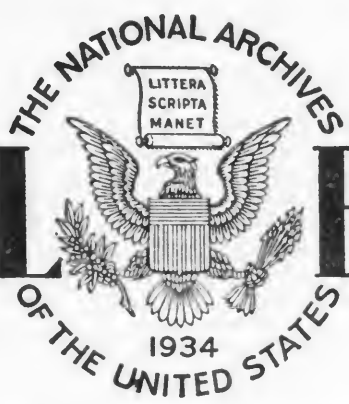


Refer to

DEC 9 1946



FEDERAL REGISTER

VOLUME 11

NUMBER 237

Washington, Friday, December 6, 1946

The President

PROCLAMATION 2712

AMENDING PROCLAMATION No. 2599 of November 4, 1943, ENTITLED "MERCHANDISE IN GENERAL-ORDER AND BONDED WAREHOUSES"

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS Proclamation No. 2599 of November 4, 1943, entitled "Merchandise in General-Order and Bonded Warehouses," authorizes the Secretary of the Treasury to extend the warehousing periods for imported merchandise prescribed in sections 491, 557 and 559 of the Tariff Act of 1930, as amended, provided that the Foreign Economic Administration certifies to the Commissioner of Customs that such extensions will not impede the war effort; and

WHEREAS the functions of the Foreign Economic Administration with respect to such certification were transferred to the Department of Commerce by Executive Order No. 9630 of September 27, 1945, and are now being performed by that department; and

WHEREAS such certification is no longer necessary and serves no useful purpose:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 318 of the Tariff Act of 1930, as amended (46 Stat. 696; 19 U. S. C. 1318), do hereby amend the aforesaid Proclamation No. 2599 of November 4, 1943, by eliminating therefrom all provisions and requirements relating to the certification above described.

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

DONE at the City of Washington, this 3rd day of December in the year of our Lord nineteen hundred and [SEAL] forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 46-21300; Filed, Dec. 4, 1946; 12:27 p. m.]

Regulations

TITLE 6—AGRICULTURE CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

PART 277—TOBACCO LOANS

SUBPART—1946

Section 277.6 1946 Crop—Virginia Fire-cured, type 21, Tobacco Advance Schedule published in 11 F. R. 13365 is corrected as follows:

Grade B3D, Length 44 delete "27" and insert "29."

[SEAL] JESSE B. GILMER,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 46-21257; Filed, Dec. 5, 1946; 8:46 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 927—MILK IN THE NEW YORK METROPOLITAN MARKETING AREA

CROSS REFERENCE: For notice of proposed rule making under this part, see F. R. Doc. 46-21272, Department of Agriculture, Production and Marketing Administration, in Notices section, *infra*.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Supplies and Equipment

PART 819—PRINTING AND BINDING

JOB PRINTING

Section 819.1 of Part 819, Chapter VIII, Title 10, Code of Federal Regulations is hereby revoked. [AR 310-245, 21 Oct. 1946] (40 Stat. 1270, 42 Stat. 541; 44 U. S. C. 4, 11, 220)

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

[F. R. Doc. 46-21235; Filed, Dec. 5, 1946; 8:46 a. m.]

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[Civil Air Regs., Amdt. 04-5]

PART 04a—AIRPLANE AIRWORTHINESS REG-
ULATIONS EFFECTIVE PRIOR TO NOVEMBER
9, 1945

DIFFERENTIATION OF PARTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of November 1946. Since the Board on November 9, 1945, adopted an entirely new Part 04 of the Civil Air Regulations, and inasmuch as the previous Part 04 will remain effective indefinitely for certain aircraft, some confusion is possible in differentiating the two parts when these parts are referred to merely by their number. Here-
tofore, when reference was made to either part, it was necessary to add a clarifying statement which would identify the part as having been issued prior

to, or on November 9, 1945. To avoid this complexity it appears desirable to add a supplemental letter to the number of the two parts.

It appearing that: The change in identification of the two Parts 04 will not place any burden upon the public, is solely for the purpose of clarification, and it is in the public interest to make the change without further delay;

The Civil Aeronautics Board finds that the notice and public procedure provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary with respect to the amendment of the Civil Air Regulations hereinafter set forth, and that good cause exists to make this amendment effective immediately.

Now therefore: Effective November 22, 1946, Part 04 of the Civil Air Regulations as promulgated prior to November 9, 1945, is amended by changing the number of the part from 04 to 04a and by altering accordingly all sections contained therein.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21171; Filed, Dec. 5, 1946;
8:46 a. m.]

[Civil Air Regs., Amdt. 04-2]

PART 04b—AIRPLANE AIRWORTHINESS REGULATIONS EFFECTIVE ON NOVEMBER 9, 1945

DIFFERENTIATION OF PARTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 22d day of November 1946.

Since the Board on November 9, 1945, adopted an entirely new Part 04 of the Civil Air Regulations, and inasmuch as the previous Part 04 will remain effective indefinitely for certain aircraft, some confusion is possible in differentiating the two parts when these parts are referred to merely by their number. Hereafter, when reference was made to either part, it was necessary to add a clarifying statement which would identify the part as having been issued prior to, or on November 9, 1945. To avoid this complexity it appears desirable to add a supplemental letter to the number of the two parts.

It appearing that: The change in identification of the two Parts 04 will not place any burden upon the public, is solely for the purpose of clarification, and it is in the public interest to make the change without further delay;

The Civil Aeronautics Board finds that the notice and public procedure provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary with respect to the amendment of the Civil Air Regulations hereinafter set forth, and that good cause exists to make this amendment effective immediately.

Now therefore: Effective November 22, 1946, Part 04 of the Civil Air Regulations as promulgated on November 9, 1945, is amended by changing the num-

ber of the part from 04 to 04b and by altering accordingly all sections contained therein.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21172; Filed, Dec. 5, 1946;
8:46 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Premium Payments Reg. 11, Amdt. 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

HOUSING NAILS

Section 805.11 (Housing Expediter Premium Payments Regulation No. 11) is amended in the following respects:

1. Paragraph (g) (4) (a) (ii) is amended to read as follows:

(ii) Has failed to comply with directives, orders or regulations of the Civilian Production Administration or OHE on nails, nail rods or nail wire.

2. Paragraph (k) is amended by deleting the second sentence, which begins with "In the event" and ends with "deem proper."

3. This amendment shall be effective as of November 10, 1946.

(Pub. Law 388, 79th Cong., 60 Stat. 207)

Issued this 3d day of December 1946.

WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-21259; Filed, Dec. 3, 1946;
4:16 p. m.]

[Premium Payments Reg. 10, Amdt. 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

SAND-LIME BRICK

Section 805.10 (Housing Expediter Premium Payments Regulation No. 10) is amended in the following respects:

1. Paragraph (g) (4) (ii) is amended to read as follows:

(ii) To comply with directives, certifications, allocations, orders or regulations of the Civilian Production Administration or OHE on sand-lime brick.

2. Paragraph (k) is amended by deleting the last sentence.

3. This amendment shall be effective as of November 10, 1946.

4. Issued this 3d day of December 1946.

(Pub. Law 388, 79th Cong., 60 Stat. 207)

WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-21260; Filed, Dec. 3, 1946;
4:17 p. m.]

[Premium Payments Reg. 4, Amdt. 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

STANDING TIMBER ON STATE OWNED LANDS

Section 805.4 (Housing Expediter Premium Payments Regulation No. 4) is amended in the following respects:

1. Paragraph (c) (2) (ii) (d) is deleted.

2. In paragraph (i), the second sentence is deleted.

3. This amendment shall be effective as of November 10, 1946.

(Pub. Law 388, 79th Cong., 60 Stat. 207)

Issued this 3d day of December 1946.

WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-21258; Filed, Dec. 3, 1946;
4:16 p. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 3732, Supp. 20]

PART 51—ORGANIZATION AND FUNCTIONS ESTABLISHMENT OF OFFICE OF ALIEN PROPERTY AND DESIGNATION OF DIRECTOR

Effective December 2, 1946, § 51.81 (11 F. R. 12045) is amended to read as follows:

§ 51.81 *Establishment of the Office of Alien Property and designation of Director.* In order to effectuate the provisions of Executive Order 9788 of October 14, 1946 (11 F. R. 11981), terminating the Office of Alien Property Custodian and transferring its functions to the Attorney General; *It is hereby ordered,* As follows:

(a) There is created in the Department of Justice the Office of Alien Property. All of the authority, rights, privileges, powers, duties, and functions vested in or transferred or delegated to me by the said Executive order are hereby placed in the Office of Alien Property.

(b) Donald C. Cook is designated as Director of the Office of Alien Property and shall supervise and direct all of its activities.

[SEAL] TOM C. CLARK,
Attorney General.

DECEMBER 2, 1946.

[F. R. Doc. 46-21254; Filed, Dec. 5, 1946;
8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 274]

PART 801—GENERAL REGULATIONS PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:~

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. A qualifying footnote reference meaning "Requires individual license for export to all areas except the Philippine Islands and to all countries in North America and South America as listed in Schedule C of the Bureau of the Census, U. S. Department of Commerce" is hereby added with respect to the following commodities:

Dept. of Comm. Sched. B No.	Commodity
	Dairy Products:
	Milk and cream:
006200	Evaporated (unsweetened).
006300	Dried whole milk (include partially skimmed).
006400	Dried skim milk.
	Grains and preparations:
103200	Cornmeal (bbl. 196 lbs.) (report corn flour in 281100).
103300	Hominy and corn grits (include canned and brewers' flakes).
104100	Oats.
109900	Unhulled ground oats.
	Seeds, except oilseeds:
	Grass and field seeds:
241900	Sorghum.
	Miscellaneous vegetable products, inedible:
281100	Cornstarch and corn flour (include edible).

2. The following commodities are hereby deleted from the list of commodities:

Dept. of Comm. Sched. B No.	Commodity
	Dairy products:
	Milk and cream:
006000	Milk, fresh and sterilized (report buttermilk in 006998).
006998	Ice cream.
	Fish and fish products:
	Fish, canned:
008698	Other canned fish, except mackerel, Bonito, tuna and tuna fish flakes.
008700	Shrimp.
	Vegetables and preparations, edible:
120215	Chickpeas (garbanzos), dry, ripe.
120250	Seed peas, field varieties only (report cowpea seed in 120213).
	Table beverage materials:
150200	Cocoa, powdered.
150300	Chocolate, sweetened or unsweetened (report candy in 163400).
151100	Coffee, green.
151200	Coffee, roasted (include decaffeinated).
	Spices:
154902	Cinnamon (ground or unground).
154903	Cassia (ground or unground).
	Naval stores, gums and resins:
218993	Gum benzoin.
218995	Batu, Congo, copal, damar, alemi, gamboge, Manila, mastic, Pontianak, and Sandarac gums and resins, refined or modified in condition.
218998	Batu, Congo, copal, damar, alemi, gamboge, Manila, mastic, Pontianak, and Sandarac gums and resins, crude.
	Drugs, herbs, leaves, and roots, crude:
220988	Ipecac roots.
220988	Nux vomica.
	Oilseeds:
222020	Cohune nuts and kernels.
222020	Perilla seed.
	Vegetable oils and fats, inedible:
224904	Perilla oil, inedible.

Dept. of Comm. Sched. B No.	Commodity
	Miscellaneous vegetable products, inedible:
299905	Candelilla wax.
299905	Carnauba wax.
299905	Ouricury wax.
299905	Vegetable tallow and wax, other.
299998	Cocoa expeller cake or press cake.
	Cotton semimanufactures:
301030	Cotton thread waste.
301060	Other soft waste.
	Cotton manufactures:
	Cotton wearing apparel:
	Gloves, cotton (woven or knit):
309110	Work gloves, mitts and gauntlets, fabric (include reinforced leather palm).
	Cotton house furnishings:
317300	Quilts, comfortables, and quilted bedpads, except duck or canvas.
	Bedspreads:
317500	Candlewick, chenille, and tufted.
317600	Plain, crinkle, dobby-and-jacquard-woven (include lace bedspreads and counterpanes).
318100	Curtains and draperies, except duck or canvas (include cotton shower bath curtains).
318700	Terry-woven washcloths and bath mats only.
318800	Dishcloths, leno-woven only.
318900	Cotton house furnishings, n. e. s. except duck or canvas; bath mats (report terry woven bath mats in 318700); chenille mats and rugs; crib pads, unless quilted; floor coverings; pads for table tops and leaves; rug cushions; rugs; rugs, cotton and wool mixed (cotton chief value); tufted mats; seat covers (household use).
	Wood unmanufactured:
	Log and hewn timber (include stumps and burls):
	Hardwoods (report burls in 400600):
400907	Lignum-vitae logs.
400909	Teak logs.
	Sawmill products (lumber):
	Boards, planks and scantlings less than 5" in least dimension:
412900	Lignum-vitae.
413000	Teak.
	Petroleum and products:
503000	Gas oil and distillate fuel oil (include Diesel, furnace, and other overhead fuel oils).
	Steel Mill products:
	Structural iron and steel, structural shapes:
	Except fabricated:
604500	Bulb angles, 6" and under only.
	Iron and steel manufactures:
612100	Tin hollow-ware, except dairy farm milk pails.
618100	Refrigerator locks.
	Other vehicles and parts:
799100	Wheelbarrows.
	Coal-tar products:
802400	Benzoic acid, technical and medicinal grade.
829200	Chemical specialties:
	Tanners' fat liquor.
	Industrial chemicals:
830200	Tartaric acid.
830300	Citric acid.
832990	Argols.
	Fertilizers and fertilizer materials:
	Phosphatic fertilizer materials:
	Phosphate rock, Florida:
851560	Other (include soft rock, colloidal and sintered matrix) (report high-grade hard rock in 851510 and land pebble in 851520).

Dept. of Comm. Sched. B No.	Commodity
	Fertilizers and fertilizer materials—Continued.
852000	Other phosphate material, except bone ash, dust and meal (include carbon for fertilizer, basic slag, South Carolina river rock, etc.) (report phosphate rock, Tennessee, Idaho, and Montana in 851580; normal (standard) superphosphate, containing not more than 25% available phosphoric acid (P ₂ O ₅) in 851901; concentrated superphosphate containing more than 25% available phosphoric acid (P ₂ O ₅) in 851909; and ammonium phosphate as fertilizer in 854000; as industrial chemical in 838500).
855100	Plant food.
	(Secs. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630 September 27, 1945, 10 F. R. 12245)

FRANCIS MCINTYRE,
Deputy Director for Export
Control, Commodities Branch.

DECEMBER 2, 1946.

[F. R. Doc. 46-21261; Filed, Dec. 5, 1946; 8:49 a. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-980, Revocation]

G & M BATTERY CO.

Arthur Mayer, doing business as G & M Battery Company, 4700 John R. Street, Detroit, Michigan, engaged in the manufacture of automotive SLI type replacement batteries, was suspended on October 1, 1946 by Suspension Order No. S-980. He appealed from the provisions of the order. The Chief Compliance Commissioner has reviewed the case and, as a result of his study, has directed that the order be revoked. In view of the foregoing:

It is hereby ordered, That: § 1010.980, Suspension Order No. 8-980, be revoked.

Issued this 4th day of December 1946.

CIVILIAN PRODUCTION ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21332; Filed, Dec. 5, 1946; 11:31 a. m.]

PART 4500—UTILITIES

[Utilities Order U-14, Direction 1]

§ 4500.71 Utilities Order U-14, Direction 1. Pursuant to the provisions of

paragraph (e) of Utilities Order U-14, the intermediate curtailment restrictions of Schedule II of that order are hereby placed in effect in the area served by the following named electric suppliers at the time specified opposite the name of each supplier:

<i>Supplier</i>	<i>Effective time</i>
Hamilton Municipal Electric Plant, Hamilton, Ohio.	12:01 a. m. Dec. 4, 1946.

Issued this 5th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21331; Filed, Dec. 5, 1946;
11:31 a. m.]

PART 4500—UTILITIES

[Utilities Order U-14, Direction 2]

§ 4500.72 *Utilities Order U-14, Direction 2.* Pursuant to the provisions of paragraph (f) of Utilities Order U-14, the ultimate curtailment restrictions of Schedule III of that order are hereby placed in effect in the area served by the following named electric suppliers at the time specified opposite the name of each supplier:

<i>Supplier</i>	<i>Effective time</i>
Hamilton Municipal Electric Plant, Hamilton, Ohio	12:01 a. m. Dec. 4, 1946.

Issued this 5th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21330; Filed, Dec. 5, 1946;
11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-391, as Amended
Dec. 5, 1946]

RAYON FABRICS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rayon fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.366 *Conservation Order M-391—(a) Introduction.* This order and its directions state special rules for distribution of rayon fabrics, particularly with respect to set-asides for certain purposes, the certificates of use which must be filed with orders to obtain set-aside fabrics and the effect and use of preference ratings, including maximum amounts which need to be delivered on certain rated orders.

The set-asides of rayon fabrics for linings for feminine street wear have been terminated. Producers and finished goods suppliers may now deliver rayon fabrics without regard to the former set-

asides for linings for feminine street wear and any person who has obtained any rayon fabric with a certificate provided for these set-asides may now use or dispose of the fabric without regard to the provisions of the certificate or of this order. Rayon fabrics obtained with a preference rating, however, must still be used or disposed of, if possible, for the purpose for which the rating was granted as explained in § 944.11 of Priorities Regulation 1.

(b) *Definitions.* As used in this order:

(1) [Deleted Dec. 5, 1946.]

(2) [Deleted Dec. 5, 1944.]

(3) "Rayon fabrics" means any woven or knitted (both circular and warp) fabric, containing less than 25% wool by weight, but of which the remaining fibers are more than 50% of synthetic fiber (filament or spun yarn, or their blends) by weight. For example, a fabric containing 20% wool, 41% rayon, and 39% cotton is a rayon fabric. Except where otherwise indicated, it includes such fabrics, whether gray, original mill or regular finish, bleached, dyed, printed, or otherwise processed as fabric. Particular kinds of rayon fabrics are designated in the attached table of this order by the reference numbers and corresponding descriptions contained in Form CPA-658C, and the listing of a reference number includes the kind of rayon fabric covered by the corresponding description in Form CPA-658C.

(4) "Producer" means any person who weaves or knits rayon fabrics from yarn owned by him, or who has rayon fabrics woven or knitted for his account from yarn owned by him, whether he delivers them in the gray, finished, or partially finished state. If a person supplies yarn to a weaver or knitter for processing on a basis under which a part of the fabric produced from that yarn is to be owned by the yarn supplier, and part by the weaver or knitter, the yarn supplier is the producer of that part of the fabric which he will get, and the weaver or knitter is the producer of the remainder. Where a person supplies yarn to a weaver or knitter in exchange for fabric not made from the yarn supplied, the weaver or knitter is the producer of all of the fabric made from the yarn which he gets in this way, as well as of any other fabric produced by him.

(5) "Finished goods supplier" means any person who finishes, or has finished for his account, rayon fabrics which he owns, whether he produces them in the gray, finished or partially finished state.

(c) *Ceilings on required acceptance of rated orders—*(1) *Producers.* No producer need accept or fill MM or CC rated orders which would cause him to deliver in the gray state during any calendar quarter, on such rated orders, more of any rayon fabric for which a ceiling percentage is specified in the attached table (column 3), than a yardage equal to the specified percentage of his total production of such fabric in that quarter.

(2) *Finished goods suppliers.* No finished goods supplier need accept or fill MM or CC rated orders which would cause him to deliver during any calendar quarter, on such rated orders, more of any rayon fabric for which a ceiling percentage is specified in the attached table (column 3), than a yardage equal to the specified percentage of his total deliveries of such fabric in that quarter.

(3) *General rating ceiling provisions.* The rating ceilings established in paragraphs (c) (1) and (c) (2) above are separate, and deliveries on rated orders in excess of one of these ceilings may not be charged against any of the other ceilings. The rating ceilings of paragraphs (c) (1) and (c) (2) apply separately to each group of fabrics having the same reference numbers in column 1 of the attached distribution schedule.

(4) *Priority within rating ceilings.* Within the ceilings established under paragraphs (c) (1) and (c) (2) above, MM rated orders must be accepted and filled in preference to undelivered orders with CC ratings, in accordance with Priorities Regulation 1, and all other rules of that regulation also apply.

(5) *AAA ratings.* Any orders rated AAA must be accepted and filled in accordance with Priorities Regulation 1, regardless of the provisions of this order.

NOTE: Former paragraphs (d), (e), (f), (g), (h) and (i) deleted, and former paragraphs (j), (k), (l), (m), (n), (o) and (p) redesignated (d), (e), (f), (g), (h), (i) and (j) Dec. 5, 1946.

(d) *Integrated operations.* Requisitions for intra-company deliveries of rayon fabrics from the producing mill shall be treated as if they were purchase orders, for the purposes of this order.

(e) *Inventory restrictions.* Rayon fabrics are subject to the practicable minimum working inventory restrictions of Priorities Regulation 32.

(f) *Records and reports—*(1) *Records.* Each person participating in any transaction to which this order applies shall keep and preserve for at least two years accurate and complete records of the details of each such transaction and of his inventories of the material involved, in accordance with § 944.15 of Priorities Regulation 1.

(2) *Reports.* Each producer shall file a report on CPA Form 658-C as prescribed in that form, which has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the CPA as amended from time to time.

(h) *Appeals.* Any person who considers that compliance with any restriction of this order would work an exceptional and unreasonable hardship, may appeal for relief. The appeal shall be made by filing a letter in triplicate with the Appeals Branch, Textile Division,

Civilian Production Administration, Washington 25, D. C., Ref. M-391, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(i) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priority assistance.

(j) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to Textile Division, Civilian Production Administration, Washington 25, D. C., Ref. M-391.

Issued this 5th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE—RAYON FABRIC DISTRIBUTION SCHEDULE

Note: Table amended November 5, 1946, to conform with Schedule J (as amended October 2, 1946) of Order M-328B, Direction 2 (as amended 10/2/46) to Order M-391, and Form CPA-658C (9/18/46).

Note: Table revised Dec. 5, 1946.

Reference No.	Form CPA-658C (9-18-46) item number and fabric	Ceiling percentage for MM and CC ratings
1	2	3
<i>Pile, upholstery, and tie fabrics (60 percent or more rayon)</i>		
1	52—Velvets, plushes, and other pile fabrics.....	1/2
2	53—Upholstery, drapery and tapestry fabrics.....	1/2
3	54—Tie fabrics (shaft and jacquard), yarn dyed.....	1/2
4	55—Tie fabrics (shaft and jacquard), non yarn dyed.....
<i>100% filament rayon fabrics—Flat fabrics (Producers' twist in warp and filling)</i>		
5	56—Bright Viscose taffetas (including semidull).....	2 1/4
6	57—Pigment viscose taffetas.....	2 1/4
7	58—Acetate taffetas.....	2 1/2
8	59—Cross-dyed taffetas.....	5
9	60—Jersey weaves.....	5
10	61—Sharkskins.....	5
11	62—Twills and serges, 88 to 140 sley.....	15
12	63—All other twills and serges.....	5
13	64—Viscose satins.....	2 1/4
14	65—Acetate satins.....	2 1/4
15	66—All other flat fabrics.....	5
<i>100% filament rayon fabrics twisted yarn fabrics (more than producers' twist in warp and/or filling)</i>		
16	67—Creme satins (including voile filled).....	2 1/4
17	68—Flat, faille and caution crepes.....	2 1/4
18	69—Frouch crepes (voile twist filling).....	2 1/4
19	70—Piled yarn fabrics—plain weaves.....	5
20	71—Piled yarn fabrics—lancey weaves.....	5
21	72—Marquisesettes (leno weave).....	1
22	73—Ninons and voiles (voile twist warp and filling).....	1
23	74—Other sheers (georgettes, triple sheers, etc.).....	5
24	75—All other twisted yarn fabrics.....	5

TABLE—RAYON FABRIC DISTRIBUTION SCHEDULE—Continued

Reference No.	Form CPA-658C (9-18-46) item number and fabric	Ceiling percentage for MM and CC ratings
1	2	3
<i>100% spun rayon fabrics</i>		
25	76—Twills (including serges, gabardines, etc.).....	5
26	77—Ribbed and corded fabrics (poplin, Bedford cord, etc.).....	5
27	78—Challis.....	5
28	79—Linen type and flakes.....	5
29	80—Piled yarn fabrics (suitings, shirting, etc.).....	2 1/4
30	81—Other 100% spun rayon fabrics.....	5
<i>Filament and spun rayon fabrics</i>		
31	82—Ribbed and corded fabrics (poplins, failles, beng, etc.).....	5
32	83—Shantung (nub and slub).....	5
33	84—Fujis.....	5
34	85—Other filament and spun rayon fabrics.....	5
<i>Rayon mixtures and blends with fibers—Rayon and wool</i>		
35	86—Less than 25% wool (51% or more rayon).....
36	87-92—25% or more wool (other than blankets).....
37	93A—Filament rayon and cotton other than twills and serges, 88 to 140 sley.....	5
38	93B—Twills and serges, 88 to 140 sley, incl.....	15
<i>51% or more rayon with fibers other than wool</i>		
39	94—Spun rayon and cotton.....	5
40	95—Rayon and other fibers.....	5

¹ Rayon twills and serges, 88 to 140 sley, inclusive, are listed above opposite Ref. No. 11 if made entirely of rayon, and opposite Ref. No. 38 if made with rayon warp and cotton filling. Direction 2 to this Order M-391 requires that these fabrics be distributed and used only as linings in certain men's and boys' wear. A 5% ceiling on MM and CC rated orders for these fabrics is provided above in column 3 pursuant to paragraphs (c) (1) and (2) of this order.

[F. R. Doc. 46-21335; Filed, Dec. 5, 1946; 11:32 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-333, Revocation]

TAPIOCA FLOUR

Section 3293.471 *Conservation Order M-333* is hereby revoked. This revocation does not affect any liabilities incurred for the violation of this order or of any action taken by the War Production Board or the Civilian Production Administration under it.

Issued this 5th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21336; Filed, Dec. 5, 1946; 11:32 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-390, Revocation]

HIDE GLUE STOCK

Section 3293.592 *Conservation Order M-390* is hereby revoked. This revocation does not affect any liabilities incurred for the violation of this order or

of any action taken by the Civilian Production Administration under it.

Issued this 5th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21334; Filed, Dec. 5, 1946; 11:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-391, Direction 2, as Amended Dec. 5, 1946]

RAYON LINING FABRICS FOR MEN'S WEAR

Direction 2 to Order M-391 is amended to read as follows:

(a) *Explanation.* This direction requires that rayon twills and serges 88 to 140 sley, inclusive, with rayon warp and rayon or cotton filling shall be finished and distributed only on certification for use as linings in certain men's and boys' wear or on MM or AAA rated orders. The incentive program for the production of this fabric is no longer in effect.

This direction does not require any person to produce or prohibit any person from producing any quantity of lining fabric (in the grey state).

(b) *Finishing.* No person shall finish, or cause to be finished, any twills or serges, 88 to 140 sley, inclusive, with rayon warp and rayon or cotton filling in a manner which would make the fabric unsuitable for linings for men's or boys' suits, overcoats, topcoats, or separate jackets or trousers.

(c) *Certificate required for sale or delivery by producer.* No producer may sell or deliver twills or serges, 88 to 140 sley, inclusive, with rayon warp and rayon or cotton filling except on purchase orders bearing the following certificate:

The undersigned certifies, subject to the criminal penalties of section 35 (a) of the U. S. Criminal Code, that he will use the material covered by this purchase order as linings for men's, boys' suits, overcoats, topcoats, or separate jackets or trousers, or will deliver it only to persons who give this certificate.

(Authorized signature)

Intra-company deliveries of a producer are subject to this certificate requirement. The standard certificate in Priorities Regulation 7 may not be used instead.

(d) *Restriction on use or resale of fabric received on certification.* A person who has obtained fabric on certification under this direction or under former Direction 28 to Order M-328, may use the fabric only as certified, and may resell or redeliver the fabric only on orders similarly certified.

(e) *Export prohibited.* No person may export or deliver for export any fabric which he received on certification under this direction or under former Direction 28 to Order M-328. Clothing lined with these fabrics is not controlled by this direction, but may be subject to other export restrictions.

(f) *Exception for MM and AAA rated orders.* Orders rated MM or AAA are to be accepted and filled regardless of the restrictions and certification requirements of paragraphs (b) through (e) of this direction. However, the fabrics referred to in this direction are subject to a ceiling on compulsory acceptance and filling of MM and CC rated orders, in accordance with the terms of Order M-391.

(g) *Communications.* All reports, appeals and other communications concerning this direction shall be addressed to: Civilian Production Administration, Textile Division, Washington 25, D. C., Ref.: M-391, Dir. 2.

Issued this 5th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21333; Filed, Dec. 5, 1946;
11:32 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[SO 129, Interpretation of Amdt. 33]

DIE CASTING AND MOLDING MACHINERY

The following is a new interpretation of Amendment 33 to Supplementary Order 129, § 1305.157:

Die casting and molding machinery. The term "Die casting and molding machinery," as used in paragraph 4 of Amendment 33 to Supplementary Order 129, issued and effective July 26, 1946, includes plastics fabricating and molding machinery.

Issued this 13th day of November 1946.

JONATHAN B. RICHARDS,
Associate General Counsel.

[F. R. Doc. 46-21250; Filed, Dec. 5, 1946;
8:46 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Interpretation of Section 1.7]

LINSEED OIL

The following is a new interpretation of section 1.7 of Maximum Price Regulation No. 53, § 1351.151:

Linseed oil. The order of revocation to Order No. 33 under section 1.7 of Maximum Price Regulation No. 53 fixes a ceiling price retroactively for sales and deliveries of linseed oil made under open billing between the dates of September 20, 1946 and 12:01 a. m. October 29, 1946. Amendment 72 to Supplementary Order 132, issued and effective 12:01 a. m. October 29, 1946, exempted from price control all purchases, sales, and deliveries of linseed oil made after that date. What rights may be granted and what liabilities incurred, under contracts made prior to the decontrol of linseed oil at 12:01 a. m. on October 29, 1946, under which delivery had not been made or completed, must be determined by ordinary contract law. The order of revocation to Order 33 does not fix a price for such deliveries where the parties to the contract have fixed the contract price with reference to ceiling prices and have not fixed a price based on the contingency of decontrol.

Issued this 25th day of November 1946.

JONATHAN B. RICHARDS,
Associate General Counsel.

[F. R. Doc. 46-21251; Filed, Dec. 5, 1946;
8:46 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 5, Order 16]

PART 8305—SURPLUS NONINDUSTRIAL REAL PROPERTY

DISPOSAL OF CHAPELS

War Assets Administration Special Order 28, August 13, 1946, entitled "Disposal of Chapels" (11 F. R. 9139), is hereby redesignated as War Assets Administration Regulation 5, Order 16, and is hereby revised and amended as herein set forth. New matter is indicated by underscoring.

Pursuant to the authority of the Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611); Public Law 181, 79th Congress, 1st Session (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b); and Executive Order 9689 (11 F. R. 1265), it is hereby ordered, that:

§ 8305.66 *Disposal of chapels*—(a) *Definition.* "Chapel" means any Government-owned building and improvement on land owned or held under lease or other right of occupancy which was especially designed for and used or intended to be used by the armed forces or persons engaged in defense work for religious activities and services.

(b) *Disposal policy.* Surplus chapels shall be disposed of in a manner to assure their future maintenance and use as shrines or memorials, or for religious activities. Chapels are of a specialized type of surplus property which were provided by the Government during World War II for the religious activities and services of the armed forces and persons engaged in defense work. In view of the purposes for which they were provided, and the desirability of their future maintenance for such purposes, the President of the United States has directed that after such structures have become surplus they shall not be demolished but disposed of as shrines or memorials, or for religious activities. As chapels have heretofore been under the general supervision of the chaplains of the respective services, it is the President's desire that the Chiefs of Chaplains of such services be recognized in the disposal program.

(c) *Disposition*—(1) *General provisions.* Where a chapel is located on real property which has been declared surplus and assigned to a disposal agency, the disposal agency shall segregate such chapel from the other buildings, or land and buildings, and shall dispose of it intact, separate and apart from the land, for use as a shrine or memorial or for religious purposes. Where, however, it is located on Government-owned land and the disposal agency determines that it may properly be used for such purposes in place and that under all the circumstances it should

be disposed of with the land on which it is located, a suitable area of land may be set aside for such purpose and sold with the chapel.

(2) *Reports to Chiefs of Chaplains.* On the first and fifteenth days of each calendar month the disposal agency shall report to the respective Chiefs of Chaplains all surplus chapels assigned subsequent to the date of the last report to such chaplains. This report shall show the location of each chapel (the State, the nearest city or town, and the name of the installation), together with a brief description of the chapel.

(3) *Advertisement.* The disposal agency shall avail itself of all suitable means to give wide publicity to the availability of chapels for disposition. Such publicity shall be by public advertising and may include press releases, display advertisements, or other appropriate notice. Public advertising shall consist of a sale notice published in a newspaper having general circulation in the county where the property is located, describing the chapel and its location, designating the place where applications may be filed, and containing the following additional information which shall apply to the disposal:

(i) That first consideration shall be given to its sale for use as a shrine or memorial, and second consideration to its sale for use for religious purposes, and that the use after disposal shall be restricted to such purpose.

(ii) That all applications will be submitted to the appropriate Chief of Chaplains who, with the advice of representative church groups, will recommend the person or organization to whom disposal shall be made.

(iii) That (a) the chapel will be sold intact for removal from the land on which it is located, or (b) where it is located on Government-owned land, the chapel will be sold either with the land on which it is located, or for removal intact from the land; and bids may be submitted on either basis.

(iv) That the sale price of the chapel will be a price equal to its fair value in the light of the conditions imposed relating to its future use and the estimated cost of removal where required; and that the sale price of the land will be a price equal to the fair value of the land.

(v) That applications shall include the name, address, church or denomination, and general description of the prospective purchaser, and an agreement to use the property for the purposes for which it is sold.

(vi) That applications shall be filed within thirty (30) days following the date of first publication of notice, with both the first and last days of the thirty-day period specified. Notice of availability shall be published one or more times during the thirty-day period specified in the advertisement.

(d) *Applications to purchase*—(1) *Priorities.* The disposal of chapels, either with or without the land on which they are situated, shall be processed under the provisions of this part, except as herein otherwise provided, and sub-

ject to applicable priorities. Applications by priority holders shall claim their priority rights, and in all other respects shall conform to the provisions for applications by nonpriority persons.

(2) *Persons having no priority.* Applications from nonpriority holders to acquire chapels shall be submitted within the period and in compliance with the provisions specified in the advertisement: *Provided, however,* That if no applications are received within such period, applications later submitted may be considered.

(3) *Submission to Chiefs of Chaplains.* As soon as practicable following the expiration of the advertising period, all priority and nonpriority applications shall be assembled and forwarded, together with a copy of the advertisement and a letter of transmittal, to the Chief of Chaplains of the applicable service. A copy of the transmittal letter to the Chief of Chaplains shall be transmitted to the War Assets Administration, Office of Real Property Disposal, Washington 25, D. C.

(e) *Designation of purchaser.* Within thirty (30) days following the receipt of the applications submitted to the Chief of Chaplains pursuant to an advertisement, the Chief of Chaplains, after considering and giving effect to any established priorities, will notify the disposal agency as to the recommended purchaser for the chapel. If the notification in any case is not received by the disposal agency within a reasonable time after the expiration of such thirty-day period, the disposal agency shall check (through the War Assets Administration, Office of Real Property Disposal) with the Chief of Chaplains to ascertain whether a recommendation will be made. In the event the Chief of Chaplains does not issue a recommendation within a reasonable time thereafter, the disposal agency shall select the purchaser on the basis of the need of the applicant and the best interest of the community to be served. If the Chief of Chaplains submits a recommendation, the chapel shall be disposed of to the applicant recommended, if such recommendation is not deemed to be contrary to the objectives of the act.

(f) *Fixtures and furnishings.* In disposing of any chapel hereunder, the disposal agency may for fair value likewise dispose of any surplus fixtures or furnishings therein which the owning agencies may not need for the armed forces, and which the disposal agency determines are inherently related or essential to the uses and purposes for which the chapel is to be maintained and used.

(g) *Conditions imposed.* All chapels shall be disposed of subject to the condition that the buildings be thereafter maintained as shrines or memorials or used for religious purposes, and not for any commercial, industrial, or other secular use; and the notices of availability shall so disclose, and the deeds of conveyance shall so provide.

(h) *Notice to Chief of Chaplains.* Upon consummation of a disposal, the

disposal agency shall notify the Chief of Chaplains of the applicable service and shall forward to the War Assets Administration, Office of Real Property Disposal, a copy of such notice.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(58 Stat. 765 as amended; Pub. Law 181, 79th Cong., 59 Stat. 533; 50 U. S. C. App. Sup. 1611, 1614a, 1614b; E. O. 9689, Jan. 31, 1946; 11 F. R. 1265)

This order shall become effective December 5, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

NOVEMBER 27, 1946.

[F. R. Doc. 46-21329; Filed, Dec. 5, 1946; 11:31 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

[Instruction 1-A, Pub. Law 458, 79th Cong.]

PART 2—ADJUDICATION: VETERANS CLAIMS (APPENDIX)

RATING AND AWARDS

Instruction No. 1, Public Law 458, 79th Congress, appearing in 11 F. R. 7939, is hereby revoked and superseded as follows:

1. Public Law 458, 79th Congress, provides in part as follows:

SECTION 1. That on and after the first day of April 1946, all initial ratings in claims for disability compensation or pension and awards based thereon under Public Law 2, Seventy-third Congress, March 20, 1933, and the Veterans Regulations issued pursuant thereto, as amended, shall be determined under the Veterans' Administration revised Schedule for Rating Disabilities, 1945, whether the claim covers a period before or after that date. In any case in which the revised schedule authorizes an increase in the rating previously made by a rating board of original jurisdiction under the Schedule for Rating Disabilities, 1933, such increased rating and award based thereon will be effective as of the first day of April 1946.

SEC. 2. Nothing in the revised Schedule for Rating Disabilities, 1945, shall be construed as requiring any reduction or discontinuance of compensation in cases rated and awarded under the Schedule of Disability Ratings, 1925, or as requiring denial of entitlement to any statutory award or rating, but on and after the first day of April 1946, except as to statutory awards and ratings provided under the World War Veterans' Act, 1924, as amended, as restored with limitations by the Act of March 28, 1934, Public Law 141, Seventy-third Congress, as amended, awards in all cases shall be based upon the degree of disability determined in accordance with the revised schedule, 1945.

2. An initial rating for the purposes of section I, Public Law 458, 79th Congress, is the first rating made in a case in which determination as to entitlement to disability compensation or pension for any disability under Public, No. 2, and the regulations issued pursuant thereto, as amended, has not heretofore been made. This definition includes those service connected cases initially rated on or after

April 1, 1946, either compensable or non-compensable, in which the 1945 Schedule was not applied. It will be necessary, therefore, to review these cases in conjunction with the review provided in paragraph 4 (a) hereof for the purpose of rating them under the 1945 Schedule. All initial ratings will be made under the 1945 Schedule for Rating Disabilities for periods both prior and subsequent to April 1, 1946, if otherwise in order, and likewise the awards based thereon. No other schedule will be applicable in this class of cases, except as provided in paragraph 6 hereof.

3. Ratings other than initial ratings as defined in paragraph 2 hereof, when otherwise in order, for periods prior to April 1, 1946, by reason of appellate decision or otherwise, will be made under the 1925 and 1933 Schedules when applicable for periods prior to April 1, 1946, and under the 1945 Schedule for periods on and after April 1, 1946; likewise the awards based thereon.

4. (a) The last sentence of section 1, Public Law 458, 79th Congress, requires that all service-connected cases, non-compensable as well as compensable, under the Schedule for Rating Disabilities, 1933, be reviewed and rated under the Schedule for Rating Disabilities, 1945.

(b) Increased ratings and awards based thereon, due solely to the application of the 1945 Schedule in the cases reviewed, should be effective from April 1, 1946, if the case was initially rated prior to April 1, 1946; otherwise as provided in paragraph 2 hereof.

5 (a) The deputy administrator in each branch office will be responsible for determining the date the review of cases will be initiated in each field station in his territory, without interference with the adjudication of new claims and routine reevaluations. He will report to the assistant administrator for claims, central office, the dates determined upon for the several stations, and periodically of the progress of the review. The review will be conducted in order of C-number, beginning with the lowest, including (1) all running awards, whether actually first rated before or after April 1, 1946, except those solely involving presumptively service-connected disabilities under Public No. 141, 73d Congress; (2) all disallowed and terminated less than 10 percent cases having disability service connected under § 35.01. A new start will be made including all the above, beginning with the lowest C-number, in one review.

(b) Ratings under the 1945 Schedule in cases reviewed will not be made in the absence of a report of examination by the VA subsequent to discharge from active service, except in those instances where the condition is static and fixed and the rating agency considers the evidence adequate to evaluate the disability. If there is an examination by the VA of record, further examination will not be requested to apply the 1945 Schedule, unless the rating agency considers an examination necessary to properly rate the case.

6 (a) The provisions of section 2, Public Law 458, 79th Congress, precludes any reduction in any 1925 Schedule evaluation or denial of any statutory award or rating, except where an amendment of an award under a 1925 Schedule evalu-

ation is in order by reason of a change in physical or mental condition; the evaluation and amended award based thereon will be determined under the 1945 Schedule. This requires that evaluations under the 1925 Schedule and awards based thereon in effect April 1, 1946, will be continued until change in physical or mental condition warrants amendment of the 1926 Schedule rating, at which time the rating will be under the 1945 Schedule only, as well as the award based thereon, except when a Statutory award or rating under the World War Veterans' act, 1924, as amended, as restored by Public No. 141, 73d Congress, as amended, is in order, in which event the statutory award or rating will be continued, or made in the manner provided for initial ratings under paragraph 2 hereof. It is to be distinctly understood that the application of the foregoing shall not result in a diminution of the pension being paid on April 1, 1946 in any instance where the changed condition results in a greater degree of disability, whether viewed under the 1925 or 1945 Schedule.

(b) In cases of presumptive service connected under Public No. 141, 73d Congress, in which the rating is made solely under the 1945 Schedule, the award based thereon will be 75 percent of the amount authorized by the rating. The computation of awards predicated upon ratings involving both direct and statutory presumptive service connection will be in accordance with § 3.1225 of this chapter.

7. Recapitulation of effective dates of evaluations and awards based thereon under the 1945 Schedule:

(a) Initial ratings as defined in paragraph 2 hereof: Date following date of discharge from active service or date evidence shows entitlement, whichever is later, if claim filed within year from date of discharge, for periods both prior and subsequent to April 1, 1946. Date of receipt of claim or date evidence shows entitlement, whichever is later, if claim not filed within year from date of discharge.

(b) Other than initial ratings or ratings as the result of the review required by the second sentence, section 1, Public Law 458, 79th Congress: Date following date of discharge, date evidence shows entitlement, or April 1, 1946, whichever is later, if claim was filed within year from date of discharge from active service; ratings for periods prior to April 1, 1946, and awards based thereon, will be under the 1925 or 1933 Schedules. Date of receipt of claim, date evidence shows entitlement, or April 1, 1946, whichever is later, if claim was not filed within a year from date of discharge; ratings for period prior to April 1, 1946, and awards based thereon will be under the 1925 or 1933 Schedules.

(c) Ratings in cases reviewed to apply 1945 Schedule: April 1, 1946.

8. Reductions in evaluations by reason of the application of the 1945 Schedule will be effective as provided in § 2.1009 (e) of this chapter.

9 (a) On the first rating of a case under § 35.01, as amended, following receipt of this Instruction, the case folder will be stamped in the lower right hand

corner of the front cover "Rated, 1945 S." unless this has previously been done.

(b) Rating sheets in such cases (not previously rated under the 1945 Schedule) whether granting or denying benefits, will carry the notation "Rated, 1945 S." following by the numeral indicating the appropriate class, as defined below, thus, "Rated, 1945 S. Class I."

WHEN MONETARY BENEFITS WERE PREVIOUSLY CONTROLLED BY THE 1933 SCHEDULE

Class (1) Increased rating, due solely to 1945 Schedule, i. e., without change in physical or mental condition or in service connection status.

Class (2) Increased rating, under the 1945 Schedule, due partly or wholly to change in physical or mental condition, or in service connection status, or other reason.

Class (3) Decreased rating, due solely to the 1945 Schedule, i. e., without change in physical or mental condition, or in service connection status.

Class (4) Decreased rating, under the 1945 Schedule, due partly or wholly to change in physical or mental condition, or in service connection status, or other reason.

Class (5) Confirmed rating, under the 1945 Schedule.

WHEN MONETARY BENEFITS WERE PREVIOUSLY CONTROLLED BY THE 1925 SCHEDULE

Class (6) Rerated, 1945 Schedule, monetary benefits increased.

Class (7) Rerated, 1945 Schedule, monetary benefits decreased.

Class (8) Rerated, 1945 Schedule, 1925 Schedule benefits continued.

WHEN MONETARY BENEFITS WERE NOT PREVIOUSLY BEING PAID

Class (9) Initial evaluation, 1945 Schedule.

OTHER CLASSIFICATIONS

Class (10) Less than 10 percent combat injury case reviewed; compensable rating established, 1945 Schedule.

Class (11) Less than 10 percent combat injury case reviewed; compensable rating denied, 1945 Schedule.

Class (12) Other disallowed or terminated service-connected less than 10 percent case reviewed; compensable rating established, 1945 Schedule.

Class (13) Other disallowed or terminated service-connected less than 10 percent case reviewed; compensable rating denied, 1945 Schedule.

Class (14) All others.

(c) Ratings in cases heretofore classified under paragraph 9, Instruction I under this Public Law (11 F. R. 7939) will not be reclassified. The status of the case at the time of the first rating, following the receipt of this Instruction, will govern future classifications. All running award cases will fall into Classes 1 to 8; pending cases into Class 9; and all disallowed or terminated cases into Classes 10 to 14. Classes 1 to 5 inclusive are to be applied to cases where the award was under the provisions of the 1933 Schedule; Classes 6 to 8 inclusive, to those cases where the award was under the provisions of the 1925 Schedule. Class 9 is to be applied only to those cases in a pending status (never before rated for compensation or pension) regardless of the effect of the rating. Classes 10 and 11 apply to cases which, at the time of rating, were in a disallowed or terminated status, having at that time, however, World War II service connection for a disability incurred in or aggravated by combat. Classes 12

and 13 apply to all other cases which, at the time of rating were in a disallowed or terminated status having, however, service connection for a World War I, World War II, or peacetime service disability under § 35.01, as amended. Class 14 applies to all other cases, i. e., cases not specifically covered by the classes listed above. Generally, they will be non-combat cases disallowed or terminated for a reason other than "less than 10 percent".

10. Non-compensable dental ratings based on absent or carious teeth are not affected by the 1945 Schedule and will not be included in the review or report.

(Pub. Law 458, 79th Cong.)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army.
Administrator.

NOVEMBER 21, 1946.

[F. R. Doc. 46-21262; Filed, Dec. 5, 1946;
8:46 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

TEMPORARY LIMITATION OF WEIGHT OF FIRST-CLASS MAIL, AND OF WEIGHT AND SIZE OF FOURTH-CLASS MAIL

CROSS REFERENCE: For a temporary limitation of weight of first-class mail and of weight and size of fourth-class mail see Post Office Department in Notices section, *infra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 68, Amdt. 1]

PART 500—CONSERVATION OF RAIL EQUIPMENT

RESTRICTIONS ON PASSENGER AND SPECIAL TRAIN SERVICE

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729,

It is hereby ordered, That paragraph (a) of § 500.110 of General Order ODT 68 (11 F. R. 13640) be, and it hereby is, amended to read as follows:

§ 500.110 *Restrictions on certain passenger and special train operations.* (a) No common carrier by railroad engaged in the transportation of passengers within the continental United States shall (1) during the period beginning at 11:59 o'clock p. m., November 24, 1946, and ending at 11:59 o'clock p. m., December 8, 1946, operate a total daily coal-burning passenger service locomotive mileage in excess of 75 per cent of the total coal-burning passenger service locomotive mileage operated by it on November 1, 1946; and (2) on and after 11:59 o'clock p. m., December 8, 1946, and until further order of the Office of Defense Transportation, operate a total daily coal-burning passenger service locomotive mileage in excess of 50 per cent of the total coal-

burning passenger service locomotive mileage operated by it on November 1, 1946.

(54 Stat. 676, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Law 475, 79th Cong., 60 Stat. 345; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, December 18, 1941; E. O. 9389, October 18, 1943; E. O. 9729, May 23, 1946, 6 F. R. 6725, 8 F. R. 14183, 11 F. R. 5641)

Issued at Washington, D. C., this 3d day of December 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-21255; Filed, Dec. 5, 1946; 8:48 a. m.]

Notices

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-42, 54-69, 59-65]

CENTRAL STATES UTILITIES CORP. ET AL. ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of December A. D. 1946.

In the matters of Central States Utilities Corporation, Central States Power & Light Corporation, Ogden Corporation, et al., File No. 54-42; Ogden Corporation and Subsidiary Companies, File No. 54-69; Ogden Corporation and Subsidiary companies, File No. 59-65.

Ogden Corporation ("Ogden") and certain of its subsidiary companies having previously filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, relating to a plan designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of the act (File Nos. 54-69 and 59-65), said plan providing, among other things, for the liquidation and dissolution of Central States Utilities Corporation ("Central Utilities") and of its subsidiary, Central States Power & Light Corporation ("Central States"), both registered holding companies; the Commission having on May 20, 1943, entered an order approving said plan of Ogden and its subsidiary companies and, pursuant to section 11 (b) of the act, directing, among other things, that Central States recapitalize so as to distribute voting power fairly and equitably among its security holders; *Provided, however*, That such recapitalization need not be effected if said company is liquidated and dissolved;

Applications, and amendments thereto, pursuant to section 11 (e) of the act, having heretofore been filed relating to the plan of liquidation and dissolution of Central States and Central Utilities (File No. 54-42), and providing, among other things, for successive extensions of the maturity date of Central States' 5% Debentures from January 1, 1944 to January 1, 1945, from January 1, 1945 to January 1, 1946, and from January 1, 1946 to January 1, 1947; and the Com-

mission having by orders dated December 3, 1943, December 8, 1944, and December 19, 1945, approved said applications, and said extensions having been approved and enforced by the District Court of the United States for the District of Delaware;

There now having been filed an application ("Maturity Extension Plan"), as an amendment to the aforesaid liquidation plan, requesting the Commission to approve the proposed extension of the maturity date of Central States' 5% Debentures from January 1, 1947 to January 1, 1948, and the escrowing of interest accruing on Central States' 5% Debentures held by others than Ogden during the period of extension; and the applicants having requested (a) that the Commission apply to an appropriate District Court, pursuant to the provisions of section 11 (e) of the act, to enforce and carry out, in accordance with the provisions of section 18 (f) of the act, the terms and provisions of said Maturity Extension Plan; that our order herein be operative to authorize the consummation of the transactions proposed in the Maturity Extension Plan forthwith upon the entry by the court of an order enforcing the plan; and that our order herein conform to the requirements of section 1808 (f) of the Internal Revenue Code, as amended;

A hearing in respect of said Maturity Extension Plan having been held after appropriate notice; and the Commission having this day issued its findings and opinion herein; on the basis of said findings and opinion

It is ordered, Pursuant to section 11 and other applicable sections of the act, that said Maturity Extension Plan be, and the same hereby is, approved, subject to the following conditions and reservations:

(1) That this order shall not be operative to authorize the consummation of the transactions proposed in the Maturity Extension Plan until an appropriate Federal District Court shall, upon application thereto, enter an order enforcing such plan; and that upon the entry of such order by the Federal District Court, this order shall forthwith be operative to authorize the consummation of the transactions proposed by the Maturity Extension Plan;

(2) That the Commission reserves jurisdiction to consider such further matters, including the disposition and allocation of Central States' remaining assets, enter such further orders, make such other findings, and to take such other action as may be appropriate in the premises;

(3) That Central States shall mail to each of its known Debenture holders a copy of the Commission's findings and opinion and order herein, such mailing to be made at the same time as the mailing of the first notice of a hearing which the Court may require in connection with the proceedings for the enforcement of the Maturity Extension Plan.

It is further ordered, That the extension of the maturity date of the 5% Debentures of Central States Power & Light Corporation from January 1, 1947 to January 1, 1948, is necessary and appropriate to the integration or simplification of

the Ogden Corporation holding company system, of which Central States Power & Light Corporation is a member, and is necessary and appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-21241; Filed, Dec. 5, 1946; 8:47 a. m.]

[File No. 54-43, 70-1176, 70-1177]

GREAT LAKES UTILITIES CO. ET AL.

NOTICE OF FILING OF AMENDMENT AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its offices in the City of Philadelphia on the 27th day of November A. D. 1946.

In the matter of Great Lakes Utilities Company, File No. 54-43; Great Lakes Utilities Company, Ohio Gas, Light & Coke Company, File No. 70-1176; Great Lakes Utilities Company, Paxton Gas Company, and Rochelle Gas Company, File No. 70-1177.

The Commission having instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to Great Lakes Utilities Company ("Great Lakes"), a registered holding company, and its subsidiaries; and said proceedings having been consolidated with those relating to a plan and amendments thereto filed by Great Lakes pursuant to section 11 (e) of the act for compliance with sections 11 (b) (1) and 11 (b) (2) of the act (Holding Company Act Release No. 3243) and with proceedings related thereto (Holding Company Act Release No. 6235):

The plan filed by Great Lakes having provided, among other things, for the extension of the maturity date of Great Lakes' outstanding First Lien Collateral Trust Gold Bonds, 5½% Series, due 1942, for the sale of assets of Great Lakes and for the application of the proceeds of the sale ratably to the payment of principal and interest on Great Lakes' bonds and for the payment of necessary expenses and the distribution of the remaining assets of Great Lakes, if any, to Great Lakes' stockholders and for the subsequent dissolution of Great Lakes;

The Commission and the District Court of the United States for the Eastern District of Pennsylvania having approved the section 11 (e) plan and amendments thereto; Great Lakes having sold a portion of its assets and, in accordance with the plan heretofore approved by the Commission and the District Court, having deposited with the trustee under the indenture securing Great Lakes' bonds sufficient funds to satisfy the claim of the bondholders for principal and interest in full; the remaining assets of Great Lakes now consisting principally of cash and of the common stock of Allied Gas Company ("Allied"), formerly Rochelle Gas Company, which, pursuant to the approval of this Commission, acquired the phys-

ical properties and assets of a former and now dissolved subsidiary of Great Lakes, Paxton Gas Company:

Notice is hereby given that Great Lakes has filed with the Commission in the consolidated proceedings an amendment, dated as of August 1, 1946, to the section 11 (e) plan heretofore approved by the Commission designed to effectuate the completion of the dissolution of Great Lakes.

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

1. Great Lakes will distribute to the holders of the outstanding Voting Trust Certificates for common stock of Great Lakes, the investment of Great Lakes in Allied, its sole remaining subsidiary, consisting of 10,052 shares of capital stock with a par value of \$10 per share, in exchange for such Voting Trust Certificates on the basis of one share of the common stock of Allied for each 15 shares of common stock of Great Lakes represented by Voting Trust Certificates. Such distribution will be made as soon as practicable after the effective date of the amendment upon surrender of Voting Trust Certificates at the office of a distributing agent to be designated by Great Lakes.

2. Great Lakes will pay its current and accrued liabilities, including expenses incurred in connection with the formulation and consummation of the plan, contribute all its remaining cash (estimated at \$16,311 as of July 31, 1946) and other assets to the capital of Allied, and Great Lakes will be dissolved.

3. The rights of the holders of the outstanding common stock and outstanding Voting Trust Certificates for common stock will cease from and after the effective date of the amendment, and as soon as practicable after such effective date Great Lakes will notify the holders of Voting Trust Certificates that the rights of the holders thereof have ceased to exist except that thereafter the holders of Voting Trust Certificates shall be entitled, upon surrender of their certificates, to receive common stock of Allied distributable in respect thereof, as provided in the amendment.

4. No fractional shares of the common stock of Allied will be issued, but in lieu thereof there will be issued non-dividend paying, non-voting, bearer form, scrip. Such scrip, when combined in amounts equivalent to full shares, will be exchangeable for shares of the common stock of Allied (including any dividends or distributions paid thereon, less expenses) upon surrender to the distributing agent at any time on or before the expiration of three years from the date on which distribution is commenced.

5. As soon as practicable after the expiration of three years from the date distribution is commenced, the distributing agent will sell in the over-the-counter market the shares of common stock of Allied then represented by unexchanged Voting Trust Certificates and scrip certificates. Thereafter, notice will be given to the holders of unexchanged Voting Trust Certificates that such common stock of Allied has been sold and

that they will be entitled upon the surrender of Voting Trust Certificates to receive their proportionate share of the net proceeds. At the expiration of two years from the date of mailing such notice, all rights of the holders of Great Lakes' Voting Trust Certificates and scrip certificates under the amendment dated as of August 1, 1946, or, otherwise, will cease and thereafter the cash held by the distributing agent (less expenses) shall be paid to Allied.

6. All funds heretofore deposited by Great Lakes with the Bank of Manhattan Trust Company (Trustee under the indenture securing Great Lakes' bonds) for the payment of principal or interest on Great Lakes' bonds which have not been claimed by the holders of such bonds or coupons within ten years from the date of deposit shall be paid to Allied by such Trustee; prior to the receipt of such payment Allied shall deliver to the Trustee an agreement providing for the payment by Allied of the amount to be received (without interest) to the holders of Great Lakes' unrepresented bonds or coupons upon surrender thereof.

Great Lakes has requested that the Commission, in the event that this amendment is approved, apply to the District Court of the United States for the Eastern District of Pennsylvania for an order to enforce and carry out the provisions of the amendment. It is proposed that the effective date of the amendment shall be the date on which the District Court issues its enforcement order or such later date as may be determined by said Court.

Great Lakes has further requested that, if the Commission approves the amendment, as proposed or as modified, such order shall contain an order conforming with sections 371 (a), 373 (a) and 1808 (f) of the Internal Revenue Code, as amended, and shall contain the recitals, specifications and itemizations described in sections 371 (f) and 1808 (f) thereof.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find after notice and opportunity for hearing that the plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11 of the act and is fair and equitable to the persons affected thereby, and it appearing appropriate to the Commission that a hearing be held upon the amendment to afford all interested persons an opportunity to be heard with respect thereto;

It is ordered, That a hearing under the applicable provisions of the act and the rules thereunder be held on the 10th day of December 1946 at 11:00 a. m., e. s. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner prescribed by Rule XVII of the rules of practice on or before December 9th, 1946.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's Rules of Practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the amendment and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

1. Whether the amendment, as submitted or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby and, if not, in what respects said amendment, including any modifications thereof, should be modified or amended.

2. Whether the proposed payment by Bank of Manhattan Trust Company to Allied of all funds which have heretofore been deposited by Great Lakes with Bank of Manhattan Trust Company for the payment of principal and interest on Great Lakes' bonds and which have not been claimed by the holders of such bonds or coupons within ten years from the date of deposit meets the standards of section 11 (e) of the act.

3. Whether the acquisition by Great Lakes of its common stock and the proposed capital contribution by Great Lakes to Allied meet the applicable requirements of sections 12 (b), 12 (c) and 12 (f) of the act and Rules U-42 and U-43 thereunder.

4. Whether the fees, commissions or other remuneration and the expenses to be paid by Great Lakes in connection with its plan of liquidation are reasonable in amount.

5. Whether the proposed accounting entries on the books of Great Lakes and Allied are appropriate and in conformity with sound accounting principles.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to Great Lakes, Allied, Bank of Manhattan Company, Trustee under the Trust Indenture securing Great Lakes' bonds, the Pennsylvania Company for Insurances on Lives and Granting Annuities, the depository for Great Lakes, common stock under the Voting Trust Agreement of Great Lakes, the Illinois Commerce Commission and to the Attorney General of the State of New York; and that notice shall be given to all holders of Voting Trust Certificates of Great Lakes, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases listed under the Holding Company Act; and that further notice be given to all persons by

publication of this order in the **FEDERAL REGISTER**.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21243; Filed, Dec. 5, 1946;
8:48 a. m.]

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP. (DEL.)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of November A. D. 1946.

In the matter of The Commonwealth & Southern Corporation (Delaware), File No. 54-75; The Commonwealth & Southern Corporation (Delaware), File No. 70-726.

Notice is hereby given that a declaration-application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company. Applicant designates sections 11 and 12 (c) of the act and Rule U-46 as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 13, 1946 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be given 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 declaration-application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration-application, as filed or as amended, may be permitted to become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pa.

All interested persons are referred to said declaration-application, which is on file in the office of the Commission, for a statement of the transaction thereon proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of \$3 per share or an aggregate of \$4,417,800 on the shares of its preferred stock outstanding on October 31, 1946. The dividend was declared on November 26, 1946 and is payable on the 28th day after the date of the order of this Commission permitting such payment of such dividend to stockholders of record at the close of business on the 14th day after the date of such order. The Commission action requested in the pending application is similar in substance to the Commission action requested in three applications approved by the Commission in 1943, four applications approved in 1944, four applications approved in 1945, and three ap-

proved in 1946, covering proposed distributions to preferred stockholders.

The applicant requests that the Commission's order be issued herein on or before December 16, 1946, and become effective forthwith so that Commonwealth may pay the proposed dividend not later than January 13, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21242; Filed, Dec. 5, 1946;
8:48 a. m.]

[File Nos. 54-120, 59-34]

NEW ENGLAND GAS AND ELECTRIC ASSN.
ET AL.

NOTICE OF FILING OF ALTERNATIVE PLAN AND ORDER REOPENING THE RECORD AND RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of November 1946.

In the matters of New England Gas and Electric Association, File No. 54-120; New England Gas and Electric Association et al., File No. 59-34.

Notice is hereby given that New England Gas and Electric Association ("Association"), a registered holding company, has filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, and other applicable sections of the act, and rules and regulations promulgated thereunder, for approval of an Alternative Plan of Recapitalization of the Association and of related and incidental transactions.

The application states that the Association is seeking approval by the Commission of this Plan as an alternative to its Amended Plan filed March 21, 1946 and approved by the Commission on June 24, 1946 and by the United States District Court for the District of Massachusetts on July 17, 1946 so that the Association, upon approval of this Alternative Plan by the Commission, may, at its election, subject to the entry of the requisite enforcement order by the District Court of the United States, proceed with the carrying out of this Alternative Plan or of said Amended Plan. The application further states that following the approval of the Amended Plan, the Association found that, within the framework of the plan, no bids were to be made for the securities proposed to be issued. It thereupon withdrew its invitation for bids with the idea of renewing it at a more propitious time. The application further states that since then the conditions in the security markets have not improved and great uncertainty exists as to whether the securities designed to carry out the Amended Plan can be sold at competitive bidding in time to enable the Association to meet the maturity of its debentures maturing September 1, 1947 in the principal amount of \$13,206,000.

All interested persons are referred to the application, which is on file in the offices of the Commission, for a statement of the transactions proposed in

the Alternative Plan of Recapitalization, which may be summarized as follows:

The capitalization of the Association, as of September 30, 1946, consisted of debentures in the principal amount of \$34,998,500, all publicly held; 95,847 \$5.50 dividend series preferred shares, of which 23,744 shares are held by NY PA NJ Utilities Company and Associated Utilities Corporation, subsidiaries of General Public Utilities Corporation; 155,000 \$7 Cumulative Second Preferred shares held by Utilities Investing Trust, also a subsidiary of General Public Utilities Corporation; and 200,000 common shares, also held by Utilities Investing Trust.

Pursuant to the terms of the Alternative Plan, the Declaration of Trust of the Association will be amended to authorize instead of the presently outstanding shares of beneficial interest having no voting power, 77,625 convertible preferred shares and 3,500,000 common shares, both with voting power. The new preferred shares are to be authorized and issued to the public solely for the purpose of effectuating the retirement of the outstanding debentures of the Association. Such new preferred shares will have a par value of \$100 per share and will be entitled to prior payment of dividends at a rate not to be in excess of 5% per annum before any dividends may be paid on the common shares. Each such share will be converted at the option of the holder into not more than 7 of the new common shares.

The Alternative Plan provides for the retirement of all debentures outstanding on its effective date at par and accrued interest and that such payment will be made or provided for not later than 30 days after sale of the securities to be issued for cash pursuant to the terms of the Alternative Plan.

The Association will offer for sale:

(a) \$22,425,000 principal amount of Sinking Fund Collateral Trust Bonds, Series A, having an interest rate not in excess of 3¼%;

(b) 77,625 cumulative preferred shares having a dividend rate not in excess of 5%;

and will apply the proceeds of such sale (together with such additional cash as may be necessary) to the retirement, at par and accrued interest, of the outstanding debentures.

766,776 shares of new common will be allocated for distribution to holders of the outstanding \$5.50 preferred shares at the rate of eight new shares for each share of such preferred held. The holders of the outstanding \$5.50 preferred will also have for each share held the right to subscribe for five additional shares of the new common stock at \$9 per share. These rights will be transferable. Holders of the \$5.50 preferred may also subscribe to a maximum of twenty additional shares of new common at \$9 per share, for each share of such preferred presently held. This right to subscribe for additional shares is not assignable or transferable. The period during which the rights (both transferable and non-transferable) may be exer-

cised shall be not less than 14 days. Any shares unsubscribed for on the transferable rights will be allocated pro rata, to the nearest whole share, to subscriptions made in accordance with this provision. If subscriptions do not provide \$4,312,500, then the Association may sell at not less than par sufficient additional shares of new common to provide the difference between the amount received upon all subscriptions and \$4,312,500.

To settle the claims aggregating over \$30,000,000 made in litigation pending against the Association and to eliminate any claims arising from the holding by Utilities Investing Trust of all the Second Preferred and present common shares of the Association, the sum of \$1,944,550 is to be paid to Utilities Investing Trust and the Trustees of the Estate of Associated Gas and Electric Corporation, Debtor. In consideration thereof, Utilities Investing Trust, as the owner of all the presently outstanding \$7 Second Preferred and Common shares, will consent to the cancellation of such shares and mutual releases of all claims will be executed. The Association on its own behalf and as successor to Electric Associates, Inc., on the one hand, and the Trustee of the Estate of Associated Gas and Electric Company, Debtor, the Trustee of the Estate of Associated Gas and Electric Corporation, Debtor, NY PA NJ Utilities Company, Associated Utilities Corporation, Gas and Electric Associates, and Utilities Investing Trust, on the other, will exchange mutual releases (including releases from any and all liability by reason of any judgments or decrees theretofore rendered in any pending litigation) and all pending litigation among them will be dismissed. NY PA NJ Utilities Company, Associated Utilities Corporation, Gas and Electric Associates, and Utilities Investing Trust are, as noted above, subsidiaries of General Public Utilities Corporation, the successor in interest of Associated Gas and Electric Company and Associated Gas and Electric Corporation pursuant to the reorganization plan of those companies.

It is a condition of the Alternative Plan that until the receipt on or before August 31, 1947 of payments for the securities to be sold under the Alternative Plan of \$4,312,500 for new common shares and of payment of the \$1,944,550 referred to above or until earlier disapproval of the Alternative Plan by the Commission or any court, no further action will be taken by any of the parties referred to in any pending litigation among them (except such action, if any, as may be necessary to continue the pendency of such litigation) and no new litigation will be instituted between such parties.

The Alternative Plan provides that the Association will pay such fees and expenses, not including allowances or disbursements for services rendered in prosecution of claims by Association Trustees or their affiliates and subsidiaries prior to June 1, 1944, in connection with the proceedings on the plan originally filed and the amended plan approved by the Commission on June 24, 1946, and this Alternative Plan as may

be approved, allocated or awarded by the Commission.

The consummation of the Alternative Plan, according to its terms, is subject to the prior satisfaction of all the following conditions:

(a) Entry of an order by the Commission pursuant to the act and particularly section 11 (e) thereof, approving the Alternative Plan.

(b) The final approval by the Court, upon application therefor by the Commission in accordance with the provisions of sections 11 (e) and 18 (f) of the act.

(c) Entry of an order by the Commission postponing the time within which NY PA NJ Utilities Company and Associated Utilities Corporation (or their successors) shall be required to dispose of any new common shares to be received or purchased by them pursuant to the Alternative Plan until at least one year after the time of consummation of the plan.

(d) Receipt by the Association of at least \$4,312,500 from the sale of new common shares.

The Alternate Plan states that the Commission will be asked to take such action at the time of approving the Alternative Plan as will not preclude the carrying out of the amended plan approved by the Commission on June 24, 1946, and the United States District Court for the District of Massachusetts on July 17, 1946, in the absence of the obtaining of an order of the United States District Court directing the enforcement of the Alternative Plan in lieu of the amended plan previously approved.

The Commission by order dated June 24, 1946, having approved an amended plan dated March 21, 1946, proposed by the Association under section 11 (e) of the act and said Amended Plan having been approved by the United States District Court for the District of Massachusetts by its order dated July 17, 1946; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the proposed Alternative Plan of Recapitalization and that the Alternative Plan should not be effectuated except pursuant to further order of the Commission; and that the record in the consolidated proceedings on the Amended Plan dated March 21, 1946 and the proceedings under section 11 (b) (2) of the act with respect to the Association should be reopened and the hearing reconvened for the purpose of considering the Alternative Plan and such other action as may be appropriate with respect to issues involved in that proceeding;

It is ordered, That the record in such consolidated proceedings be reopened and that, pursuant to the applicable sections of the act, that a hearing be held on the said Alternative Plan on December 19, 1946, at 10 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318

will advise as to the room in which such hearing will be held.

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

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

(1) Whether the Alternative Plan, as submitted or as it may be modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

(2) Whether, and, if so, in what manner, the proposed Alternative Plan should be modified to insure adequate protection of the public interest and the interest of investors and consumers and compliance with all applicable provisions of the act and rules thereunder.

(3) Whether the Alternative Plan, as submitted or as it may be modified, makes appropriate provision for the payment of fees, expenses, and remuneration in connection with the Alternative Plan, in what amounts such fees, expenses, and remuneration should be paid, and the fair and equitable allocation thereof.

(4) Whether or not the terms and conditions of the issue and sale of the Collateral Trust Bonds and Cumulative Preferred Shares are detrimental to the public interest or the interest of investors and consumers.

(5) Whether financing of the issue and sale of the proposed convertible preferred stock meets the standards of section 7 (d) of the act.

(6) Whether or not the Declaration of Trust as amended to authorize the proposed Cumulative Preferred Shares contains adequate protective provisions for the benefit of security holders with respect to (a) voting rights in event of default in payment of dividends; (b) a restriction on payment of common stock dividends; and (c) the terms and conditions upon which additional Cumulative Preferred Stock may be issued.

(7) Whether or not the Declaration of Trust as amended to authorize new common shares contains adequate protective provisions for the benefit of security holders with respect to (a) preemptive rights, and (b) cumulative voting for directors.

(8) Whether or not the proposed accounting treatment of the proposed transactions is proper and in conformity with sound accounting principles.

(9) Whether an order should be entered by the Commission, pursuant to section 11 (b) (2), requiring the Association to take such steps as may be necessary to ensure that its corporate structure does not unduly or unnecessarily

complicate the structure, or unfairly or inequitably distribute voting power among security holders, of its holding company system.

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

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission on or before December 17, 1946 his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to New England Gas and Electric Association and to all other parties in the proceedings consolidated herein, and that notice of said hearing shall be given to all other persons by general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That New England Gas and Electric Association give notice of this hearing to each of the holders of its outstanding debentures, preferred and common shares (insofar as the identity of such security holders is available or known to the Association), by mailing to each such security holder, to his last known address, a copy of this notice and order and a copy of the Alternative Plan of Recapitalization at least 12 days prior to the date of this hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21245; Filed, Dec. 5, 1946;
8:49 a. m.]

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

UNITED LIGHT AND POWER CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE AND ACQUISITIONING OF CAPITAL STOCK

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of November A. D. 1946.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, File No. 59-17; The United Light and Power Company, and its subsidiary companies, Respondents, File No. 59-11; The United Light and Power Company, Applicant, File No. 54-25.

American Light & Traction Company ("American Light"), a registered holding company and a subsidiary of The United Light and Railways Company ("Railways"), also a registered holding company, and Milwaukee Gas Light Company ("Milwaukee Gas"), Milwaukee

Solvay Coke Company ("Solvay") and Consolidated Building Company ("Consolidated"), all subsidiaries of American Light, having filed a joint application-declaration and amendments thereto, designated as "Application No. 21A", pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, relating to the proposal of Milwaukee Gas to amend its charter by changing its authorized common stock from 260,000 shares, par value \$50 per share, to 1,150,000 shares, par value \$12 per share, and altering the voting and other rights of such new common stock in certain respects, wherein Milwaukee Gas has requested exemption, under section 6 (b) of the act, from the provisions of section 6 (a) thereof, with respect to the proposed issue by Milwaukee Gas of (a) 750,000 shares of such new \$12 par value common stock pro rata in exchange for 180,000 shares of its \$50 par value common stock now outstanding and of (b) 362,828 additional shares of such \$12 par value common stock to American Light in exchange for all of the outstanding capital stock of Solvay, consisting of 35,000 shares of \$100 par value common stock; Milwaukee Gas having further proposed to purchase from Consolidated, for \$24,000 in cash, certain real estate hereinafter described; Consolidated having proposed to transfer its remaining assets, other than such real estate, to American Light in consideration of the surrender by American Light for cancellation of all of the outstanding common stock of Consolidated, which will then be dissolved; and American Light having proposed to acquire 18 shares of the present common stocks of Milwaukee Gas, Solvay and Consolidated from directors thereof, and from an officer of an affiliated company and to acquire the shares of the new common stock that it will receive from Milwaukee Gas as set forth above:

A public hearing having been held on said amended application-declaration after appropriate notice and the Commission having examined the record and made and filed its findings and opinion herein:

American Light, Milwaukee Gas, Solvay and Consolidated having requested that the commission makes appropriate findings and that its order contain appropriate recitals under the Internal Revenue Code, as amended, to the effect that the transactions hereinafter described are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and otherwise conform to the provisions of sections 373 (a) and 1808 (f) of the Internal Revenue Code, as amended;

It is ordered, That said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the reservation of jurisdiction with respect to the proposed accounting treatment on the books of American Light of its investment in the stock of Solvay and the exchange of such stock for additional common stock of Milwaukee Gas, and subject also to the provisions of Rule U-24;

It is further ordered and recited, In view of the requirements of section 1808 (f) of the Internal Revenue Code, as amended, that each of the following described transactions, proposed in Application No. 21A, as amended, filed in these proceedings, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U. S. C., Title 15, sec. 79k (b));

(1) The issuance of Milwaukee Gas Light Company to American Light of 362,828 shares of common stock, \$12 par value, of Milwaukee Gas in exchange for 35,000 shares of common stock, \$100 par value, of Solvay;

(2) The transfer by American Light to Milwaukee Gas of 35,000 shares of common stock, \$100 par value, of Solvay in exchange for 362,828 shares of common stock, \$12 par value, of Milwaukee Gas; and

(3) The making or delivery by Consolidated of a conveyance, including any deed, instrument, or writing, whereby the following described real estate situated in the Third Ward of the City of Milwaukee, Milwaukee County, Wisconsin, shall be granted, assigned, transferred, or otherwise conveyed to, or vested in Milwaukee Gas in connection with the sale of such real estate by Consolidated to Milwaukee Gas for \$24,000 in cash:

Lot Four (4) in Block Twenty-nine (29) in the town of Milwaukee, on the East Side of the Milwaukee River, in the Northwest fractional quarter of Section Twenty-eight (28), Town Seven (7), North of Range Twenty-two (22) East;

and such transactions are hereby authorized and approved and ordered to be consummated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21244; Filed, Dec. 5, 1946;
8:49 a. m.]

[File No. 70-1262]

MICHIGAN GAS AND ELECTRIC CO. AND THE MIDDLE WEST CORP.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of November A. D. 1946.

At joint application-declaration, and amendments thereto, having been filed pursuant to the Public Utility Holding Company Act of 1935 and the applicable rules thereunder by The Middle West Corporation, a registered holding company, and its subsidiary, Michigan Gas and Electric Company, proposing a recapitalization of Michigan Gas and Electric Company and related transactions, and Halsey, Stuart & Co., Inc., an affiliate of Michigan Gas and Electric Company, having joined such filing; and

Hearings having been held and the Commission having made and filed its findings therein and having issued its order on July 29, 1946 granting and permitting to become effective such application-declaration, as amended, subject,

among other things, to the terms and conditions specified in Rule U-24 of the general rules and regulations under the Public Utility Holding Company Act of 1935; and

The Commission subsequently having, by order dated October 21, 1946, extended to November 30, 1946 the time within which such transactions may be carried out as provided in Rule U-24; and

Applicants-declarants now having requested a further extension of the time, for a period of not less than sixty days from November 30, 1946, within which such transactions may be carried out; and

The Commission having considered such request and deeming it appropriate in the public interest and in the interest of investors and consumers that such request be granted:

It is ordered, That the time within which the transactions, heretofore approved by order of July 29, 1946, may be carried out under Rule U-24 be, and hereby is, extended to and including January 30, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46 21237; Filed, Dec. 5, 1946; 8:47 a. m.]

[File No. 70-1396]

WEST PENN POWER CO. AND OHIO POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of November A. D. 1946.

West Penn Power Company ("West Penn"), a registered holding company and a public utility subsidiary in the American Water Works and Electric Company, Inc., holding company system, and The Ohio Power Company ("Ohio Power"), a public utility subsidiary in the Electric Bond and Share Company holding company system, have filed a joint declaration, with one amendment thereto, pursuant to the Holding Company Act of 1935 and certain rules promulgated thereunder, regarding the following transactions:

West Penn and Ohio Power as the joint owners of the capital stock of Windsor Power House Coal Company ("Windsor Coal") each proposes to make a capital contribution of \$263,500 in cash to Windsor Coal. Windsor Coal, a coal producing company, whose entire output is consumed by a generating station also jointly owned by West Penn and Ohio Power, has outstanding at the present time \$576,000 principal amount of 6% First Mortgage Bonds of Penn American Coal Company, which have been assumed by Windsor Coal. Of these bonds, \$49,000 principal amount become due on January 1, 1947. Windsor Coal proposes to redeem the balance of these bonds (\$527,000 principal amount) on that date, and to apply the cash donations in the aggregate amount of \$527,000 to be received by Windsor Coal from West Penn and Ohio Power to effect this redemption. The amounts of their respective capital contributions are to be added by West Penn and Ohio Power to their respective investments in the capital stock of Windsor Coal.

The Commission finding with respect to this declaration, as amended, that the applicable provisions of the act and rules thereunder are satisfied, and that no adverse findings are necessary, deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration, as amended, be permitted to become effective, and further deeming it appropriate to grant the request of declarants that this order be effective upon issuance:

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21239; Filed, Dec. 5, 1946; 8:47 a. m.]

[File No. 70-1397]

BIRMINGHAM ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of November A. D. 1946.

Birmingham Electric Company ("Birmingham"), an electric utility subsidiary of Electric Bond and Share Company, a registered holding company, having filed an application-declaration and amendments thereto, pursuant to sections 6 (a), 6 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-50 of the rules and regulations promulgated thereunder, with respect to the issuance of 64,000 shares of 4.20% Cumulative Preferred Stock of which 40,000 shares will be offered in exchange for a like number of shares of Birmingham's \$7 and \$6 outstanding preferred stocks; the redemption of those shares of the outstanding preferred stocks unexchanged; the sale at competitive bidding of the unexchanged shares of the new preferred stock; and the issuance and private sale of \$2,500,000 of 10-year, 2% Serial Notes.

Birmingham having requested that the order of the Commission become effective forthwith in order to avoid additional costs incident to any delay in consummating the proposed transaction; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein; and

It appearing to the Commission that it is appropriate that the company's re-

quest that the order become effective forthwith be granted:

It is ordered, That the said application-declaration, as amended, be, and same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions contained in Rule U-24 and subject to the following additional conditions:

(1) That the proposed issuance and sale of the new preferred stock shall not be consummated until the results of competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, jurisdiction being reserved to impose such terms and conditions as may then be appropriate, and to consider the price to be paid the company, the underwriter's spread and the allocation thereof; and

(2) That jurisdiction be reserved with respect to all legal fees incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21240; Filed, Dec. 5, 1946; 8:47 a. m.]

[File No. 70-1406]

INTERSTATE POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of November A. D. 1946.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Interstate Power Company ("Interstate"), a registered holding company, and a subsidiary of Ogden Corporation, a registered holding company. Declarant designates section 12 (d) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 12, 1946, 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 declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

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

Interstate proposes to sell to The Rosebud Electric Association, Inc., Clay-Union Electric Corporation, McCook Electric Association, Inc., Sioux Valley Empire Electric Association, Incorporated, and Turner-Hutchinson Electric Association, Inc., Interstate's electric generating and distributing properties and property rights, located west of Sioux Falls, South Dakota, and known as Interstate's "South Dakota properties", together with certain other assets pertinent thereto, for a base cash price of \$950,000, subject to certain adjustments. In addition, Interstate proposes to sell to the purchasers certain current assets relating to said properties for an amount to be determined upon the consummation of the transactions. It is stated that each of the five purchasers is a rural co-operative organized in the State of South Dakota, and it appears from the filing that the acquisition of said properties by the purchasers will be financed through the Rural Electrification Administration. The physical properties proposed to be sold serve various communities located in the Counties of Minnehaha, McCook, Lake, Hanson, Turner, Clay, Yankton, Gregory, and Tripp, South Dakota. The aforesaid properties are pledged under the indenture securing Interstate's 5% First Mortgage Bonds, due 1956. The proceeds of the sale will be deposited with the trustee for said bonds in consideration of the release of said properties, and will be added to Interstate's working capital as soon as the proceeds can be withdrawn from under the lien in accordance with the terms of the indenture.

The declarant requests that the Commission's order be issued herein on or before December 20, 1946, and become effective forthwith, so that the closing of the transactions can be completed for tax and other reasons before December 31, 1946, the end of the declarant's tax year.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21238; Filed, Dec. 5, 1946;
8:47 a. m.]

DEPARTMENT OF JUSTICE.

Office of Alien Property.

[Vesting Order 7815]

BADISCHE BANK

In re: Trust certificates, receipt and gold note owned by Badische Bank. F-28-1086-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Badische Bank, the last known address of which is Karlsruhe, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended,

has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) Algoma Bondholders Joint Committee trust certificate participating in 5% 1st mortgage of Algoma Central Terminals, Ltd., of £300 face value, bearing number E1398, registered in the name of Sophie Schall, beneficially owned by Badische Bank and presently in the custody of Ladenburg, Thalmann & Company, 25 Broad Street, New York, New York, together with any and all rights thereunder and thereto,

b. One (1) Algoma Bondholders Joint Committee trust certificate participating in 5% 1st mortgage of Algoma Central & Hudson Bay Railway Company, of £2,000 face value, bearing number C2362, registered in the name of Deutsche Bank of Berlin, beneficially owned by Badische Bank and presently in the custody of Ladenburg, Thalmann & Company, 25 Broad Street, New York, New York, together with any and all rights thereunder and thereto,

c. One (1) United States of Mexico Class "A" Receipt for Interest in Arrears, of \$33.75 face value, bearing the number 218988, issued in the name of Bearer and presently in the custody of Ladenburg, Thalmann & Company, 25 Broad Street, New York, New York, together with any and all rights thereunder and thereto, and

d. One (1) National Railways of Mexico 3 year 6% Gold Note, assented, of \$45 face value, bearing the number 24790, issued in the name of Bearer and presently in the custody of Ladenburg, Thalmann & Company, 25 Broad Street, New York, New York, together with any and all rights thereunder and thereto,

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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest, hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian

to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-21213; Filed, Dec. 4, 1946;
8:48 a. m.]

[Vesting Order 7868]

MARY DAMBACH ET AL.

In re: Stock owned by Mary Dambach, also known as Mary Arpten Dambach, and others. F-28-2115-D-4, F-28-23629-D-1, F-28-23630-D-1, F-28-23631-D-1, F-28-23632-D-1, F-28-23633-D-1, F-39-291-D-1, D-66-2263-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the following persons, whose names and last known addresses are set forth opposite their names:

Names and Addresses

Mary Dambach, also known as Mary Arpten Dambach, Bad Durkheim, Pfalz, Germany.

Hertha Buchholz, Stubbenstrasse 48, Schoneberg, Bernhardt-Berlin, Germany.

Frieda Flegel, Kniephofstrasse 36, Berlin-Steglitz, Germany.

Martha Henschel, Cranackstrasse 3, Berlin-Friedenau, Germany.

Willi Hoffmann, Bayreutherstrasse 32, Berlin-Charlottenburg, Germany.

Mary Tyroler, Frobenstrasse 24, Berlin W. 35, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That Theodora P. Cochrane, also known as Dora Cochrane, whose last known address is c/o Paramount Films, Ltd., Osaka Building, Uchisaiwai-Cho, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

3. That the property described as follows:

a. Two hundred seventy-nine (279) shares of \$1.00 par value common capital stock of Paramount Pictures, Inc., 1501 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner and certificate No.:	Number of shares
Mrs. Mary Dambach, C144517	100
Mrs. Mary Dambach, CO149095	66
Mrs. Mary Dambach, CO151661	7
Theodora P. Cochrane, CO16041	76

together with all declared and unpaid dividends thereon, and

b. Twenty-one (21) shares of no par value common capital stock of Paramount Publix Corporation, 1501 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner and certificate No.:	Number of shares
Mrs. Hertha Buchholz, O42131-----	5
Miss Frieda Flegel, 45195-----	5
Miss Martha Henschel, 45197-----	2
Willi Hoffman, 45194-----	5
Mrs. Mary Tyroler, unknown-----	3
Mrs. Mary Tyroler, unknown-----	1

together with all declared and unpaid dividends thereon,

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

And determining that to the extent that such nationals are persons not within designated enemy countries, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries (Germany and Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-21214; Filed, Dec. 4, 1946; 8:48 a. m.]

[Vesting Order 7898]

WILLIAM STARCKE

In re: Stock owned by and debts owing to William Starcke, also known as Wilhelm Starcke and W. Starcke. D-28-6147-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That William Starcke, also known as Wilhelm Starcke and W. Starcke, whose last known address is % Singer Nahmaschinen Aktiengesellschaft, Wittenberge, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Four hundred forty-five (445) shares of \$100 par value common capital stock of The Singer Manufacturing Company, 149 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered 40914 and 40915 for one hundred (100) shares each, 40916 for fifty-five (55) shares, 41739 for one hundred twenty (120) shares and 42538 for seventy (70) shares, registered in the name of Douglas Alexander and presently in the custody of said The Singer Manufacturing Company, together with all declared and unpaid dividends thereon, and

b. Those certain debts or other obligations owing to William Starcke, also known as Wilhelm Starcke and W. Starcke, by The Singer Manufacturing Company, 149 Broadway, New York, New York, in the amounts of \$21,018.07 and \$17,075.76, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

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

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission

by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-21215; Filed, Dec. 4, 1946; 8:48 a. m.]

[Vesting Order 7533]

ELIZABETH POCKELS AND ANNA POCKELS

In re: Bank accounts and stock owned by Elizabeth Pockels and Anna Pockels. F-28-6615-A-1 and F. 28-6615-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elizabeth Pockels and Anna Pockels, whose last known addresses are Am Hahnenberg 31, Heidelberg, Baden, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Elizabeth Pockels and Anna Pockels, by American Trust Company, 464 California Street, San Francisco 20, California, arising out of a savings account, Account Number 2733, entitled American Trust Company Agent for Elizabeth Pockels and Anna Pockels, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Elizabeth Pockels and Anna Pockels, by American Trust Company, 464 California Street, San Francisco 20, California, arising out of an income cash balance custodian account, Account Number A-3471, entitled American Trust Company Agent for Elizabeth Pockels and Anna Pockels, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Elizabeth Pockels and Anna Pockels, by American Trust Company, 464 California Street, San Francisco 20, California, arising out of a capital cash balance custodian account, Account Number A-3471, entitled American Trust Company Agent for Elizabeth Pockels and Anna Pockels, and any and all rights to demand, enforce and collect the same, and

d. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, regis-

tered in the names of the persons set forth in Exhibit A, and beneficially owned by Elizabeth Pockels and Anna Pockels, and presently in the custody of American Trust Company, 464 California Street, San Francisco 20, California, together with all declared and unpaid dividends thereon,

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

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 5, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name and address of issuing corporation	State of incorporation	Description of issue and certificate number	Number of shares	Name and address of registered owner
California Packing Corp., 101 California St., San Francisco, Calif.	New York	No par value common stock. No. SF044182.	15	Mercantile Trust Co. of California, 464 California St., San Francisco 20, Calif.
Do.....	do.....	No par value common stock. No. SF041946.	15	Do.
Do.....	do.....	No par value common stock. No. SF050203.	10	Do.
Do.....	do.....	\$50 par value preferred stock. No. SF104978.	1	Do.
Do.....	do.....	\$50 par value preferred stock. No. SFPO-9762.	1	Do.
Fireman's Fund Insurance Co., 401 California St., San Francisco 20, Calif.	California	\$10 par value capital stock. No. O5204.	30	American Trust Company, 464 California St., San Francisco 20, Calif.
Pacific Gas & Electric Co., 245 Market St., San Francisco 6, Calif.	do.....	\$25 par value 6 percent first preferred stock. No. F123343.	80	Do.
Pacific Lighting Corp., 433 California St., San Francisco 4, Calif.	do.....	No par value common stock. No. B-494.	396	Do.
Do.....	do.....	No par value common stock. No. SFO17811.	44	Do.
Do.....	do.....	No par value \$5 preferred stock. No. SFO2586.	25	Do.

[F. R. Doc. 46-21263; Filed, Dec. 5, 1946; 8:46 a. m.]

[Vesting Order 7736]

GUSTAV OTTO RICHARD HOFMEISTER

In re: Trust certificate of beneficial interest owned by Gustav Otto Richard Hofmeister.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gustav Otto Richard Hofmeister, whose last known address is Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) Trust Certificate of Beneficial Interest of Fidelity Liquidating Trust, Ridgewood, New Jersey, for thirty (30) units, dated July 26, 1935, bearing

the number 3301, formerly held by Closter National Bank and Trust Company, Closter, New Jersey, and presently in the possession of the Alien Property Custodian, together with any and all rights thereunder and thereto, and

b. One (1) Trust Certificate of Beneficial Interest of Fidelity Liquidating Trust, Ridgewood, New Jersey, for twenty (20) units, dated July 26, 1935, bearing the number 3302, formerly held by Closter National Bank and Trust Company, Closter, New Jersey, and presently in the possession of the Alien Property Custodian, together with any and all rights thereunder and thereto,

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;

And determining that to the extent that such national is a person 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-21264; Filed, Dec. 5, 1946; 8:47 a. m.]

[Vesting Order 7737]

ANNA LANGE ET AL.

In re: Stock owned by Anna Lange, Elfrieda Lauer, Charles B. Rickmers and Emil E. Zeitz. F-28-22917-D-1, F-28-1538-D-1, F-28-1507-D-1, and F-28-22918-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Anna Lange, Elfrieda Lauer, Charles B. Rickmers and Emil E. Zeitz, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. One hundred fifty (150) shares of \$1 par value common capital stock of Curtiss-Wright Corporation, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by the certificates listed below, registered in the names of and owned by the persons listed

below in the amounts appearing opposite each name as follows:

Registered owner and certificate No.:	Number of shares
Anna Lange, 170552.....	50
Elfrieda Lauer, 35549.....	6
Elfrieda Lauer, 106723.....	1
Charles B. Rickmers, 59221.....	90
Emil E. Zeitz, 68030.....	3

together with all declared and unpaid dividends thereon, and

b. Twenty-two (22) shares of \$1 par value Class "A" capital stock of Curtiss-Wright Corporation, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner and certificate No.:	Number of shares
Elfrieda Lauer, 8388.....	2
Charles B. Rickmers, 1871.....	20

together with all declared and unpaid dividends thereon.

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

And determining that to the extent that such nationals are persons 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);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 25, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.
[F. R. Doc. 46-21265; Filed, Dec. 5, 1946; 8:47 a. m.]

TREASURY DEPARTMENT.

United States Coast Guard.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, 55 Stat. 244 (46 U. S. C. 367, 375, 391a, 404, 474, 481, 489, 526-526t, 50 U. S. C. 1275) and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) the following approval of equipment is prescribed, effective upon the date of publication in the FEDERAL REGISTER:

BUOYANT CUSHIONS FOR MOTORBOATS

Approval No. A-324, standard kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by Necessities Limited, P. O. Box 2148, Greenville, S. C.

Approval No. B-357, 15' x 48' x 2' rectangular kapok buoyant cushion, Style No. 30, 64 ounces of kapok, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, Dwg. Nos. C-198 and A-135, dated November 1, 1946, manufactured by The American Pad and Textile Co., Greenfield, Ohio.

DISENGAGING APPARATUS

Rottmer Type Releasing Gear, Model No. O. R. 5 (maximum working load of 12,600 pounds per hook, 25,200 pounds per set) (Arrangement and Assembly, Dwg. No. 2086, dated December 16, 1945), submitted by the Imperial Lifeboat and Davit Co., Inc., Athens, N. Y.

LIFEBOAT

28' x 9.8' x 4.12' steel motor-propelled lifeboat, without radio cabin, 60-person

Name of article	Purpose of request	Date received	Name and address of applicant
Test or container boards of a bursting strength above sixty pounds per square inch by the Mullen or the Webb test.	Decrease in duty.	Sept. 18, 1946	Dixie Container Corp., 7th and Hospital Sts., Richmond, Va.

By direction of the Commission,

SIDNEY MORGAN,
Secretary.

[F. R. Doc. 46-21236; Filed, Dec. 5, 1946; 8:46 a. m.]

POST OFFICE DEPARTMENT.

TEMPORARY LIMITATION OF WEIGHT OF FIRST-CLASS MAIL, AND OF WEIGHT AND SIZE OF FOURTH-CLASS MAIL

Whereas the Office of Defense Transportation, under authority of Executive Order 9729 of May 23, 1946 (11 F. R. 5641), has placed an embargo on certain express and freight shipments, and has made written request of the Post Office Department for an embargo of comparable extent on mail matter in order that coal conservation may be effected, and it being found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Congress) is impracticable and contrary to the public interest,

capacity, General arrangement and Construction Dwg. No. 2827, dated September 11, 1946, submitted by the Lane Lifeboat and Davit Corp., Flushing, N. Y.

LIFEBOAT COMPASS

Lifeboat compass No. 34-1000, Assembly Dwg. No. 34-1000, manufactured by Kenyon Instrument Co., Inc., 1345 New York Avenue, Huntington Station, Long Island, N. Y.

RING LIFE BUOYS

Approval No. A-322, standard 20-inch cork ring life buoy, manufactured by Kent Marine Products Corp., 426 Great East Neck Road, West Babylon, N. Y.

Approval No. A-323, standard 24-inch cork ring life buoy, manufactured by Kent Marine Products Corp., 426 Great East Neck Road, West Babylon, N. Y.

Dated: November 29, 1946.

[SEAL] MERLIN O'NEILL,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 46-21246; Filed Dec. 5, 1946; 8:46 a. m.]

UNITED STATES TARIFF COMMISSION.

[List No. D-58]

DIXIE CONTAINER CORP.

PUBLIC NOTICE DENYING AND DISMISSING APPLICATION

DECEMBER 2, 1946.

Application as listed below heretofore filed with the Tariff Commission for investigation under the provisions of section 336 of the Tariff Act of 1930 has been denied and dismissed.

Now, therefore; *It is ordered*, (a) That, effective 12:01 a. m., December 6, 1946, and until further notice, no article of first-class mail, including air mail, weighing in excess of 5 pounds, and no parcel of fourth-class matter exceeding 5 pounds in weight or 18 inches in length or 60 inches in length and girth combined, shall be accepted for mailing: *Provided*, That these limitations shall not apply to the following items or in the following circumstances:

- (1) Live day-old chicks and other poultry poults, as provided in § 6.19, Title 39, CFR.
- (2) Cut flowers, seeds, plants and other nursery stock.
- (3) Eggs, butter, and other perishable food products normally accepted for mailing.
- (4) Serums, medicines, drugs, surgical instruments and dressings, and hospital supplies.
- (5) Shipments of money in the registered mails.
- (6) Local parcels, and all local matter for delivery on local rural and star routes.

(7) Parcels addressed to members of the armed forces and other persons served through army post offices and fleet post offices.

(8) Second-class matter and mats for newspaper and magazine publications.

(9) Films.

(b) During the emergency acceptance of international parcel post packages will be limited to those containing serums, medicines, drugs, surgical instruments and dressings, and hospital supplies. Acceptance of mail for foreign destinations, except medicinal parcels listed above, will be restricted to first-class articles weighing not in excess of 4 pounds 6 ounces, prints, samples, small packets, and commercial papers. However, the domestic restrictions will apply to all mails for Canada, Mexico, and to territories and possessions of the United States.

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

[F. R. Doc. 46-21301; Filed, Dec. 5, 1946;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration (Marketing Agreements and Orders)

MILK IN NEW YORK METROPOLITAN
MARKETING AREA

NOTICE OF PUBLIC MEETING FOR CONSIDERATION OF PROPOSED AMENDMENT TO RULES AND REGULATIONS TO REPLACE TEMPORARY AMENDMENT PREVIOUSLY ISSUED

Pursuant to the provisions of § 927.4 (b) of Order No. 27, as amended, (7 CFR, 1945 Supp., 927.1 et seq.), and as further amended effective October 1, 1946 (11 F. R. 11115), regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) notice is hereby given of a public meeting to be held on December 11, 1946 at 10:00 a. m., e. s. t., at the Commodore Hotel, New York, New York, for consideration of a proposed amendment to the rules and regulations which were issued under said order, as amended, effective on November 1, 1945

(10 F. R. 13095). The proposed amendment is identical with the terms and provisions of the temporary amendment to the said rules and regulations issued effective October 1, 1946 (11 F. R. 11266), and is now proposed to replace the said temporary amendment.

Interested persons will be afforded an opportunity to participate in the meeting through submission of written data, views, or arguments, and to present the same orally.

Copies of the said rules and regulations which became effective on November 1, 1945, and of the said temporary amendment which become effective on October 1, 1945, (which temporary amendment constitutes the proposed amendment to be considered at the meeting), may be procured from the Market Administrator, 205 East 42d Street, New York, New York, or may be there inspected.

Issued this 22d day of November 1946.

[SEAL] C. J. BLANFORD,
Market Administrator, New York
Metropolitan Milk Marketing
Area.

[F. R. Doc. 46-21272; Filed, Dec. 5, 1946;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 396, Special Permit 69]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo.-Kan. November 27, 1946, by C. H. Gonder of car MDT 4231, potatoes, now on the CB&Q to Alexandria, Louisiana (KCS-L&A).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of November, 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-21252; Filed, Dec. 5, 1946;
8:46 a. m.]

[S. O. 396, Special Permit 70]

RECONSIGNMENT OF CABBAGE AT SACRAMENTO, CALIF.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Sacramento, California, November 29, 1946, by S. H. Nelson Company of car ART - 19463, cabbage, now on the Wes. Pacific Railway to Oakland, California.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of November, 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-21253; Filed, Dec. 5, 1946;
8:46 a. m.]