata from classes of butterfat leaving the plant or in closing inventories at the plant in cream, except Class II, and in Class III cultured or flavored milk drinks.

H. In paragraph (cc) add the words "fluid cream products" after the words "frozen cream," change the term "Class II–A" to "Class II," and change the term "Class III cheese" to "other cheese, except those to which the butter-cheese adjustment is applicable."

I. In paragraphs (ee), (ff), (kk), and (ll) add the words "but not more than 5 percent butterfat" after the words "3 percent butterfat or more" wherever they appear.

J. In paragraph (jj) add the following:

(15) Fluid cream products, 2.5 percent.

K. In paragraph (pp) delete the following: "Classification of butterfat deducted pursuant to (q) may be interchanged with the butterfat deducted pursuant to (nn) from the same products covered by (q) or with the classification of butterfat in receipts from dairy farmers classified on the basis of products covered by (q)."

3. Amend § 927.103 as follows:

A. In the section heading change the words "*butterfat and skim milk classes*" to "*butterfat classes and skim milk uses.*"

B. Delete the sentence just prior to paragraph (a).

C. Delete paragraphs (a) and (b).

D. Amend paragraph (c) (1) by changing the period to a comma and adding the following: "separately tabulating that part of Class III subject to the butter-cheese adjustment and that part of Class III not subject to the butter-cheese adjustment."

E. Amend paragraph (c) (2) to read as follows:

(2) Butterfat received in the form of nonpooled cream shall be assigned pro rata as far as possible to Class I–B, Class I–C, Class III not subject to the butter-cheese adjustment and Class III subject to the butter-cheese adjustment which have been tabulated pursuant to (1) of this paragraph. Any remaining nonpooled butterfat shall be assigned to Class II as far as possible and then to Class I–A.

F. Amend paragraph (d) (1) by changing the period to a comma and adding the words "separately tabulating that part of Class III subject to the butter-cheese adjustment and that part of Class

III not subject to the butter-cheese adjustment."

G. Amend paragraph (d) (2) to read as follows:

(2) Butterfat received in the form of nonpooled milk, including nonpooled milk from dairy farmers, shall be assigned pro rata as far as possible to Class I–B, Class I–C, Class III not subject to the butter-cheese adjustment and Class III subject to the butter-cheese adjustment which have been tabulated pursuant to (1) of this paragraph. Any remaining nonpooled butterfat shall be assigned to Class II as far as possible and then to Class I–A.

H. Amend paragraph (e) to read as follows:

(e) *Skim milk.* (1) Pooled skim milk (including exempt skim milk) shall be assigned as far as possible to skim milk subject to the fluid skim differential.

(2) Exempt skim milk shall be assigned pro rata to skim milk subject to the fluid skim differential and skim milk not subject to the fluid skim differential.

(3) Pooled skim milk from separate sources may be assigned at the option of the handler or handlers to either the skim milk subject to the fluid skim differential or the skim milk not subject to the fluid skim differential after the assignment pursuant to (2) of this paragraph.

4. Amend § 927.104 as follows:

A. Change the term "Class II–A" to "Class II" wherever it appears.

B. Delete the sentence which reads: "Butterfat in opening inventories of plain condensed milk that is allocated to butterfat in closing inventories of plain condensed milk shall be classified as Class II–B."

5. Amend § 927.105 as follows:

A. In paragraph (c) (3) add the words "or more than 5 percent" after the words "less than 3 percent."

B. In paragraph (c) (5) change the term "Class IV–B cheeses" to "cheeses subject to the butter-cheese adjustment" wherever such term appears.

C. In paragraph (c) (6) change the term "Class III cheeses" to "cheeses other than cream cheese and cheeses subject to the butter-cheese adjustment" wherever the term appears.

D. In paragraph (c) (8) change the words "the sources of such butterfat as a receipt of milk from producers" to "the place and time of separation."

6. Amend § 927.106 as follows: Change the words "Class III or Class IV–B cheeses" to "cheeses other than cream cheese."

7. Amend § 927.107 as follows:

A. Amend paragraph (b) to read as follows:

(b) Remaining butterfat received or in the opening inventories in the form of frozen cream which frozen cream was obtained from milk separated in the months of April through September shall be pro rated to uses of butterfat in the form of frozen cream as determined pursuant to § 927.102 (v), (w), (x), (y), (z), and (aa). The total butterfat derived from milk separated in each of the months shall be pro rated separately.

B. In paragraph (c) change the words "received from producers" to "separated."

Issued this 4th day of April 1949.

[SEAL] C. J. BLANFORD,
Market Administrator.

[F. R. Doc. 49–2750; Filed, Apr. 8, 1949; 8:59 a. m.]

[7 CFR, Part 970]

HANDLING OF MILK IN CLINTON, IOWA, MARKETING AREA

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

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR, Supps., 900.1 et seq.), a public hearing was conducted at Clinton, Iowa, on January 10, 1949, pursuant to notice thereof which was issued on December 20, 1948 (13 F. R. 8313).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Acting Assistant Administrator, Production and Marketing Administration, on March 1, 1949, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of filing of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 5, 1949 (14 F. R. 1012).

The material issues of record related to (1) the level of the Class I price, (2) seasonal pricing, and (3) the Class III price.

Rulings on exceptions. Exceptions were filed on behalf of Elmwood Dairy Farms and Sanitary Farms Dairies, both handlers under the order.

These exceptions expressed agreement with the finding of the recommended decision that prices paid producers in the Clinton market must be comparable to such prices in the Quad Cities market. However, the exceptions contended that the classification and all of the class prices to handlers in both markets should be identical. Although the classification and class prices to handlers in the two markets are not identical, the variation is so slight that it is believed the resulting variation in returns to producers will be negligible. Since the notice of hearing and the record pertaining thereto, upon which the recommended decision is based, contained no proposals to amend the order in these respects, these exceptions are overruled. For the same reason the exceptants' requests that the hearing be reopened to afford them an opportunity to introduce evidence supporting their contention is denied.

Insofar as the exceptions constitute a request for a hearing upon a proposal to amend the order in accordance with the contention and, further, to consolidate under one marketing order, the Clinton and Quad Cities marketing areas, they should not be treated as exceptions, but will be treated separately.

Findings and Conclusions

Findings and conclusions on the record. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 49–1656; 14 F. R. 1012) with respect to issues (1) to (3), inclusive, are approved and adopted as the findings and conclusions of this decision as if set forth in full herein. These findings and conclusions are supplemented by the following general findings.

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 prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e 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 such milk, and the minimum prices specified in the proposed marketing agreement and in 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 proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, regulate the handling of milk in the same manner as, and are 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.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Clinton, Iowa, Marketing Area," and "Order Amending the Order, As Amended, Regulating the Handling of Milk in the Clinton, Iowa, 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 procedures, 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 6th day of April 1949.

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

Order[1] *Amending the Order, as Amended, Regulating the Handling of Milk in the Clinton, Iowa, Marketing Area*

§ 970.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary 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 Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR, Supps. 900.1 et seq.), 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 Clinton, Iowa, 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 of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8c 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 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 Clinton, Iowa, 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. Delete § 970.4 (a) (1) and substitute therefor the following:

(1) *For Class I milk.* The price shall be the price for Class II milk for the previous delivery period plus 90 cents during the months of January, February, and March; plus 70 cents during the months of April, May, and June; and plus $1.15 during the remaining months of each year.

2. Delete § 970.4 (a) (3) and substitute therefor the following:

(3) *For Class III milk.* The price shall be the higher of the prices resulting from the following computations by the market administrator:

(i) Multiply by 2.4 the average of the weekly prices of the cheese known as "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, as reported by the Department of Agriculture during the delivery period in which such milk was received and multiply such result by 3.5. If there are no sales on the Exchange during any week, the last previously quoted price shall be used as the price for that week in making these computations.

(ii) From the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period in which such milk was received, subtract 3 cents, add 20 percent thereof and multiply the resulting amount by 3.5.

3. Amend § 970.4 (b) (1) to read as follows:

(1) If the average butterfat content of the milk disposed of as net pooled Class I milk by any handler computed pursuant to § 970.3 (e) is more or less than 3.5 percent such handler shall add to the Class I price per hundredweight computed pursuant to paragraph (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such milk is above 3.5 percent, or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent an amount computed as follows: To the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be authorized to perform this price reporting function) during the delivery period preceding that in which the milk was received, add 40 percent, and divide the resulting sum by 10.

4. Amend § 970.7 (b) (2) by deleting therefrom the phrase: "exclusive of the amount retained in such fund pursuant to subparagraph (3) of this paragraph."

5. Delete subparagraphs (3) and (4) of § 970.7 (b) and renumber subparagraphs (5), (6), and (7) thereof as subparagraphs (3), (4), and (5).

6. Amend § 970.8 (e) to read as follows:

(e) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (a) (3), (b), and (f) of this section, together with the amounts subtracted from the uniform price computation pursuant to § 970.7 (b) (5), and out of which he shall make all payments to producers and handlers pursuant to paragraphs (c) and (f) of this section as well as the amount added in the computation of the uniform price pursuant to § 970.7 (b) (2).

[F. R. Doc. 49-2742; Filed, Apr. 8, 1949; 8:56 a. m.]

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

NOTICES

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

VOLUNTARY STEEL ALLOCATION PLAN FOR FEDERAL RECLAMATION PROJECTS

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, as amended, and Executive Order 9919 (after consultation with representatives of the steel producing industry, and with the interested government agencies, and after giving opportunity for the expression of the views of industry, labor and the public generally at an open hearing held on March 11, 1949), has determined that the following plan of voluntary action for allocation of steel products for requirements of the Reclamation Bureau of the United States Department of the Interior, is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, as amended.

1. *What this plan does.* This plan sets up the procedure under which steel producers participating in this plan (hereinafter called producers) agree voluntarily to make steel products available for requirements in connection with the construction of certain reclamation projects of the Bureau of Reclamation, Department of the Interior. The projects covered by this plan (hereinafter called Federal Reclamation Projects) are those listed in Schedule A annexed hereto, as it may be amended by the Secretary of Commerce from time to time. The steel products provided for herein are to be made available either directly to the Bureau of Reclamation or to persons who need them to fill contracts with the Bureau of Reclamation and who comply

with the provisions of this plan. Such persons (hereinafter collectively called participating Contractors) include prime contractors for the Bureau of Reclamation, their subcontractors, and steel fabricators supplying, or under contract to supply steel products to such prime contractors or their subcontractors.

2. *Agreement by steel producers.* Beginning with the month of May 1949, and continuing during the period this plan remains in effect, producers will, out of their own production or that of their producing subsidiaries or affiliates, make available to the Bureau of Reclamation and to its participating contractors an aggregate total of 83,618 net tons of steel products, distributed by monthly tonnages and types of products, approximately as set out in Schedule B annexed hereto, as it may be amended by the Secretary of Commerce from time to time.

3. *Determination of quantities to be furnished by respective producers.* Unless otherwise specified in its acceptance of this plan, the quantities to be made available by each producer, as its commitment under this plan, will be such as the Secretary of Commerce, after consulting the Steel Task Committee of the Office of Industry Cooperation of the Department of Commerce, determines to be fair and equitable. Each Producer will from time to time, however, upon request of the Secretary of Commerce, give consideration to making additional quantities available. Producers will take credit against their commitments under this plan only for deliveries to the Bureau of Reclamation and to participating Contractors on orders certified in accordance with paragraph 10 below.

4. *Contractual arrangements.* Such products will be made available under such contractual arrangements as may be made by the respective producers, or their producing subsidiaries or affiliates, with the Bureau of Reclamation and the respective participating contractors. No request or authorization will be made by the Department of Commerce relating to the allocation of orders or customers, the delivery of products, the allocation of business among participating contractors, or any limitation or restriction on the production or marketing of any products. This plan does not authorize nor approve any fixing of prices, and participation in this plan does not affect the prices or terms and conditions on which any product is actually sold and delivered.

5. *Limitations as to types, sizes and quantities.* A producer need make available under this plan only those products which are within the type and size limitations of the mill or mills which it may select for the fulfillment of its commitment under this plan. The quantities which it may have undertaken to make available in any month may be reduced, or at its option, their delivery postponed, in direct proportion to any production losses during the month due to causes beyond its control.

6. *Reports from steel producers.* Each producer will, if requested by the Office of Industry Cooperation of the Department of Commerce (subject to approval of the Bureau of the Budget under the Federal Reports Act of 1942), submit to that Office periodic reports of the total quantities, by types, of products shipped and accepted for shipment under this plan.

7. *Reports from participating contractors.* The Office of Industry Cooperation of the Department of Commerce (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942 (may require any participating contractor to furnish reports with respect to steel products on hand and under arrangements, or any other information pertinent to any orders placed under this plan.

8. *Reports from Bureau of Reclamation.* The Bureau of Reclamation will furnish the Office of Industry Cooperation of the Department of Commerce with such reports as may be requested from time to time regarding operations under this plan.

9. *Obligations of participating contractors.* By participation in this plan, each participating contractor shall be obligated as follows: To use all products obtained under this plan solely for filling contracts with the Bureau of Reclamation; not to resell or transfer any such products in the form received by the participating contractor, except to such subsidiary, affiliate, subcontractor or fabricator as may be designated for the manufacture or fabrication of products needed for use in construction on the Federal Reclamation Project involved; and not to build up beyond current needs any inventories of products obtained or end products manufactured, under this plan. If a participating contractor becomes unable to use, for the purposes of this plan, any products obtained under the plan, he shall be further obligated to hold them subject to such other use or disposition (including reallocation to other consumers or return to the producer from whom purchased) as shall be authorized by the Office of Industry Cooperation of the Department of Commerce.

Participation in the benefits of this plan shall at all times be contingent upon each participating contractor's continued strict compliance with the provisions hereof. In the event of any actual or prospective noncompliance by any participating contractor, the Secretary of Commerce may, after written notice to the participating contractor, take such action as he deems warranted with respect to the contractor's participation in the plan, including partial or total suspension or termination of participation privileges and notification to the participating producers not to make any or certain further shipments under the plan to such contractor.

10. *Procedure for placing orders under this plan.* The Bureau of Reclamation will determine the distribution by projects of the tonnages available under this plan and, after consultation with the Office of Industry Cooperation of the Department of Commerce, will issue instructions to its field personnel and contractors for acquainting them with the provisions of the voluntary plan and for proceeding on the basis of such determination. These instructions will include appropriate provisions for controlling and recording tonnages certified for the individual projects. Purchase orders placed under this plan for steel products are to be placed with participating producers or their producing subsidiaries or affiliates.

In placing a purchase order under this plan for the direct procurement of steel products from a participating steel producer, the Bureau of Reclamation will specifically designate the order as being so placed. The Bureau of Reclamation will do the same as to any construction or equipment contract let to a contractor if steel products required for the fulfillment of that contract are to be obtained under this plan by the contractor as a participating contractor.

Each purchase order placed by a participating contractor under this plan shall be placed in accordance with the above-mentioned instructions issued by the Bureau of Reclamation and shall bear the following certification by the participating contractor:

VOLUNTARY STEEL ALLOCATION PLAN FOR FEDERAL RECLAMATION PROJECTS

The undersigned certifies to the seller and to the Department of Commerce that the products specified in this order will be used solely to fill the undersigned's requirement for the _____ Federal Reclamation Project under Contract No. _____ (insert number of contract), which contract has been designated by the Bureau of Reclamation as having been placed under the above voluntary plan, with which plan the undersigned is familiar.

_____

By _____
(Signature and title of duly authorized officer)

11. *Procedure for, and effect of, becoming a participant.* After approval of this plan by the Attorney General and by the Secretary of Commerce, and after requests for compliance with it have been made of steel producers by the Secretary of Commerce, any such steel producer may become a participant in this plan by advising the Secretary of Commerce, in writing of its acceptance of such request. Such requests for compliance will be effective for the purpose of granting certain immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, as amended, only with respect to such producers as notify the Secretary of Commerce in writing that they will comply with such requests.

12. *Effective date and duration.* This plan shall become effective upon the date of its final approval by the Secretary of Commerce and shall cease to be effective at the close of business on September 30, 1949. However, the plan may be terminated on such earlier date as may be determined by the Secretary of Commerce, upon not less than 60 days' notice by letter, telegram or publication in the FEDERAL REGISTER.

13. *Withdrawal from the plan.* Any producer may withdraw from the plan by giving not less than 60 days' written notice to the Secretary of Commerce.

14. *Clarifying interpretations.* Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General), in writing, to

clarify the meaning of any terms or provisions in this plan, shall be binding upon all participants notified of such interpretation.

15. *Communication.* All communications from contractors participating, or wishing to participate, in this plan, should be addressed to the Bureau of Reclamation, Denver Federal Center, Denver, Colorado, Attention 800.

Approved: March 24, 1949.

CHARLES SAWYER,
Secretary of Commerce.

Approved: March 22, 1949.

PEYTON FORD,
Acting Attorney General.

SCHEDULE A—FEDERAL RECLAMATION PROJECTS

The following are the Federal Reclamation Projects covered by the Voluntary Steel Allocation Plan:

PROJECT AND STATE

All-American, Calif.
Belle Fourche, S. Dak.
Boise-Anderson Ranch, Idaho.
Boise-Payette, Idaho.
Boulder Canyon, Ariz.-Nev.
Central Valley, Calif.
Colorado-Big Thompson, Colo.
Columbia Basin, Wash.
Davis Dam, Ariz.-Nev.
Deschutes-Ochoco Dam, Oreg.
Fort Peck, Mont.
Gila, Ariz.
Hungry Horse, Mont.
Kendrick, Wyo.
Klamath, Oreg.-Calif.
Lewiston Orchards, Idaho.
Missouri River Basin (various States).
Ogden River, Utah.
Palisades, Idaho.
Paonia, Colo.
Provo River, Utah.
Rio Grande, N. Mex.-Tex.
Riverton, Wyo.
San Luis Valley, Colo.
Santa Barbara County, Calif.
Yakima-Roza, Wash.

This schedule may be amended from time to time by the Secretary of Commerce.

CHARLES SAWYER,
Secretary of Commerce.

MARCH 24, 1949.

SCHEDULE B—DISTRIBUTION OF STEEL PRODUCTS

The monthly tonnage specified in Paragraph 2 of the Voluntary Steel Allocation Plan is to be distributed by products approximately as follows:

Type	Tonnages					
	May	June	July	August	September	Total
Carbon steel						
Bars:						
Reinforced 1¼ inches and under	2,668	3,498	7,700	7,000	4,434	25,300
Reinforced over 1¼ inches	800	800	800	800	800	4,000
H. R.	95	56	400	250	414	1,215
Shapes:						
Structural bar size standard	426	554	1,500	1,000	1,095	4,575
Structural size standard	2,412	2,134	5,250	4,150	4,304	18,250
Wide flange	360	182	815	453	450	2,260
Elevator guide rail (special section)	-------	33	77	-------	75	185
Plates:						
Standard hot rolled	2,500	1,776	3,150	1,849	2,050	11,325
Firebox	1,043	2,940	1,517	250	675	6,425
Sheets, standard hot rolled	435	785	575	575	505	2,875
Strips, hot rolled	-------	200	360	200	350	1,110
Rail and accessories, ASCE	70	-------	435	275	120	900
Pipe (welded or seamless):						
8 inches diameter and under	-------	33	425	322	95	875
Over 8 inches diameter	-------	-------	85	25	25	135
Tubing, elec. conduit	-------	-------	225	145	30	400
Wire and wire rod	-------	306	250	217	490	1,263
Alloy steel						
Sheets (silicon lamination steel)	506	344	405	780	490	2,525
Total (carbon and alloy)	11,315	13,641	23,969	18,291	16,402	83,618

This schedule may be amended by the Secretary of Commerce from time to time.

CHARLES SAWYER,
Secretary of Commerce.

MARCH 24, 1949.

MARCH 25, 1949.

GENTLEMEN: Enclosed is a copy of the above voluntary plan which has been approved by the Attorney General and myself pursuant to Public Law 395, 80th Congress (as amended by Public Law 6, 81st Congress), and Executive Order 9919.

Acting pursuant to said Law and Executive Order, I hereby request compliance by you with the voluntary plan. This request will not be effective for the purpose of granting immunity from the antitrust laws of the United States and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, 80th Congress, as amended, unless you promptly agree in writing to comply herewith.

Two copies of a suggested form for your use in evidencing acceptance of this request are enclosed. One copy is to be returned to me and the other retained for your files.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

NOTE: The above request for compliance with Department of Commerce Voluntary Steel Allocation Plan for Federal Reclamation Projects was sent to steel companies listed in an attachment filed with the original document.

[F. R. Doc. 49-2695; Filed, Apr. 8, 1949; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6201]

HARTFORD ELECTRIC LIGHT CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING MERGER OF FACILITIES

APRIL 5, 1949.

Notice is hereby given that, on March 29, 1949, the Federal Power Commission issued its order entered March 29, 1949, authorizing and approving merger of facilities of The Hartford Electric Light Company with those of The Simsbury Electric Company in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2702; Filed, Apr. 8, 1949; 8:47 a. m.]

[Project No. 553]

CITY OF SEATTLE, WASHINGTON

NOTICE OF ORDER APPROVING EXHIBIT

APRIL 5, 1949.

Notice is hereby given that, on March 31, 1949, the Federal Power Commission issued its order entered March 29, 1949, approving Exhibit L in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2703; Filed, Apr. 8, 1949; 8:47 a. m.]

[Project No. 1697]

LOWELL L. HALL

NOTICE OF ORDER ACCEPTING SURRENDER OF LICENSE (MINOR)

APRIL 5, 1949.

Notice is hereby given that, on March 31, 1949, the Federal Power Commission issued its order entered March 29, 1949, accepting surrender of license (minor) in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2704; Filed, Apr. 8, 1949; 8:47 a. m.]

[Project No. 1927]

CALIFORNIA OREGON POWER CO.

NOTICE OF ORDER APPROVING EXHIBIT

APRIL 5, 1949.

Notice is hereby given that, on March 31, 1949, the Federal Power Commission issued its order entered March 29, 1949, eliminating Exhibit J-1 from the license, and approving Exhibit J-3 as part of license in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2705; Filed, Apr. 8, 1949; 8:47 a. m.]

[Docket Nos. G-859, G-1089, G-1120, G-1124, G-1125, G-1126, G-1127, G-1130, G-1136, G-1137, G-1138, G-1149]

TEXAS GAS TRANSMISSION CORP. ET AL.

NOTICE OF OPINION NO. 177 AND ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

APRIL 5, 1949.

In the matters of Texas Gas Transmission Corporation, Docket No. G-859;

Texas Eastern Transmission Corporation, Docket No. G–1089; The Philadelphia Gas Works Company, Docket No. G–1120; Consumers Gas Company, Docket No. G–1124; Allentown-Bethlehem Gas Company, Docket No. G–1125; Harrisburg Gas Company, Docket No. G–1126; Village of Norris City, Illinois, Docket No. G–1127; Kentucky Utilities Company, Docket No. G–1130; Corporation of Dyersburg, Tennessee, Docket No. G–1136; Madison Utilities Corporation, Docket No. G–1137; Lawrenceburg Gas Company, Docket No. G–1138; National Gas & Oil Corporation, Docket No. G–1149.

Notice is hereby given that, on March 30, 1949, the Federal Power Commission issued its Opinion No. 177 and order entered March 30, 1949, issuing certificates of public convenience and necessity to Texas Gas Transmission Corporation, Docket No. G–859, and to Texas Eastern Transmission Corporation, Docket No. G–1089; and dismissing applications of The Philadelphia Gas Works Company, Docket No. G–1120; Consumers Gas Company, Docket No. G–1124; Allentown-Bethlehem Gas Company, Docket No. G–1125; Harrisburg Gas Company, Docket No. G–1126; Village of Norris City, Illinois, Docket No. G–1127; Kentucky Utilities Company, Docket No. G–1130; Corporation of Dyersburg, Tennessee, Docket No. G–1136; Madison Utilities Corporation, Docket No. G–1137; Lawrenceburg Gas Company, Docket No. G–1138; and National Gas & Oil Corporation, Docket No. G–1149.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49–2706; Filed, Apr. 8, 1949; 8:47 a. m.]

[Docket No. G–1166]

NEW YORK STATE NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

On February 3, 1949, New York State Natural Gas Corporation, (Applicant) filed an application, as supplemented on March 23, 1949, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the leasing from Empire Gas and Fuel Company, and the operation of, approximately 10.14 miles of 8-inch and 10-inch pipeline (including approximately 100 feet of 6-inch pipeline) located in Potter County, Pennsylvania, all as more fully described in such application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on February 19, 1949 (14 F. R. 785).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on April 26, 1949, at 9:30 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: April 5, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49–2708; Filed, Apr. 8, 1949; 8:49 a. m.]

[Docket No. G–1181]

OHIO FUEL GAS CO.

NOTICE OF APPLICATION

APRIL 5, 1949.

Notice is hereby given that on March 22, 1949, The Ohio Fuel Gas Company (Applicant), an Ohio corporation having its principal place of business at Columbus, Ohio, filed an application (a) for a certificate of public convenience and necessity authorizing the construction and operation of certain natural-gas facilities, and (b) for approval of abandonment and removal of a certain portion of Applicant's facilities, both pursuant to section 7 of the Natural Gas Act, as amended, and all described as follows:

(1) Construction and operation of approximately 10.6 miles of 16-inch O. D. natural gas transmission pipeline extending from Applicant's Crawford Compressor Station to a point on the facilities of the Texas Eastern Transmission Corporation, all in Fairfield County, Ohio.

(2) Construction and operation of approximately 26.7 miles of 20-inch O. D. natural gas transmission pipeline extending from a point on the facilities of Texas Eastern Transmission Corporation in Fairfield County, Ohio, to Applicant's Line B near Columbus, Franklin County, Ohio.

(3) Construction and operation of approximately 3.0 miles of 20-inch O. D. and 2.0 miles of 6⅝ inch O. D. natural gas transmission pipeline to form a connection from the proposed line at Item 2 above to the present point of supply for Columbus, Ohio, near Gahanna, Ohio.

(4) Construction and operation of approximately 18.6 miles of 20-inch O. D. natural gas transmission pipeline extending from Applicant's Line B–50 in Franklin County, Ohio, to Applicant's Treat Compressor Station in Licking County, Ohio.

(5) Construction and operation of approximately 18.2 miles of 20-inch O. D. natural gas transmission pipeline extending from the terminus of Applicant's 20-inch O. D. pipeline near Mt. Gilead in Morrow County, Ohio, to Applicant's Line D–96 in Crawford County, Ohio.

(6) Construction and operation of approximately 6.4 miles of 16-inch O. D. natural gas transmission pipeline extending from Applicant's existing 16-inch O. D. pipeline near Mansfield to Applicant's Pavonia Compressor Station, all in Richland County, Ohio.

(7) Abandonment, removal and retirement of the following facilities located in Fairfield, Franklin, Licking, Morrow, Crawford and Richland Counties, Ohio:

(a) Approximately 51.0 miles of 16-inch O. D. natural gas transmission pipeline.

(b) Approximately 26.7 miles of 18-inch O. D. natural gas transmission pipeline.

(c) Approximately 6.4 miles of 12¾-inch O. D. natural gas transmission pipeline.

The application recites that with respect to the proposed new construction no change is contemplated in market service other than increased deliveries due to normal growth of existing markets. It is stated that since the increase in requirements must be met from out-of-state sources, and since much of the increase is space heating load with a high concentration of requirements in winter months, it is necessary to provide facilities to transport much greater volumes of gas to storage in summer for withdrawal and marketing in winter.

The application further states that the proposed new construction is designed to provide increased capacity from out-of-state sources to underground storage and market areas in summer, and from such out-of-state sources and underground storage areas to market areas in winter, utilizing lines for both services whenever possible.

The application further recites that with respect to the proposed abandonment and removal of faciliites, said facilities will no longer be used or useful in the public service since the proposed construction is intended as replacement for the facilities proposed to be removed. It is proposed to salvage all or part of the facilities to be removed.

The estimated total over-all net capital cost of construction and removal after abandonment and salvage of the proposed facilities is approximately $3,239,-720. Applicant will be provided with construction and removal costs by The Columbia Gas System, Inc., its parent.

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

The application of The Ohio Fuel Gas Company is on file with the Commission

and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 and 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2710; Filed, Apr. 8, 1949; 8:49 a. m.]

[Docket No. DI-179]

CENTRAL NEW YORK POWER CORP.

ORDER CHANGING DATE FOR ORAL ARGUMENT

By order dated March 29, 1949, the Commission fixed April 27, 1949, as the date for oral argument in the above-entitled proceeding.

On April 4, 1949, the Commission received a telephonic request from counsel for the above-named corporation to change the date for oral argument from April 27, 1949, to April 29, 1949. The Commission orders: The date specified in its order dated March 29, 1949, for oral argument in the above-entitled proceeding be changed from April 27, 1949, to April 29, 1949.

Date of issuance: April 5, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2709; Filed, Apr. 8, 1949; 8:49 a. m.]

[Docket No. G-1182]

HOME GAS CO. AND EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

APRIL 5, 1949.

Notice is hereby given that on March 23, 1949, Home Gas Company (Home), a New York corporation, and Eastern Pipe Line Company (Eastern), a New Jersey corporation, both of which companies are subsidiaries of The Columbia Gas System, Inc., and have their principal place of business at Pittsburgh, Pennsylvania, filed an application (a) for a certificate of public convenience and necessity authorizing the construction and operation by Home of certain natural-gas facilities hereinafter described, and (b) for approval of abandonment, removal and sale by Home and Eastern of a certain portion of said applicant companies' facilities, also hereinafter described, to The Keystone Gas Company, Inc., both pursuant to section 7 of the Natural Gas Act, as amended.

Home seeks authorization:

(1) To construct and operate 23.8 miles of 12-inch natural gas transmission pipe line extending from a point in Deer Park Town, Orange County, New York, northwestward to a point in Cochecton Town, Sullivan County, New York.

(2) To construct and operate 28.0 miles of 10-inch natural gas transmission pipe line together with necessary meter and regulator stations extending from a point in Deer Park Town, Orange County, New York, southeastward to Clarkstown Town, Rockland County, New York.

(3) To abandon and remove 43.6 miles of 6-inch natural gas transmission pipe line forming a transmission pipe line system extending from a point known as Hugenot in Orange County, New York, to a point in Minsink Town, Orange County, New York, located on the New York-New Jersey State boundary line.

(4) To abandon and remove 0.36 mile of 8-inch natural gas transmission pipe line extending from a point in Orange Town, Rockland County, New York, located on the New York-New Jersey State boundary line, to Tappan, Rockland County, New York.

(5) To abandon and sell to The Keystone Gas Company, Inc., 2.5 miles of 6-inch and 7.9 miles of 8-inch natural gas transmission pipe lines extending from the Pennsylvania-New York State line in Allegany Town, Cattaraugus County, New York, to a point known as Hebron measuring station in Olean Town, Cattaraugus County, New York.

Eastern seeks authorization:

(6) To abandon and remove 140 miles of 6-inch and 8-inch natural gas transmission pipe lines extending from a point on the New York-New Jersey State boundary line in Wantage Township, Sussex County, New Jersey, to a point on said boundary line in North Vale Township, Bergen County, New Jersey.

The application recites that with respect to the proposed new construction applicant Home proposes to improve and increase deliverability of its transmission system in the interest of flexibility of operations, continuity of delivery, and adequacy of facilities in order to provide as nearly as possible, and in the most feasible and economical manner, continuous service to existing customers. It is stated further that Home seeks to provide, for a reasonable period in the future, for the normal growth of Home and its associated companies in the Pittsburgh group of companies owned by The Columbia Gas System, Inc., only within the territory presently served by such companies.

The application further recites that with respect to the proposed abandonment and removal of facilities by Home and Eastern, said facilities are no longer used or useful in the public service and the companies propose to eliminate maintenance expense in connection therewith. The pipe proposed to be removed will be salvaged and will be used for maintenance and replacement of existing pipe lines.

The application further states that the pipe lines proposed to be abandoned and removed by Eastern comprise its entire system. Eastern serves no communities at wholesale or retail and has no customers of any kind other than Home for whom it transports gas. It is contemplated that Eastern will wind up its affairs and dissolve if it is authorized to abandon and retire its pipe line system.

The estimated total over-all capital cost of construction and removal and retirement after abandonment of the proposed facilities is approximately $2,447,994, derived as follows:

	Construction	Salvage	Cost of removal	Net cost
Home Gas Co	$2,656,000	$(123,300)	$51,100	$2,583,800
Eastern Pipe Line Co		(291,806)	156,000	(135,806)
Total	2,656,000	(415,106)	207,100	2,447,994

Home intends to finance its construction costs by using $600,000 of its own funds and contemplates borrowing the remainder of said cost amounting to approximately $1,984,000, from The Columbia Gas System, Inc., its parent.

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

The application of Home Gas Company and Eastern Pipe Line Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 and 1.10, whichever is applicable, of the rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2711; Filed, Apr. 8, 1949; 8:50 a. m.]

[Docket No. G-1184]

LOUISIANA-NEVADA TRANSIT CO.

NOTICE OF APPLICATION

APRIL 5, 1949.

Notice is hereby given that on March 28, 1949, an application was filed with the Federal Power Commission by Louisiana-Nevada Transit Company (Applicant), a Nevada corporation having its principal place of business at Ada, Oklahoma, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of 3870 feet of 2-inch pipe line, pressure regulator and metering facilities for the purpose of serving contract industrial requirements of Cobbwood, Inc., and

Graydon Anthony Lumber Company located in and near the City of Hope, Hempstead County, Arkansas.

The application states natural gas sales contracts have been executed with Cobbwood, Inc., for the supplying of an estimated annual volume of 21,636 Mcf, and with Graydon Anthony Lumber Company for the supplying of an estimated annual volume of 31,020 Mcf; natural gas sold under the contracts will be used as boiler fuel for steam generation purposes.

The estimated over-all capital cost of the construction of the proposed facilities is $2,058.10.

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

The application of Louisiana-Nevada Transit Company is on file with the Commission and open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-2712; Filed, Apr. 8, 1949; 8:50 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5622]

AQUELLA PRODUCTS, INC., ET AL.

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

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 4th day of April A. D. 1949.

In the matter of Aquella Products, Inc., a corporation; Ira A. Campbell; L. J. Clarke; Leandro W. Tomarkin; and Zella F. Campbell; individually and as officers of Aquella Products, Inc.; Prima Products, Inc., a corporation; and Milton P. Schreyer; Charles S. Brody; Milton E. Schattman; and Edward P. Schreyer, individually and as officers of Prima Products, Inc.

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 Earl J. Kolb, 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 Monday, April 25, 1949, at ten o'clock in the forenoon of that day (e. s. t.), in Room 500, 45 Broadway, New York, New York.

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.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 49-2740; Filed, Apr. 8, 1949; 8:56 a. m.]

SECURITIES AND EXCHANGE COMMISSION

J. S. LOCKABY & CO.

ORDER REVOKING REGISTRATION AND EXPELLING REGISTRANT FROM NATIONAL SECURITIES ASSOCIATION

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

In the matter of Jesse S. Lockaby, doing business as J. S. Lockaby & Company, First National Bank Building, Morganton, North Carolina.

Proceedings having been instituted to determine whether the registration of Jesse S. Lockaby as a dealer should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934 and to determine whether Jesse S. Lockaby should be suspended for a period not exceeding twelve months or expelled from membership in National Association of Securities Dealers, Inc. pursuant to section 15A (*l*) (2) of said act;

A hearing having been held after appropriate notice, and the Commission having this day issued its findings and opinion; on the basis of said findings and opinion

It is ordered, That the registration of the said Jesse S. Lockaby as a dealer be, and it hereby is, revoked and that the said Jesse S. Lockaby be, and he hereby is, expelled from membership in National Association of Securities Dealers, Inc.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-2700; Filed, Apr. 8, 1949; 8:46 a. m.]

[File Nos. 54-111, 59-12]

AMERICAN & FOREIGN POWER CO., INC., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

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

In the matter of American & Foreign Power Company, Inc., Electric Bond and Share Company, File No. 54-111; Electric Bond and Share Company, American & Foreign Power Company, Inc., et al., respondents, File No. 59-12.

Notice is hereby given that Electric Bond and Share Company ("Bond and Share"), and its subsidiary American & Foreign Power Company, Inc. ("Foreign Power"), both registered holding companies, have filed a supplemental application pursuant to the Public Utility Holding Company Act of 1935.

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

Bond and Share proposes to transfer to Foreign Power the $19,500,000 principal amount of Cuban Electric Company, 6% twenty year Debenture Bonds, Series A, due May 1, 1948 (Cuban Debentures), which it owns in exchange for a three year 6% promissory note of Foreign Power in the principal amount of $19,500,000 payable to Bond and Share. The proposed transfer is contingent upon Foreign Power obtaining commitments for the purchase from it of not less than $20,000,000 principal amount of First Mortgage Bonds of Cuban Electric Company or such other amount as may be agreed upon later. The application states that Foreign Power will receive such First Mortgage Bonds from Cuban Electric Company, its subsidiary, together with other securities of Cuban Electric Company, in exchange for its Cuban Debentures plus those of Bond and Share.

The stated purpose of the proposed transactions is to provide Foreign Power with an expeditious means of receiving needed cash and to facilitate the reorganization of Foreign Power's Cuban subsidiaries. It is further stated that it is the intention of the applicants that approval by the Commission of the transactions is not to be considered as a valuation of either the Cuban Debentures or the new Foreign Power note and that such exchange of securities is not intended to prejudice Foreign Power or its investors or impair the position or value of Bond and Share's investment in the Foreign Power system.

The applicants request that the Commission's order contain recitations and findings conforming to the requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said application pursuant to the applicable

provisions of the act and the rules and regulations thereunder be held on April 25, 1949, at 10:00 a. m., at the office of this Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on that day by the Hearing Room Clerk in Room 101. Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before April 21, 1949, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Hearing Officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the application and that upon the basis of such examination the following matters and questions are presented for consideration without prejudice to the specification of additional matters and questions upon further examination:

1. Whether the transaction as proposed would accomplish the stated intent of the application that approval thereof by the Commission is not to be considered as a valuation of either the Cuban debentures or the new Foreign Power note and that such exchange of securities is not intended to prejudice Foreign Power or its investors or impair the position or value of Bond and Share's investment in the Foreign Power system.

2. Whether, in order to accomplish the stated intent of the application as above described, the note should be modified to contain the following express condition and limitation:

This note of Foreign Power shall be valued for purposes of satisfaction or discharge as a claim against Foreign Power in an amount equal to the value, as of the date hereof, of the consideration given therefor, namely, $19,500,000 principal amount of said 6% Debentures of Cuban Electric Company and that the approval herein contained is without prejudice to the right of any interested person or the Commission hereafter to raise any defenses, claims or offsets, legal or equitable, with respect to said note, which might be raised as of the date hereof, with respect to the rank and status of said 6% Debentures in the hands of Bond and Share. No payment shall be made or received on or with respect to the principal of said note, at maturity or otherwise, except pursuant to permission of the Commission.

3. Whether as now proposed, or if amended in accordance with the proposed condition and limitation in (2) above, the transaction will comply with the applicable provisions of the act and the rules and regulations thereunder;

4. What other terms and conditions, if any, should be prescribed in the public interest or in the interest of investors.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of this order by registered mail on all the parties and participants heretofore appearing in the proceedings and that notice of said hearing shall be given to all other persons by publication of this order in the FEDERAL REGISTER and by general release distributed to the press.

By the Commission.

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

[F. R. Doc. 49-2698; Filed, Apr. 8, 1949; 8:46 a. m.]

[File No. 70-2084]

UTAH POWER AND LIGHT 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 4th day of April A. D. 1949.

Notice is hereby given that Utah Power and Light Company ("Utah"), a registered holding company and an electric utility company, has filed an application-declaration and amendment thereto pursuant to the Public Utility Holding Company Act of 1935 and has designated sections 6 (a) and 7 thereof, and Rule U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Utah proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $3,000,000 principal amount of --% First Mortgage Bonds due 1979 to be issued under and secured by the Company's presently existing Mortgage and Deed of Trust dated as of December 1, 1943, as supplemented by the First, Second and Third Supplemental Indentures and as further supplemented by a Fourth Supplemental Indenture to be dated as of May 1, 1949.

The application-declaration, as amended, indicates that the construction program of Utah and its wholly owned subsidiary, The Western Colorado Power Company, for the year 1949 will require the expenditure of approximately $11,000,000, which will be met in part by the proceeds from the sale of the Bonds together with proceeds from the sales of common stock and additional bonds to be made later in the year.

The application-declaration, as amended, requests that the Commission's order issue as promptly as may be practicable and that it become effective forthwith upon the issuance thereof.

Notice is further given that any interested person may not later than April 15, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-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 April 15, 1949, said application-declaration, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application-declaration which is on file with the Commission for a statement of the transactions therein proposed.

By the Commission.

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

[F. R. Doc. 49-2699; Filed, Apr. 8, 1949; 8:46 a. m.]

[File No. 70-2101]

COLUMBIA GAS SYSTEM, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 5th day of April 1949.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Columbia Gas System, Inc. ("Columbia"), a registered holding company. Declarant has designated section 12 (b) of the act and Rule U-45 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 20, 1949, 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 April 20, 1949, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

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

Columbia proposes to make a cash contribution of $600,000 to Home Gas Company, a wholly owned subsidiary of Columbia, such contribution to be used by Home in connection with its 1949 construction program. Columbia also proposes to make a further contribution to Home of $300,000 by forgiving non-interest bearing loans presently owing to Columbia by Home.

By the Commission.

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

[F. R. Doc. 49-2701; Filed, Apr. 8, 1949; 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 12971]

WILLIAM LICHTENFELS AND FIDELITY UNION TRUST CO.

In re: Trust agreement dated November 25, 1929, between William Liehtenfels, donor, and Fidelity Union Trust Company, trustee. File No. D-28-4311-G-1.

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

1. That Ida Liehtenfels, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

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

3. That all right, title, interest and claim of any kind or charaeter whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and eaeh of them, in and to and arising out of or under that certain trust agreement dated November 25, 1929, by and between William Lichtenfels, donor, and Fidelity Union Trust Company, trustee, presently being administered by Fidelity Union Trust Company, trustee, 755 Broad Street, Newark 1, New Jersey,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on aeeount of, or owing to, or whieh is evidenee of ownership or eontrol by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Ida Liehtenfels are not within a designated enemy eountry, the national interest of the United States requires that such persons be treated as nationals of a designated enemy eountry (Germany).

All determinations and all aetion required by law, ineluding appropriate eonsultation and eertifieation, having been made and taken, and, it being deemed neeessary 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 eountry" as used herein shall have the meanings prescribed in seetion 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 21, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2716; Filed, Apr. 8, 1949; 8:51 a. m.]

[Vesting Order 12979]

AUGUSTA FREDERICKA CHARLOTTE SCHROEDER

In re: Estate of Augusta Fredericka Charlotte Sehroeder, also known as Augusta F. C. Sehroeder, deceased. File No. D-28-12557.

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

1. That George Wienke, Heinrich Wienke, Wilhelmine Riepe, Anna Beinker, Friedhelm Höelsehermann, Erna Grolle, Friedrieh Künker, Heinrieh Künker, Wilhelm Künker, Dorothea Gothner, Karl Dieter Krebs, Kurt Krebs, Emma zum Felde, Ernst Krebs, Maren Krebs, Jörn Krebs, Friedrieh Paul August Krebs, Ernest August Krebs, Luise Seibt, Wilhelm Krebs, Charlotte Wilhelmi, Friedrieh Krebs, Dorothea Strathoff, Erna Martmann, Emmi Ernst, Ernst Martmann, Ludwig Martmann, Marie Brauning, Georg Niendink, Ludwig Welrkamp, Wilhelm Wehrkamp, Albert Wehrkamp, Frida Leseow, Luise Ahrens, Wilhelmine Poensgen, Wilhelm Wehrkamp, Frieda Wehrkamp, Marie Wehrkamp, Ernst Wehrkamp, Charlotte Schützeberg, Hermann Wehrkamp, Friedrich Wehrkamp, and Marie Wehrkamp, whose last known address is Germany, are residents of Germany and nationals of a designated enemy eountry (Germany);

2. That all right, title, interest and elaim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the Estate of Augusta Fredericka Charlotte Schroeder, also known as Augusta F. C. Sehroeder, deceased, is property payable or deliverable to, or elaimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That sueh property is in the proeess of administration by Dorothy Hill and Harry B. F. Wellinghous, as Administrators, e. t. a., acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

and it is hereby determined:

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

All determinations and all action required by law, including appropriate eonsultation 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 Mareh 21, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2717; Filed, Apr. 8, 1949; 8:51 a. m.]

[Vesting Order 12986]

F. GRAY GRISWOLD ET AL.

In re: Trust indenture dated December 10, 1924, between F. Gray Griswold, grantor, and the New York Trust Company and F. Gray Griswold, trustees, f/b/o Max von Dziembowski, et al. File F-28-177, F-28-177-G-1.

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

1. That Max von Dziembowski, Elizabeth Julie von Dziembowski, Constantin von Dziembowski, and Countess Lili von Donnersmark, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown, of Constantin von Dziembowski, and the children, names unknown, of Countess Lili von Donnersmark, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy eountry (Germany);

3. That all right, title, interest and elaim of any kind or charaeter whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and eaeh of them, in and to and arising out of or under that certain trust indenture dated December 10, 1924, by and between F. Gray Griswold, grantor, and the New York Trust Company and F. Gray Griswold, trustees, presently being administered by the New York Trust Company, 100 Broadway, New York 15, New York, and George Griswold, Field Point North, Greenwieh, Connecticut, as co-trustees,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the children, names unknown, of Constantin von Dziembowski, and the children, names unknown, of Countess Lili von Donnersmark, are not within a designated enemy eountry, the national interest of the United States requires that

such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on March 21, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2718; Filed, Apr. 8, 1949; 8:51 a. m.]

[Vesting Order 13024]

MRS. MARGARETE BRACKER ET AL.

In re: Rights of Mrs. Margarete Bracker et al. under insurance contract. File No. F-28-3844-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 Mrs. Margarete Bracker, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mrs. Cacilie C. Schroder, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 8798,775, issued by the Equitable Life Assurance Society of the United States, New York, New York, to Cacilie C. Schroder, 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 nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2719; Filed, Apr. 8, 1949; 8:51 a. m.]

[Vesting Order 13029]

ALBERT AND MAGDELANA JAKOB

In re: Rights of Albert Jakob and Magdelana Jakob under deposit receipt and election agreement relating to insurance proceeds. File No. D-28-12163-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 Albert Jakob and Magdelana Jakob, whose last known address is Germany, are residents of Germany and nationals of a designated country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 203353 and deposit receipt and election agreement issued by the Union Central Life Insurance Company, Cincinnati, Ohio, to Marie Jauch, 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 Albert Jakob or Magdelana Jakob, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2720; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13030]

JOHANNA JOCKEL

In re: Rights of Johanna Jockel under insurance contract. File No. F-28-29401-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 Johanna Jockel, 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. 76154767, issued by the Prudential Insurance Company of America, Newark, New Jersey, to Johanna Jockel, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2721; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13031]

TAKETORA KOMAKI

In re: Rights of Taketora Komaki under insurance contract. File No. F-39-4873-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 Taketora Komaki, 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. 1,405,978, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Taketora Komaki, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2722; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13035]

EVA AND STEPHANIE MAIER

In re: Rights of Eva Maier and Stephanie Maier under insurance contract. File No. D-28-10006-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 Eva Maier and Stephanie Maier, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by an annuity policy No. 10,216,782, issued by the Equitable Life Assurance Society of the United States, New York 1, New York, to Emma Maier, 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, Eva Maier and Stephanie Maier, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2723; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13036]

AUGUST MERKLE

In re: Rights of August Merkle under insurance contract. File No. F-28-412-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 August Merkle, 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 the disability provisions of a contract of insurance evidenced by policy No. 6428662, issued by the Prudential Insurance Company of America, Newark, New Jersey, to August Merkle, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2724; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13037]

HERMANN AND FRIEDA MULLER

In re: Rights of Hermann Muller and Frieda Muller under insurance contract. File No. F-28-1488-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 Hermann Muller and Frieda Muller, whose last known address is Germany, are residents of Germany and nationals 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. IA-1878, issued by the Teachers Insurance and Annuity Association, New York, New York, to Hermann Muller, 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 nationals of a designated enemy country (Germany);

and it is hereby determined:

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

nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2725; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13038]

MRS. MITSU OKAMOTO AND HISAJIRO OKAMOTO

In re: Rights of Mrs. Mitsu Okamoto and Hisajiro Okamoto under insurance contract. File No. D-39-9407-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 Mrs. Mitsu Okamoto and Hisajiro Okamoto, whose last known address is Japan, are residents of Japan and nationals 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. 1,077,987, issued by the Sun Life Assurance Company, Montreal, Quebec, Canada, to Mrs. Mitsu Okamoto, 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 evidence of ownership or control by Mrs. Mitsu Okamotor or Hisajiro Okamoto, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2726; Filed, Apr. 8, 1949; 8:52 a. m.]

[Vesting Order 13040]

BERTHA ROIL

In re: Rights of Bertha Roil under insurance contract. File No. F-28-29778-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 Bertha Roil, 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. 11,287,439, issued by the New York Life Insurance Company, New York, New York, to William Roil, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2728; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13039]

GEORGE PANGRANTZ

In re: Rights of George Pangrantz under insurance contract. File No. D-28-10353-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 George Pangrantz, 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. G 608 Certificate 2427, issued by the Travelers Insurance Company, Hartford, Connecticut, to Sebastian Pangrantz, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2727; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13041]

REV. KUNISUKE SAKAI AND FUJIE SAKAI

In re: Rights of Rev. Kunisuke Sakai and Fujie Sakai under insurance contract. File No. F-39-6391-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 Rev. Kunisuke Sakai and Fujie Sakai, whose last known address is Japan, are residents of Japan and nationals 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. 1,105,757, issued by the Sun Life Assurance Company of Canada, Montreal, Canada, to Rev. Kunisuke Sakai, 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, Rev. Kunisuke Sakai or Fujie Sakai, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2729; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13042]

HATSUKO AND TOKUICHI SASAKI

In re: Rights of Hatsuko Sasaki and Tokuichi Sasaki under insurance contract. File No. D-39-11302-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 Hatsuko Sasaki and Tokuichi Sasaki, whose last known address is Japan, are residents of Japan and nationals 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. 15 016 539, issued by the New York Life Insurance Company, New York, New York, to Hatsuko Sasaki, 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, Hatsuko Sasaki or Tokuichi Sasaki, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2730; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13044]

ANTON SEDLMAYR

In re: Rights of Anton Sedlmayr under insurance contract. File No. D-28-10957-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 Anton Sedlmayr, 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. G 2328 A Certificate 62330, issued by the Travelers Insurance Company, Hartford, Connecticut, to Anton Sedlmayr, Jr., 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2731; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13045]

MAGDALENA STROEHL ET AL.

In re: Rights of Magdalena Stroehl et al., under insurance contract. File No. F-28-5693-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 Magdalena Stroehl, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of John Stroehl, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 3312 498, issued by the Mutual Life Insurance Company of New York, New York, New York, to John Stroehl, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2732; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13046]

KURAHACHI TAKETA ET AL.

In re: Rights of Kurahachi Taketa et al. under insurance contract. File No. D-39-19219-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 Kurahachi Taketa, Yachiye Taketa, Ryugi Taketa, Kazuye Taketa, Yukiye Taketa and Gosaku (Roy) Taketa, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mrs. Kura Taketa, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,020,421, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Mrs. Kura Taketa, 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 nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mrs. Kura Taketa, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2733; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13049]

OSBERT E. WUESTNER

In re: Rights of Osbert E. Wuestner under insurance contracts. File No. F-28-24535-H-1 and 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 Osbert E. Wuestner, 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 contracts of insurance evidenced by policies No. 99205602 and No. 99205603, issued by the Metropolitan Life Insurance Company, New York, New York, to Osbert E. Wuestner, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2734; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13050]

TOMIZO YAMADA

In re: Rights of Tomizo Yamada under insurance contract. File No. F-39-6308-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 Tomizo Yamada, 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. CWS-375735, issued by the California-Western States Life Insurance Company, Sacramento, California, to Kaoru Yamada, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2735; Filed, Apr. 8, 1949; 8:53 a. m.]

[Vesting Order 13054]

CASH AND PERSONAL PROPERTY OWNED BY GERMANY

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

1. That the property described as follows:

a. Cash in the amount of $33,169.74 representing the net proceeds realized from public sales of certain furniture and fixtures of the former German Embassy at Washington, D. C., presently in the custody of the Department of State, Washington, D. C., and

b. Personal property presently in the possession of the Office of Alien Property, Department of Justice, Washington, D. C., as set forth below:

7—File cabinets, legal size, mahogany.
1—Supply cabinet, large, mahogany.
3—Supply cabinets, ½ size, mahogany.
1—Bookcase, 3 shelves, walnut.
2—Supply cabinets, 2 door, metal, green.
1—Desk, executive, D. P., mahogany.
1—Desk, secretarial, walnut.
1—Desk, executive, D. P., walnut.
4—Tables, conference, walnut.
6—Bookcases, sectional, 3 drawer, walnut.
1—Desk, executive, D. P., walnut.
1—Desk, secretarial, walnut.
2—Desks, executive, D. P., mahogany.
4—Arm chairs, red leather.
1—Chair, side, red leather.
3—Desk lamps.
1—Lounge chair, brown leather.
4—Waste baskets, brown.
1—Sofa, brown leather.
1—Conference table, mahogany.
2—Conference tables, walnut.
1—Typing stand.
1—Bookcase, 3 shelves, oak.
1—File cabinet, six drawer, oak, card file.
1—Arm chair, red leather, S. & B.
1—Arm chair, green leather, S. & B.
2—Desks, walnut, executive, D. P.
1—Bookcase, walnut, 5 sections.
1—Desk, secretarial, walnut.
2—Desks, executive, D. P., walnut.
1—File cabinet, letter size, metal, green, 5 drawer.
1—Desk, executive, D. P., walnut.
1—Swivel chair, red leather, S. & B.
1—Table, executive, walnut.
1—Supply cabinet, ½ size, 2 door, metal mahogany.
2—Supply cabinets, 1 door, metal, walnut.
1—Arm chair, red leather, S. & B.
1—Card file drawer, metal, green.
1—Table, telephone, walnut.
1—Side chair, brown leather, S. & B.
5—Arm chairs, red leather, S. & B.
1—Desk, executive, D. P., walnut.
2—Tables, walnut (2 drawer).
1—Bookcase, mahogany, open—no shelves.
5—Chairs, side, walnut.
3—Chairs, arm, walnut.
1—Stand, typewriter.
2—Desks, executive, walnut.
1—Desk, secretarial, oak.
1—Bookcase, oak, 3 sections.
3—Tables, walnut, small.
1—Table, walnut, large.
2—Chairs, green leather upholstery.
3—Chairs, swivel, walnut.
2—Chairs, side, walnut.
1—Table, two drawer, walnut.
1—File cabinet, letter, metal, walnut, 4 drawer.
1—Chair, red leather, swivel.
1—File cabinet, 2 drawer, legal, metal, mahogany.
1—Supply cabinet, metal, ½ size, 2 door.
1—Sofa, large, black leather.
3—Chairs, overstuffed, black leather.
2—Chairs, swivel, brown leather.
3—Chairs, leather, straight back, green.
2—Tables, walnut.
1—Sofa, red leather, 2 cushion.
1—Chair, swivel, black leather.
1—Scale, platform.

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2736; Filed, Apr. 8, 1949; 8:54 a. m.]

[Vesting Order 13058]

ERNST SEELIS

In re: Debt owing to Ernst Seelis.

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 Ernst Seelis, whose last known address is Brand bei Aachen, Rheinland, 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 of the Chase National Bank of the City of New York, 20 Pine Street, New York, New York in the amount of $29,492.42 as of January 7, 1948, representing funds held by the aforesaid Bank in an account entitled Hollandsche Bank Unie N. V. special account, Amsterdam, Holland, 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, Ernst Seelis, 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 March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2738; Filed, Apr. 8, 1949, 8:56 a. m.]

[Vesting Order 13056]

ELENA MIZUTANI ET AL.

In re: Stock owned by Elena Mizutani, also known as Helen Barbu and as Helen Barber, and others. D-28-12562-D-1, F-28-29858-D-1, F-28-29859-D-1.

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

1. That Elena Mizutani, also known as Helen Barbu and as Helen Barber, whose last known address is Chikusa-ku, Karayama Cho, 1 Chome No. 10, Nagoya, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That Karl Reichl, whose last known address is Gutanberg 5-A, Ragensburg, Germany, and Gertrude Pfaffman, whose last known address is Stuttgart, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

3. That the property described as follows: One and one-tenth (1 1/10) shares of $10 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered VL 736419 for 10 shares and XL 124669 for 1 share of no par value common capital stock of the aforesaid Cities Service Company, registered in the name of Helen Barbu, together with all declared and unpaid dividends thereon, and any and all rights to receive new, certificates for $10 par value common capital stock,

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, Elena Mizutani, also known as Helen Barbu and as Helen Barber, the aforesaid national of a designated enemy country (Japan);

4. That the property described as follows:

a. One and two-tenths (1 2/10) shares of $10 par value common capital stock of

Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered VL 636747 for 10 shares and XL 378572 for 2 shares of no par value common capital stock of the aforesaid Cities Service Company, registered in the name of Karl Reichl, together with all declared and unpaid dividends thereon, and any and all rights to receive new certificates for $10 par value common capital stock, and

b. One and one-tenth (1 1/10) shares of $10 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered VL 271336 for 10 shares and GL 41787 for 1 share of no par value common capital stock of the aforesaid Cities Service Company, registered in the name of Gertrude Pfaffman, together with all declared and unpaid dividends thereon, and any and all rights to receive new certificates for $10 par value common capital stock,

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, Karl Reichl and Gertrude Pfaffman, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. 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),

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

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

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

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

Executed at Washington, D. C., on March 29, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2737; Filed, Apr. 8, 1949; 8:54 a. m.]

[Vesting Order 13111]

PAUL JOSEPH GOEBBELS

In re: Rights in 1942-1943 diaries of Paul Joseph Goebbels.

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

1. That the personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Paul Joseph Goebbels, deceased, who, if individuals, there is reasonable cause to believe are residents of Germany and, if corporations, partnerships, associations or other organizations, there is reasonable cause to believe are organized under the laws of and have their principal places of business in Germany, are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and of the several states thereof, in, to and under the following;

(a) Every right, copyright, claim of copyright, and right to copyright in the work embodied in that certain manuscript, consisting of approximately seven thousand (7,000) typewitten pages in the German language, which purports to be the diaries of Paul Joseph Goebbels, deceased, for the years 1942 and 1943 and which is, or has been, in the possession of and/or under the control of the Hoover Library on War, Revolution and Peace,

(b) All rights of renewal, reversion and revesting, in the foregoing, and

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

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany) and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on April 5, 1949.

For the Attorney General.

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

[F. R. Doc. 49-2739; Filed, Apr. 8, 1949; 8:56 a. m.]