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VOLUME 14 NUMBER 35

Washington, Tuesday, February 22, 1949

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10039

AUTHORIZING THE CIVIL SERVICE COMMISSION TO CONFER A COMPETITIVE STATUS UPON MISS WINIFRED R. DONNELLON

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403; 5 U. S. C. 633), and by section 1753 of the Revised Statutes (5 U. S. C. 631), and pursuant to the recommendation of the Secretary of State, the Civil Service Commission is hereby authorized to confer a competitive status upon Miss Winifred R. Donnellon, an employee of the United States Passport Agency, Department of State, without regard to the competitive provisions of the Civil Service Rules.

Miss Donnellon has been employed by the Department of State for more than twenty-seven years under appointments excepted from civil-service requirements. If Miss Donnellon had remained in the position in the Department of State from which she was transferred in 1945 at the convenience of the Department, she would have become eligible in 1946 to acquire a competitive status under non-competitive procedures of the Civil Service Commission.

HARRY S. TRUMAN

THE WHITE HOUSE,
February 21, 1949.

[F. R. Doc. 49-1435; Filed, Feb. 21, 1949; 12:01 p. m.]

EXECUTIVE ORDER 10040

AMENDMENT OF EXECUTIVE ORDER NO. 9999,[1] SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 2 of the Civil Functions Appropriation Act, 1949 (Public Law 782, 80th Congress), section 103 of the Department of the Navy Appropriation Act, 1949 (Public Law 753, 80th Congress), and section 4 of the Military Functions Appropriation Act, 1949 (Public Law 766, 80th Congress), relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, it is ordered as follows:

The first paragraph of Executive Order No. 9999 of September 14, 1948, which suspends compliance with certain statutory provisions relating to certain kinds of employment in the Canal Zone during the continuance of the present national emergency, is hereby amended, as of September 14, 1948, by changing the period at the end thereof to a colon and adding thereto the following *proviso:*

"*Provided*, that this suspension shall not be construed to affect the provisions of the said sections relating to the amount of compensation that may be received by persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government."

HARRY S. TRUMAN

THE WHITE HOUSE,
February 21, 1949.

[F. R. Doc. 49-1436; Filed, Feb. 21, 1949; 12:01 p. m.]

[1] 13 F. R. 5360; 3 CFR, 1948 Supp.

TITLE 7—AGRICULTURE

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

MILK IN CERTAIN MARKETING AREAS

ORDER, AMENDING ORDERS, AS AMENDED, REGULATING HANDLING

Findings and determinations. The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations previously made in connection with the issuance of the orders and of each of the previously issued amendments thereto regulating the handling of milk in the following marketing areas:

St. Louis, Mo.	Quad Cities.
Greater Boston, Mass.	Louisville, Ky.
Dubuque, Iowa.	Fall River, Mass.
Greater Kansas City.	Sioux City, Iowa.
South Bend-La Porte County, Ind.	Duluth-Superior.
New York Metropolitan.	Philadelphia, Pa.
Toledo, Ohio.	Cincinnati, Ohio.
Fort Wayne, Ind.	Wichita, Kans.
Lowell - Lawrence, Mass.	Suburban Chicago.
Omaha - Council Bluffs.	Clinton, Iowa.
Chicago, Ill.	Dayton - Springfield, Ohio.
New Orleans, La.	Tri-State.
	Minneapolis-St. Paul.
	Columbus, Ohio.
	Cleveland, Ohio.

(Continued on p. 793)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

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

And all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR and Supps. 900.1 et seq.; 13 F. R. 8585), a public hearing was held at Washington, D. C., on July 30, 1947, upon proposed amendments to the tentatively approved marketing agreements, the marketing agreements, as amended, and to the orders, as amended, regulating the handling of milk in certain marketing areas. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The prices calculated to give milk produced for sale in said marketing areas a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk and the minimum prices specified in the orders, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said orders, as amended, and as hereby further amended, regulate the handling of milk in the same manner as and they are applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreements upon which hearings have been held.

(b) *Additional findings.* It is necessary to make effective promptly the present amendment to the said orders, as amended, to reflect current marketing conditions and to protect handlers and market administrators against liability to pay claims which, because of the excessive lapse of time, have become "stale" and to relieve handlers of the necessity of retaining books and records which are no longer necessary in connection with the administration of the several orders, as amended, or for use in litigation. The provisions of this amending order will not affect the rights or obligations of any party subject to any of the orders, as amended, until August 1, 1949, and the changes effected by this order do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing, it is hereby found that good cause exists for not delaying the effective date of this order for 30 days after it is published (Sec. 4 (c), Administrative Procedure Act, Public Law 404, 79th Congress, 60 stat. 237).

(c) *Determinations.* It is hereby determined that handlers in each of the aforesaid marketing areas (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order) handling at least 50 percent of the milk which is marketed within such marketing areas, refused or failed to sign the proposed marketing agreements regulating the handling of milk in the respective marketing areas, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such proposed marketing agreements tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, amending the orders, as amended, is the only practicable means pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in each of the aforesaid marketing areas; and

(3) The issuance of this order amending the orders, as amended, is approved or favored by at least two-thirds of the producers, who during the determined representative period (August 1948) were engaged in the production of milk for sale in each of the aforesaid marketing areas.

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

1. Amend each of the orders specified in this paragraph by incorporating therein, in the manner indicated, the following provisions:

Retention of records. All books and records required under this order to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain, except that all such books and records pertaining to transactions before August 1, 1946, shall be retained until October 1, 1949: *Provided*, That if, within such three-year period or before October 1, 1949, whichever is applicable, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

Part 903—Milk in the St. Louis, Missouri, marketing area as § 903.5 (c).

Part 904—Milk in the Greater Boston, Massachusetts, marketing area as § 904.6 (h).

Part 912—Milk in the Dubuque, Iowa, marketing area as § 912.7 (f).

Part 913—Milk in the Greater Kansas City marketing area as § 913.3 (e).

Part 927—Milk in the New York metropolitan marketing area as § 927.6 (f).

Part 930—Milk in the Toledo, Ohio, marketing area as § 930.3 (d).

Part 932—Milk in the Fort Wayne, Indiana, marketing area as § 932.3 (d).

Part 934—Milk in the Lowell-Lawrence, Massachusetts, marketing area as § 934.7 (g).

Part 935—Milk in the Omaha-Council Bluffs marketing area as § 935.3 (c).

Part 941—Milk in the Chicago, Illinois, marketing area as § 941.3 (c).

Part 942—Milk in the New Orleans, Louisiana, marketing area as § 942.3 (e).

Part 944—Milk in the Quad Cities marketing area as § 944.3 (d).

Part 946—Milk in the Louisville, Kentucky, marketing area as § 946.5 (f).

Part 947—Milk in the Fall River, Massachusetts, marketing area as § 947.3 (c).

Part 948—Milk in the Sioux City, Iowa, marketing area as § 948.3 (c).

Part 954—Milk in the Duluth-Superior marketing area as § 954.3 (c).

Part 961—Milk in the Philadelphia, Pennsylvania, marketing area as § 961.5 (g).

Part 965—Milk in the Cincinnati, Ohio, marketing area as § 965.4 (d).

Part 967—Milk in the South Bend-La Porte, Indiana, marketing area as § 967.3 (d).

Part 968—Milk in the Wichita, Kansas, marketing area as § 968.5 (e).

Part 969—Milk in the Suburban Chicago marketing area as § 969.3 (c).

Part 970—Milk in the Clinton, Iowa, marketing area as § 970.5 (f).

Part 971—Milk in the Dayton-Springfield, Ohio, marketing area as § 971.3 (d).

Part 972—Milk in the Tri-State marketing area as § 972.3 (d).

Part 973—Milk in the Minneapolis-St. Paul marketing area as § 973.3 (e).

Part 974—Milk in the Columbus, Ohio, marketing area as § 974.3 (d).

Part 975—Milk in the Cleveland, Ohio, marketing area as § 975.4 (d).

2. Amend each of the orders specified in this paragraph by adding thereto, in the manner indicated, the following provisions:

Termination of obligation. The provisions of this section shall apply to any obligation under this order for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this order shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of

producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this order, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the two year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

Part 903—Milk in the St. Louis, Missouri, marketing area as § 903.16.

Part 904—Milk in the Greater Boston, Massachusetts, marketing area as § 904.14.

Part 912—Milk in the Dubuque, Iowa, marketing area as § 912.16.

Part 913—Milk in the Greater Kansas City marketing area as § 913.13.

Part 930—Milk in the Toledo, Ohio, marketing area as § 930.16.

Part 932—Milk in the Fort Wayne, Indiana, marketing area as § 932.16.

Part 934—Milk in the Lowell-Lawrence, Massachusetts, marketing area as § 934.15.

Part 935—Milk in the Omaha-Council Bluffs marketing area as § 935.12.

Part 941—Milk in the Chicago, Illinois, marketing area as § 941.15.

Part 942—Milk in the New Orleans, Louisiana, marketing area as § 942.14.

Part 944—Milk in the Quad Cities marketing area as § 944.15.

Part 946—Milk in the Louisville, Kentucky, marketing area as § 946.13.

Part 947—Milk in the Fall River, Massachusetts, marketing area as § 947.15.

Part 948—Milk in the Sioux City, Iowa, marketing area as § 948.11.

Part 954—Milk in the Duluth-Superior marketing area as § 954.15.

Part 961—Milk in the Philadelphia, Pennsylvania, marketing area as § 961.12.

Part 965—Milk in the Cincinnati, Ohio, marketing area as § 965.16.

Part 967—Milk in the South Bend-La-Porte, Indiana; marketing area as § 967.16.

Part 968—Milk in the Wichita, Kansas, marketing area as § 968.14.

Part 969—Milk in the Suburban Chicago marketing area as § 969.14.

Part 970—Milk in the Clinton, Iowa, marketing area as § 970.13.

Part 971—Milk in the Dayton-Springfield, Ohio, marketing area as § 971.15.

Part 972—Milk in the Tri-State marketing area as § 972.15.

Part 973—Milk in the Minneapolis-St. Paul marketing area as § 973.13.

Part 974—Milk in the Columbus, Ohio, marketing area as § 974.14.

Part 975—Milk in the Cleveland, Ohio, marketing area as § 975.17.

3. Amend Part 927—Milk in the New York Metropolitan Marketing Area, as follows:

a. Renumber §§ 927.11, 927.12, and 927.13, respectively, as §§ 927.12, 927.13, and 927.14.

b. Add a new § 927.11 as follows:

§ 927.11 *Termination of obligations.* The provisions of this section shall apply to any obligation under this order for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this order shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this order, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the two year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate two years after the end of the calendar month during which the milk involved in the claim was received (or with respect to storage cream payments pursuant to § 927.9 (g), two years after the end of the calendar month during which such cream is utilized) if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable periods of time, files pursuant to section 8c (15) (A) of the act, a petition claiming such money.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.; sec. 102, Reorg. Plan 1 of 1947; 12 F. R. 4534)

Issued at Washington, D. C., this 18th day of February 1949 to be effective upon publication in the FEDERAL REGISTER.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 49-1431; Filed, Feb. 21, 1949; 11:20 a. m.]

[Grapefruit Reg. 63]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.324 *Grapefruit Regulation 63*—(a) *Findings.* (1) Pursuant to the marketing agreement and order No. 55 (7 CFR, Cum. Supp., 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation of the Administrative Committee established under the said marketing agreement and the said order, and upon other available information, it is hereby found that the limitation of shipments of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is

based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) Grapefruit Regulation 62 (14 F. R. 504) is hereby terminated as of the effective time of this section.

(2) During the period beginning at 12:01 a. m., P. s. t., February 22, 1949, and ending at 12:01 a. m., P. s. t., March 13, 1949, no handler shall ship:

(i) Any grapefruit grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass which grade lower than U. S. No. 3 grade: *Provided*, That the tolerance for grade defects permitted for such U. S. No. 3 grade shall not include serious damage due to dryness or mushy condition; however, not to exceed an additional 15 percent, by count, of the grapefruit in any lot may fail to meet the requirements of such U. S. No. 3 grade relating to freedom from serious damage caused by dryness or mushy condition: *Provided*, That included in the 15 percent there may be not more than 5 percent, by count, of the grapefruit in any lot which show dryness or mushy condition to the extent that more than 40 percent of the pulp is affected.

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3$^{6}/_{16}$ inches in diameter, or (*b*) to any point in Canada, any grapefruit grown, as aforesaid, which are of a size smaller than 3$^{3}/_{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the said revised United States Standards: *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than 3$^{6}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3$^{13}/_{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than 3$^{3}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3$^{10}/_{16}$ inches in diameter and smaller.

(3) As used herein, "handler" and "ship" shall have the same meaning as is given to each such term in said marketing agreement and order; and the terms "U. S. No. 3," "serious damage," and "dryness or mushy condition" shall each have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona), 12 F. R. 1975. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 955.1)

Done at Washington, D. C., this 18th day of February 1949.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-1417; Filed, Feb. 21, 1949; 10:13 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

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

[3d Gen. Revision of Export Regs., Amdt. 44]

PART 374—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

APPLICABILITY AND GENERAL PROVISIONS

Section 374.1 *Applicability and general provisions; individual and other types of validated licenses* is amended by revising paragraph (e) to read as follows:

(e) When an application for an export license, except in the case of an SP (Special) license, is duly approved by the Department of Commerce, an export license is issued on a separate document (Form IT-628) authorizing, subject to provisions of Parts 370 to 399, of this chapter, and of the terms and provisions of such license, the exportation of the quantity of those commodities described therein.

This amendment shall become effective February 7, 1949.

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

Dated: February 16, 1949.

FRANCIS MCINTYRE,
Assistant Director, Office of International Trade.

[F. R. Doc. 49-1366; Filed, Feb. 21, 1949; 8:58 a. m.]

[3d Gen. Revision of Export Regs., Amdt. 18]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive list of commodities* is amended by deleting therefrom the following commodities: [1]

Dept. of Comm. Sched. B No.	*Commodity*
	Animal and fish oils and greases, inedible:
080300	Neat's-foot oil.
080901	Lard oil.
080998	Inedible animal oils, n. e. s. (report oleo oil in 005600).
081900	Fish oils (report medicinal in 811910, 811950, and 811990).
084300	Grease stearin (include lard stearin).
084700	Oleic acid or red oil.
084900	Stearic acid.
085700	Tallow, inedible (report ring grease in 085893).
085698	Pig's-foot grease (formerly 085805).
085898	Other hog grease (formerly 085805).
085898	Beef suet.
085898	Ring grease.
085898	Other inedible animal greases and fats, n. e. s. (report lubricating greases in 504100).
	Oilseeds:
222003	Flaxseed for planting.
222003	Flaxseed, other.
	Vegetable oils and fats, inedible:
223200	Linseed oil.
224801	Fatty acids of vegetable origin.
224805	Vegetable oil foots, except olive oil foots (report olive oil foots in 224913).
224898	Vegetable soap stock (include vegetable tallow if used for soap stock).
224906	Oiticica oil, inedible.
224913	Olive oil, inedible, except sulfured or foots (formerly 224915).
224913	Olive oil, sulfured or foots (formerly 224803).
	Soap and toilet preparations:
	Soap:
871100	Toilet, fancy and medicated (include gift sets of toilet preparations where value of soap exceeds value of other items).
	Laundry and household soap in bars:
871310	White (formerly 871300).
871350	Yellow (formerly 871300).
871390	Other (formerly 871300).
871610	Laundry, chips and flakes, bulk and packaged (formerly 871600) (include Lux, Fab, Chipso, Ivory Flakes, etc.).
871650	Laundry, granulated, powdered, beaded, and sprayed, bulk and packaged, (formerly 871600) (include Ivory Snow, Rinso, etc.).
871690	Industrial soap powders (formerly 871600).
871800	Shaving creams, in bulk only.
871900	Shaving powders, in bulk only.
872450	Nonabrasive types of pastes, powders, and household washing powders (fat content not over 25%) (formerly 872400) (report household washing powders, fat content over 25%, in 871650).
872490	Abrasive types of soaps (fat content above 10%) other than pastes and powders (formerly 872400).
872900	Other soap.

This amendment shall become effective February 7, 1949.

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

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

10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: February 16, 1949.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 49-1365; Filed, Feb. 21, 1949; 8:58 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 555]

ALASKA

WITHDRAWING PUBLIC LAND FOR CLASSIFICATION AND SURVEY, AND PARTIALLY REVOKING PUBLIC LAND ORDER 386 OF JULY 31, 1947

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights including the rights of natives based on occupancy, and the provisions of existing withdrawals, the tract of land described below by metes and bounds is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, for classification and survey.

LAKEVIEW

A tract of land containing approximately 270 acres lying on both sides of the Alaska Highway in the vicinity of Mile Station 1258, more particularly described as follows:

Beginning in the center line of the Alaska Highway at Mile Station 1258, in approximate latitude 62°57'23'' N., longitude 141°39' W., thence by metes and bounds:

N. 68° E., 22 chains;
S. 22° E., 80 chains;
S. 68° W., 48 chains more or less to the east shore of a lake;
Northerly with the meanders of the lake shore, 91 chains more or less;
N. 68° E., 18 chains more or less to the point of beginning.

Public Land Order No. 386 of July 31, 1947, as amended, is hereby revoked as to the tract at Lakeview withdrawn by that order for classification and survey, part of which is included in the above description.

This order shall become effective at 10:00 a. m. on April 12, 1949.

At that time the unreserved, unappropriated, unsurveyed public lands restored by this order, amounting to approximately 180 acres, shall be opened to settlement under the homestead and homesite laws only, and to that form of appropriation only by qualified veterans of World War II for whose service recognition is granted by the act of September 27, 1944, 58 Stat. 747, as amended by the act of May 31, 1947, 61 Stat. 123, and Public Law 596, 80th Congress (43 U. S. C. sec. 279 et seq.) and by other qualified persons entitled to credit for service under the said act. Commencing at 10:00 a. m. on July 11, 1949, any of such lands not settled upon by veterans and other persons entitled to credit for service shall become subject to settlement and other forms of appropriation by the public generally in accordance with the appropriate laws and regulations.

The land is rolling to rough in character. The cover consists mainly of aspen, spruce, and birch, none of which is valuable for commercial use.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1949.

[F. R. Doc. 49-1334; Filed, Feb. 21, 1949; 8:47 a. m.]

[Public Land Order 556]

CALIFORNIA

TRANSFERS OF LANDS FROM PLUMAS NATIONAL FOREST TO LASSEN NATIONAL FOREST, AND FROM LASSEN NATIONAL FOREST TO PLUMAS NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Assistant Secretary of Agriculture, it is ordered as follows:

The following-described lands within the exterior boundaries of the Plumas National Forest are hereby transferred to the Lassen National Forest, effective July 1, 1948:

MOUNT DIABLO MERIDIAN

T. 24 N., R. 5 E.,
Secs. 1, 2, and 3;
Sec. 4, all east of the Lassen National Forest;
Secs. 12 and 13;
Sec. 24, lot 1 and NW¼NW¼.
T. 25 N., R. 5 E.,
Sec. 1;
Secs. 2, 3, and 10, all south and east of the Lassen National Forest;
Secs. 11 to 14 inclusive;
Secs. 15, 16, and 21, all east of the Lassen National Forest;
Secs. 22 to 27 inclusive;
Secs. 28 and 33, all east of the Lassen National Forest;
Secs. 34, 35, and 36.
T. 26 N., R. 5 E.,
Secs. 1, 2, 3, 11, 12, 13, 24, and 36;
Secs. 4, 10, 14, 15, 23, 25, 26, and 35, all east of Lassen National Forest.
T. 27 N., R. 5 E., partly unsurveyed,
Secs. 10, 11, and 12, all south and east of Lassen National Forest;
Secs. 13 and 14;
Secs. 15, 16, 17, 19, and 20, all south and east of Lassen National Forest;
Secs. 21 to 28 inclusive;
Secs. 29, 32, and 33, all north and east of Lassen National Forest;
Secs. 34, 35, and 36.
T. 24 N., R. 6 E.,
Sec. 5, lots 5 to 11, SW¼NE¼, S½NW¼, and W½SW¼;
Secs. 6 and 7;
Sec. 8, W½W½;
Sec. 18.
T. 25 N., R. 6 E.,
Sec. 2, lots 2, 3, and 4, SW¼NE¼, S½NW¼, and SW¼;
Secs. 3 to 9 inclusive;
Sec. 10, N½, SW¼, and NW¼SE¼;
Sec. 11, N½NW¼, and SW¼NW¼;
Sec. 15, N½NW¼, SW¼NW¼, and NW¼SW¼;
Secs. 16 to 20 inclusive;
Sec. 21, W½, N½NE¼, SW¼NE¼, and NW¼SE¼;
Sec. 28, W½;
Secs. 29 to 32 inclusive;
Sec. 33, N½NW¼, SW¼NW¼, and NW¼SW¼.
T. 26 N., R. 6 E.,
Sec. 1, SW¼SW¼;
Sec. 2, lots 2, 3, E½ of 5, lots 6, 9, and 10, NW¼SE¼, S½SE¼, and SW¼;
Secs. 3 to 9 inclusive;
Sec. 10, N½, N½S½, and SW¼SE¼;
Sec. 11, N½NE¼, NW¼, N½SW¼, and SE¼SW¼;
Sec. 12, N½NW¼, and N½SE¼;
Sec. 14, NE¼NW¼;
Sec. 15, SW¼;
Secs. 17 to 23 inclusive;
Sec. 24, SE¼NE¼, and NE¼SE¼;
Secs. 25 to 35 inclusive;
Sec. 36, N½.
T. 27 N., R. 6 E., partly unsurveyed,
Sec. 1, SW¼NW¼, NW¼SW¼, and S½S½;
Sec. 2, lot 4, E½, E½W½, and SW¼SW¼;
Sec. 3, lots 1, 2, and S½SW¼;
Sec. 4, lot 3;
Sec. 5;
Secs. 6 and 7, all south and east of Lassen National Forest;
Sec. 8;
Sec. 9, NE¼NE¼, S½NE¼, and SE¼;
Secs. 10 and 11;
Secs. 12, N½NE¼, NE¼NW¼; SW¼NW¼, and W½SW¼;
Sec. 14, NE¼NE¼, SE¼SE¼, W½E½, NW¼, N½SW¼, and SW¼SW¼;
Sec. 15, E½, E½NW¼, SW¼NW¼, and SW¼;
Secs. 16 to 19 inclusive;
Sec. 20, NW¼NE¼, N½SW¼NE¼, NW¼, S½SE¼, NE¼SE¼, S½NW¼SE¼, NE¼NW¼SE¼, SE¼SW¼, and S½SW¼SW¼;
Sec. 21, NE¼SE¼, S½S½, NW¼SW¼, N½NW¼NW¼, SW¼NW¼NW¼, NW¼NE¼NW¼, and N½NE¼NE¼NW¼;
Sec. 22, E½NE¼, NW¼NE¼, NE¼NW¼, and W½W½;
Sec. 23, NW¼NE¼, and N½NW¼;
Sec. 26, SW¼NW¼, and W½SW¼;
Sec. 27, S½, NW¼, and S½NE¼;
Sec. 28, NE¼, E½NW¼, and NW¼NW¼;
Sec. 29, NE¼NE¼, W½NE¼, NW¼, SW¼SE¼, and SE¼SW¼;
Secs. 30, 31, and 32;
Sec. 33, S½NE¼, SW¼SE¼, SW¼NW¼, W½SW¼, and SE¼SW¼;
Sec. 34, N½;
Sec. 35, W½NW¼, N½SW¼, SE¼SW¼, and SW¼SE¼.
T. 28 N., R. 6 E.,
Sec. 33, W½SW¼, and SE¼SW¼.
T. 26 N., R. 7 E.,
Sec. 4, that part west of the divide between Butt and Humbug Creeks;
Sec. 5;
Sec. 6, E½;
Sec. 7, E½NW¼, and W½SE¼;
Secs. 8 and 9, those parts north of the divide between Mosquito and Hamburg Creeks;
Secs. 18, 19, and 30, those parts west of the divide between Mosquito and Yellow Creeks;
Sec. 31, lots 1, 2, and NE¼NW¼.
T. 27 N., R. 7 E.,
Sec. 3, all fractional, except S½SW¼, and SW¼SE¼;
Sec. 4, NE¼, E½NW¼, NW¼NW¼, and E½SE¼;
Sec. 6, lot 6, SW¼, and NW¼SE¼;
Sec. 7, lot 1, E½NW¼, SW¼, and N½SE¼;
Sec. 9, E½, E½NW¼, SW¼NW¼, and S½NW¼NW¼;
Sec. 10, N½N½, SE¼NE¼, SW¼NW¼, and S½;
Sec. 11, 12, and 13;
Sec. 14, E½;
Sec. 15, N½, SE¼, and N½SW¼;
Sec. 16, NE¼, and N½SE¼;
Sec. 17, S½, and S½N½;

Sec. 18, SE¼NE¼, and E½SE¼;
Sec. 19, NE¼NE¼;
Sec. 20, N½N½;
Sec. 21, NE¼NE¼,and SW¼NW¼;
Sec. 22, S½NE¼;
Sec. 23, NE¼ and S½NW¼;
Sec. 24, NE¼, N½NW¼, and S½;
Sec. 25, N½N½, and SW¼NW¼;
Sec. 30, S½;
Sec. 31, N½, and SE¼;
Sec. 33, that part south and west of the divide between Butt Valley Reservoir and Humbug Creek.

T. 27 N., R. 8 E.,
Sec. 2, lots 4 and 5;
Secs. 17 and 18;
Sec. 19, W½, SE¼, S½NE¼, and NE¼ NE¼;
Sec. 20, NW¼NE¼, NW¼, and NW¼SW¼;
Sec. 30, lot 1, NW¼NE¼, and NE¼NW¼.

T. 27 N., R. 9 E.,
Secs. 5, 6, 8, and 9, those parts north and east of Keddie Mountain Divide.

T. 28 N., R. 11 E.,
Secs. 1, 2, 3, 4, 10, 11, and 12, those parts north of the Diamond Mountain Divide.

T. 28 N., R. 12 E.,
Secs. 4 and 5;
Secs. 6 and 8, those parts north of the Diamond Mountain Divide,
Secs. 9, 10, and 11;
Sec. 12, S½SW¼, and SW¼SE¼;
Sec. 13, NW¼NE¼, N½NW¼, and SW¼ NW¼;
Sec. 14, N½;
Sec. 15, N½;
Secs. 16 and 17, those parts north of the Diamond Mountain Divide.

The following-described lands within the exterior boundaries of the Lassen National Forest are hereby transferred to the Plumas National Forest, effective July 1, 1947;

MOUNT DIABLO MERIDIAN

T. 23 N., R. 5 E.,
Sec. 1;
Sec. 2;
Sec. 3, SE¼NE¼, E½SE¼, and SW¼SE¼;
Sec. 9, lots 3, 9, and SE¼SE¼;
Sec. 10, lots 1, 2, 4, 5, 6, 7, 8, S½NW¼, and N½SW¼;
Secs. 11, 12, 14, and 15, those parts north and west of the North Fork Feather River;
Sec. 16, lots 1, 6, 7, 8, 9, and SE¼SW¼;
Sec. 21, lots 1, 4, 5, 6, and E½W½;
Secs. 22, 27, and 28, those parts north and west of the North Fork Feather River;
Sec. 29, lots 6, 7, and NE¼SE¼;
Sec. 31, E½;
Sec. 32, that part north and west of the North Fork Feather River.

It is not intended by this order to give a national-forest status to any publicly-owned lands which have not hitherto had such a status or to change the status of any publicly-owned lands which have hitherto had national-forest status.

J. A. KRUG,
Secretary of the Interior.

FEBRUARY 8, 1949.

[F. R. Doc. 49-1336; Filed, Feb. 21, 1949; 8:47 a. m.]

[Public Land Order 557]

CALIFORNIA

WITHDRAWING PUBLIC LAND FOR USE OF FOREST SERVICE, DEPARTMENT OF AGRICULTURE, AS AN ADMINISTRATIVE SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described tract of public land in California is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral leasing laws, and reserved for the use of the Forest Service, Department of Agriculture, as a site for a radio relay station, the reservation to be known as the Telegraph Hill Administrative Site:

MOUNT DIABLO MERIDIAN

T. 2 N., R. 15 E.,
Sec. 17, SE¼NE¼NW¼.

The area described contains 10 acres.

The reservation made by this order shall take precedence over but shall not modify the general withdrawal for classification made by Executive Order No. 6910 of November 26, 1934, as amended.

It is intended that the public land described herein shall be restored to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1949.

[F. R. Doc. 49-1337; Filed, Feb. 21, 1949; 8:48 a. m.]

[Public Land Order 558]

ALASKA

REVOKING IN PART PUBLIC LAND ORDER NO. 487 OF JUNE 16, 1948

By virtue of the authority contained in section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 487 of June 16, 1948, withdrawing public lands in Alaska for classification and examination, and in aid of proposed legislation, is hereby revoked so far as it affects the hereinafter described public lands.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on April 13, 1949. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 13, 1949, to July 13, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 24, 1949, to April 12, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 13, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 14, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from June 24, 1949, to July 13, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 14, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 65 and 66, of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the District Land Office, Anchorage, Alaska.

The lands affected by this order are described as follows:

KENAI-KASILOF AREA

SEWARD MERIDIAN

T. 5 N., R. 9 W.,
Sec. 12, E½SE¼;
Sec. 13, lots 1 and 2.

T. 5 N., R. 10 W.,
Sec. 29, SW¼SE¼, N½SE¼, SE¼NE¼;
Sec. 32, lots 3, E½SE¼;
Sec. 33, lots 2, 4, SW¼.

T. 3 N., R. 11 W.,
Sec. 17, NE¼;
Sec. 29, SE¼SW¼, SW¼SE¼, E½SE¼;
Sec. 30, lot 3, SW¼NE¼.

T. 4 N., R. 11 W.,
Sec. 26, W½NW¼.

T. 5 N., R. 11 W.,
Sec. 4, lots 3, 4, 5, and 6;
Sec. 13, SW¼.

The areas described aggregate 1,368.57 acres.

J. A. KRUG,
Secretary of the Interior.

FEBRUARY 9, 1949.

[F. R. Doc. 49-1338; Filed, Feb. 21, 1949; 8:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Ex Parte 73]

PART 142—EXTENSION OF CREDIT TO SHIPPERS

LESS-THAN-CARLOAD TRAFFIC; PAYMENT OF RATES AND CHARGES

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 7th day of February A. D. 1949.

It appearing, that by order dated February 2, 1948, the Commission reopened this proceeding for further hearing as to the credit regulations on less-than-carload traffic.

It further appearing, that the further hearing has been held, and that a full investigation of the matters and things involved has been made, and that the Commission, on the date hereof, has made and filed a report on further hearing,[1] which report, together with the prior reports herein, are hereby referred to and made a part hereof:

It is ordered, That the order entered herein on January 20, 1931, as modified (49 CFR, Part 142), is hereby further modified by adding after § 142.1 the following:

§ 142.1a *Less-than-carload traffic.* Effective March 24, 1949, respondents are hereby authorized to extend credit for 96 hours and 120 hours in respect of charges on less-than-carload traffic in lieu of 48 hours and 96 hours, respectively, under the present rules in this part, computation of time to be made in the same manner as provided in connection with the 48-hour and 96-hour periods. (See § 142.2.)

And it is further ordered, That in all other respects said order of January 20, 1931, as modified, shall remain in full force and effect.

(41 Stat. 479, 44 Stat. 1447, 54 Stat. 902–903; 49 U. S. C. 3 (2))

By the Commission.

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

[F. R. Doc. 49-1352; Filed, Feb. 21, 1949; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF CANNED CARROTS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., 2d Sess., approved June 19, 1948), that the United States Department of Agriculture is considering the issuance, as herein proposed, of a revision of the United States Standards for Grades of Canned Carrots. The aforesaid standards have been in effect since July 1, 1940. The proposed revision is designed to adapt the standards to present-day canning procedures.

All persons who desire to submit data, views or arguments for consideration in connection with the proposed revision should file the same in duplicate with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after the date of publication of this notice in the FEDERAL REGISTER.

The proposed revised standards are as follows:

§ 52.216 *Canned carrots.* "Canned carrots" means canned carrots as defined in § 52.990 *Canned vegetables: identity; label statement of optional ingredients* (21 CFR, Cum. Supp., 52.990; 13 F. R. 6407), issued pursuant to the Federal Food, Drug, and Cosmetic Act.[1]

(a) *Styles of canned carrots.* (1) "Whole" or "whole carrots" means canned carrots consisting of whole carrots that retain the approximate original conformation of the whole carrot.

(2) "Slices" or "sliced carrots" means canned carrots consisting of carrot slices produced by slicing whole carrots transversely to the longitudinal axis.

(3) "Quarters" or "quartered carrots" means canned carrots consisting of quarters of carrots produced by cutting whole carrots longitudinally into four approximately equal units.

(4) "Diced carrots" means canned carrots consisting of diced carrots.

(5) "Julienne," "French Style," or "Shoestring" means canned carrots consisting of strips of carrots.

(6) "Cut" means canned carrots consisting of units which with respect to size or shape do not conform to any of the foregoing styles. Carrots which have been cut longitudinally into two approximately equal units are included in this style.

(7) "Unit" means an individual carrot or portion of carrot in canned carrots.

(b) *Grades of canned carrots.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned carrots that possess a normal flavor and normal odor; possess a good color; are practically free from defects, are tender, are practically uniform in size and shape or fairly uniform in size and shape and score not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned carrots that possess a normal flavor and normal odor; possess a fairly good color; are fairly free from defects; are fairly tender; are fairly uniform in size and shape, or may be irregular in size and shape and score not less than 70 points when scored in accordance with the scoring system outlined in this section.

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

(c) *Recommended fill of container.* The recommended fill of container is not incorporated in the grade of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container of canned carrots be filled as full as practicable without impairment of quality.

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

TABLE NO. I—RECOMMENDED MINIMUM DRAINED WEIGHTS

[In ounces, of carrots]

Container size or designation	Style of canned carrots				
	Whole	Diced	Quarters-cut	Sliced	Julienne
8 oz. tall	5¾	6	6	5¾	5½
No. 1 picnic	7¼	7½	7½	7¼	7
No. 303	10½	11	11	10½	10
No. 2	12½	13½	13½	13	12
No. 2½	18½	19½	19½	19	18¼
No. 10	68	72	72	71	68
16 oz. glass	10½	11	11	10½	10

(e) *Sizes of carrots in whole carrots.* The size of any carrot is determined by measuring the longest diameter through the center transverse to the longitudinal axis of the carrot.

(f) *Sizes of carrot slices in sliced carrots.* The size of any slice in sliced carrots is determined by measuring the shortest diameter of the surfaces of the slice.

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

[1] Filed as part of the original document.

(g) *Ascertaining the grade.* (1) The grade of canned carrots is ascertained by considering, in addition to normal flavor and normal odor and the minimum requirements of the respective grade, the following factors: Color, uniformity of size and shape, absence of defects, and texture. The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

	Points
(i) Color	25
(ii) Uniformity of size and shape	15
(iii) Absence of defects	30
(iv) Texture	30
Total score	100

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

(h) *Ascertaining the rating of each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range for the rating of each factor is inclusive (for example, "12 to 15 points" means 12, 13, 14, or 15 points).

(1) *Color.* (i) Canned carrots that possess a good color may be given a score of 21 to 25 points. "Good color" means that the canned carrots possess an orange-yellow color that is bright and typical of canned carrots.

(ii) If the canned carrots possess a fairly good color, a score of 18 to 20 points may be given. Canned carrots that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the canned carrots possess the typical color of canned carrots and such color may be slightly dull but not off-color.

(iii) Canned carrots that are off-color for any reason or that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 17 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Uniformity of size and shape.* (i) Canned carrots that are practically uniform in size and shape may be given a score of 12 to 15 points. "Practically uniform in size and shape" has the following meanings with respect to the various styles of canned carrots:

(*a*) *Whole carrots.* The size of the individual carrot is not more than 1¾ inches in diameter, measured as aforesaid; the carrots may vary moderately in shape and the diameter of the largest unit is not more than 50 percent greater than the diameter of the second smallest unit.

(*b*) *Quartered carrots.* The carrots from which the quarters have been prepared were of a size not more than 2 inches in diameter, measured as aforesaid, and the weight of the largest quarter is not more than 50 percent greater than the weight of the second smallest quarter.

(*c*) *Sliced carrots.* The individual slice is not more than ⅜ inch in thickness when measured at the thickest portion; the size of each slice is not more than 2 inches in diameter, measured as aforesaid, and the diameter of the largest slice is not more than 50 percent greater than the diameter of the second smallest slice.

(*d*) *Diced carrots.* The units are practically uniform in size and shape with edges measuring approximately ⅜ inch; and the aggregate weight of the units which are smaller than one-half of a cube and of all large or irregular units does not exceed 15 percent of the weight of all units.

(*e*) *Julienne, French style, or shoestring.* The strips of carrots are practically uniform in size and shape, with cross sections measuring not more than 3/16 inch, and the aggregate weight of all strips less than ½ inch in length does not exceed 25 percent of the weight of all the strips.

(*f*) *Cut.* The individual units weigh not less than ¼ ounce and the largest unit is not more than four times the weight of the second smallest unit. When cut longitudinally into two approximately equal units, the carrots from which the units have been prepared were of a size not more than 2 inches in diameter, measured as aforesaid, and the largest unit is not more than 50 percent greater than the weight of the second smallest unit.

(ii) If the canned carrots are fairly uniform in size and shape a score of 8 to 11 points may be given. "Fairly uniform in size and shape" has the following meanings with respect to the various styles of canned carrots:

(*a*) *Whole carrots.* The size of the individual carrot is not more than 2¼ inches in diameter, measured as aforesaid; the carrots may vary considerably in shape, and the diameter of the largest unit is not more than twice the diameter of the second smallest unit.

(*b*) *Quartered carrots.* The carrots from which the quarters have been cut were of a size not more than 2½ inches in diameter, measured as aforesaid, and the weight of the largest quarter is not more than twice the weight of the second smallest quarter.

(*c*) *Sliced carrots.* The individual slice is not more than ⅜ inch in thickness when measured at the thickest portion; the size of each slice is not more than 2½ inches in diameter, measured as aforesaid; and the diameter of the largest slice is not more than twice the diameter of the second smallest slice.

(*d*) *Diced carrots.* The units are fairly uniform in size and shape, with edges measuring approximately ½ inch; and the aggregate weight of all units which are smaller than one-half of a cube and of all large or irregular units does not exceed 25 percent of the weight of all units.

(*e*) *Julienne, French style, or shoestring.* The strips of carrots are fairly uniform in size and shape, with cross sections measuring not more than 3/16 inch and the aggregate weight of all the strips less than ½ inch in length does not exceed 40 percent of the weight of all the strips.

(*f*) *Cut.* The individual units weigh not less than ⅛ ounce and the largest unit is not more than twelve times the weight of the second smallest unit. When cut longitudinally into two approximately equal units, the carrots from which the units have been prepared were of a size not more than 2½ inches in diameter, measured as aforesaid, and the weight of the largest unit is not more than twice the weight of the second smallest unit.

(iii) Canned carrots that fail to meet the requirements of subdivision (ii) of this paragraph may be given a score of 0 to 7 points and shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule).

(3) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from defective units. Defective units are units damaged by mechanical injury, unpeeled units, units blemished by brown or black internal or external discoloration, pathological injury or insect injury and units blemished by other means.

(*a*) "Damaged by mechanical injury" means crushed, broken, or cracked units, units with excessively frayed edges and surfaces, excessively trimmed units, or damaged by other means.

(*b*) "Unpeeled unit" means any unit possessing an unpeeled area greater than the area of a circle ¼ inch in diameter.

(*c*) "Blemished" means any blemish affecting an aggregate area greater than the area of a circle 3/16 inch in diameter or any blemish which seriously affects the appearance or eating quality of the unit.

(ii) Canned carrots that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" has the following meanings with respect to the various styles of canned carrots:

(*a*) *Whole carrots.* The aggregate weight of all defective units does not exceed 15 percent of the weight of all the units, and of such 15 percent not more than one-half thereof or one carrot, whichever weighs more, may consist of blemish units.

(*b*) *Sliced, quartered, and cut carrots.* The aggregate weight of all defective units does not exceed 15 percent of the weight of all the units, and of such 15 percent not more than one-half thereof or one slice, quarter or cut, whichever weighs more, may consist of blemished units.

(*c*) *Diced, Julienne, French style, or shoestring carrots.* The aggregate weight of all defective units does not exceed 10 percent of the weight of all the units, and of such 10 percent not more than one-half thereof may consist of blemished units.

(iii) Canned carrots that are fairly free from defects may be given a score of 22 to 25 points. Canned carrots that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" has the following meanings with respect to the various styles of canned carrots:

(*a*) *Whole carrots.* The aggregate weight of all defective units does not exceed 25 percent of the weight of all the units, and of such 25 percent, not more

than one-half may consist of blemished units.

(b) *Sliced, quartered, and cut carrots.* The aggregate weight of all defective units does not exceed 25 percent of the weight of all the units, and of such 25 percent not more than one-half thereof may consist of blemished units.

(c) *Diced, Julienne, French style or shoestring carrots.* The aggregate weight of all defective units does not exceed 20 percent of the weight of all the units, and of such 20 percent not more than one-half thereof may consist of blemished units.

(iv) Canned carrots that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 21 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(4) *Texture.* (i) The factor of texture refers to the tenderness of the carrots, and the degree of freedom from stringy or coarse fibers.

(ii) Canned carrots that possess a tender texture may be given a score of 26 to 30 points. "Tender texture" means that the carrots are tender, not fibrous, and possess a uniform character.

(iii) If the canned carrots possess a fairly tender texture, a score of 22 to 25 points may be given. Canned carrots that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly tender texture" means that the carrots are fairly tender, may be variable in character but not tough or hard, and may possess a few stringy or coarse fibers.

(iv) Canned carrots that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 21 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(i) *Tolerance for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned carrots, the grade for such lot will be determined by averaging the total score for all containers, if:

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

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

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

(j) *Score sheet for canned carrots.* The following score sheet may be used to summarize the factors determining the various grades:

Number, size, kind of container		
Container marks or identification		
Label		
Net weight (in ounces)		
Vacuum (in inches)		
Drained weight (in ounces)		
Style		
Size of whole carrots (count)		
Size of sliced carrots (diameter)		
Factors	**Score points**	
I. Color	25	(A) 21–25 (C) [1] 18–20 (D) [1] 0–17
II. Uniformity of size and shape	15	(A) 12–15 (C) 8–11 (D) [1] 0– 7
III. Absence of defects	30	(A) 26–30 (C) [1] 22–25 (D) [1] 0–21
IV. Texture	30	(A) 26–30 (C) [1] 22–25 (D) [1] 0–21
Total score	100	
Normal flavor and odor		
Grade		

[1] Indicates limiting rule within classification.

Issued at Washington, D. C., this 17th day of February 1949.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 49–1384; Filed, Feb. 21, 1949; 9:01 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LAND FOR CLASSIFICATION AND SURVEY, AND PARTIALLY REVOKING PUBLIC LAND ORDER 386 OF JULY 31, 1947 [1]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

FEBRUARY 8, 1949.

[F. R. Doc. 49–1335; Filed, Feb. 21, 1949; 8:47 a. m.]

[1] See F. R. Doc. 49–1334, Title 43, Chapter I; Appendix, *supra*.

[Misc. 1893891]

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM BOISE PROJECT

FEBRUARY 7, 1949.

An order of the Bureau of Reclamation dated May 13, 1948, concurred in by the Director, Bureau of Land Management, June 15, 1948, revoked the Departmental Orders of December 11, 1941, and February 11, 1942, so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described lands in connection with the Boise Project, Idaho, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands descibed:

BOISE MERIDIAN

T. 1 N., R. 10 E.,
Sec. 5, lots 1, 2, S½NE¼, NE¼SE¼;
Sec. 8, NE¼SE¼;
Sec. 17, NE¼NE¼.
T. 2 N., R. 10 E.,
Sec. 29, S½NE¼, SE¼NW¼;
Sec. 31, lots 8, 9, 16;
Sec. 32, lots 4, 5, 6.

The above areas aggregate 596.38 acres.

The lands are mountainous in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 11, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 11, 1949, to July 11, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land

laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 22, 1949, to April 10, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 11, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 12, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 22, 1949, to July 11, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 12, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49–1339; Filed, Feb. 21, 1949; 8:48 a. m.]

[Misc. 1267891]

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LAND RESTORED FROM GOODING PROJECT

FEBRUARY 7, 1949.

An order of the Bureau of Reclamation dated November 5, 1947, concurred in by the Director, Bureau of Land Management, January 19, 1948, revoked the Departmental Orders of October 22, 1925, and July 23, 1927, so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described land in connection with the Gooding Project, Idaho, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the land described:

BOISE MERIDIAN

T. 5 S., R. 14 E.,
Sec. 10, SW¼NE¼

The above area contains 40 acres.

The land is rolling in character.

No applications for this land may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land law unless the land has already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 11, 1949, the lands shall, subject to valid exisiting rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 11, 1949, to July 11, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 22, 1949, to April 10, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 11, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 12, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 22, 1949, to July 11, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 12, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to Manager, Land and Survey Office, Boise, Idaho.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49–1340; Filed, Feb. 21, 1949; 8:48 a. m.]

[Misc. 35710]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM COLORADO-BIG THOMPSON PROJECT

FEBRUARY 8, 1949.

An order of the Bureau of Reclamation dated July 2, 1948, concurred in by the Director, Bureau of Land Management, August 6, 1948, revoked the Departmental Order of March 7, 1935, so far as it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described land in connection with the Colorado-Big Thompson Project, Colorado, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 2 N., R. 76 W.,
Sec. 22, S½NE¼, N½SE¼.

The above areas aggregate 160 acres.

The lands are rolling to mountainous in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m., on April 12, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 12, 1949, to July 12, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 23, 1949, to April 11, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 12, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 13, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 23, 1949, to July 12, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 13, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.3 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

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

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49-1341; Filed, Feb. 21, 1949; 8:48 a. m.]

[Misc. 2087156]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM BLUE-SOUTH PLATTE PROJECT

FEBRUARY 8, 1949.

An order of the Bureau of Reclamation dated March 4, 1948, concurred in by the Assistant Director, Bureau of Land Management, on March 23, 1948, revoked the Departmental Order of March 15, 1946, so far as it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902, (32 State. 388), the following-described lands in connection with the Blue-South Platte Project, Colorado, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 1 N., R. 79 W.,
Sec. 16;
Sec. 17, NE¼.

The above areas aggregate 800 acres.

The lands are hilly in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 12, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 12, 1949, to July 12, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 23, 1949, to April 11, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 12, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m., on July 13, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 23, 1949, to July 12, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 13, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

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

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49-1342; Filed, Feb. 21, 1949; 8:48 a. m.]

[Misc. 1877488]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM HASSAYAMPA PROJECT

FEBRUARY 8, 1949.

An order of the Bureau of Reclamation dated July 22, 1948, concurred in

by the Acting Director, Bureau of Land Management, on October 22, 1948, revoked Departmental Orders of July 25, 1941, September 14, 1945, and July 3, 1946, so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described land in connection with the Hassayampa Project, Arizona, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

GILA AND SALT RIVER MERIDIAN

T. 4 N., R. 3 W.,
Sec. 3, SE¼NW¼, NW¼SE¼, SE¼SE¼;
Sec. 7, E½;
Sec. 8, S½N½NE¼, S½NW¼NW¼NE¼, SW¼NE¼NW¼NE¼, S½;
Sec. 10, N½NE¼NE¼;
Sec. 11, W½NW¼NE¼, SW¼NE¼, NW¼SE¼, SE¼SE¼;
Sec. 17, S½.
T. 5 N., R. 3 W.,
Sec. 27, SW¼NW¼.
T. 10 N., R. 3 W.
Sec. 23, lots 5, 6, 7, 9, 10, 11;
Sec. 25, lots 3, 4, S½NW¼, SW¼;
Sec. 26, lots 1, 2, S½NE¼, SE¼.
T. 4 N., R. 4 W.,
Sec. 12, S½;
Sec. 13, N½, SE¼;
Sec. 14, N½, SW¼.
T. 5 N., R. 4 W.,
Secs. 27 and 31.

The above areas aggregate 4,888.44 acres.

The lands in T. 10 N., R. 3 W., are mountainous in character and the remaining lands are level to gently rolling.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 12, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 12, 1949, to July 12, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II or whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 23, 1949, to April 11, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 12, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m., on July 13, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 23, 1949, to July 12, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 13, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

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

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49-1343; Filed, Feb. 21, 1949; 8:49 a. m.]

[Misc. 2092920]

MONTANA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM MISSOURI BASIN PROJECT

FEBRUARY 8, 1949.

An order of the Bureau of Reclamation dated August 4, 1948, concurred in by the Acting Director, Bureau of Land Management, October 19, 1948, revoked the Departmental Order of March 15, 1946, so far as it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described lands in connection with the Missouri Basin Project, Montana, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

PRINCIPAL MERIDIAN

T. 30 N., R. 1 E.,
Sec. 8, E½NE¼;
Sec. 12, S½SW¼;
Sec. 15, S½S½;
Sec. 17, S½N½, SE¼;
Sec. 25, SE¼NE¼, NE¼SE¼, S½SE¼.
T. 30 N., R. 2 E.,
Sec. 24, SE¼SE¼;
Sec. 25, W½W½;
Sec. 26, NE¼NE¼, S½NE¼, E½SW¼, SE¼;
Sec. 29, NW¼NE¼.
T. 30 N., R. 3 E.,
Sec. 26, SE¼SW¼;
Sec. 27, SE¼SW¼.
T. 31 N., R. 3 E.,
Sec. 15, SW¼SE¼;
Sec. 22, SE¼NE¼.
T. 30 N., R. 4 E.,
Sec. 2, lot 3, SE¼NW¼, S½NE¼, SE¼;
Sec. 13, NW¼NE¼;
Sec. 18, NE¼SE¼.
T. 31 N., R. 4 E.,
Sec. 29, E½NE¼, NE¼SE¼;
Sec. 34, NE¼SW¼;
Sec. 35, NE¼NW¼, NW¼SW¼.

The above areas aggregate 2,199.98 acres.

The lands are rolling to mountainous in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 12, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 12, 1949, to July 12, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 23, 1949, to April 11, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 12, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.*

Commencing at 10:00 a. m. on July 13, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 23, 1949, to July 12, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 13, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Great Falls, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Great Falls, Montana.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49-1344; Filed, Feb. 21, 1949; 8:49 a. m.]

[Misc. 844398]

WYOMING

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS RESTORED FROM THE SHOSHONE PROJECT

FEBRUARY 8, 1949.

An order of the Bureau of Reclamation dated July 13, 1948, concurred in by the Director, Bureau of Land Management, August 17, 1948, revoked the Departmental Order of May 2, 1919, so far as it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described lands in connection with the Shoshone Project, Wyoming, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 52 N., R. 95 W.,
Tract 53, lots I, J, O and P.

The above areas aggregate 155.92 acres.

The lands are rolling to mountainous in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 12, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 12, 1949, to July 12, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 23, 1949, to April 11, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 12, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 13, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 23, 1949, to July 12, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 13, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Buffalo, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

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

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49-1345; Filed, Feb. 21, 1949; 8:50 a. m.]

[Misc. 1597968]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM COLORADO-BIG THOMPSON PROJECT

FEBRUARY 9, 1949.

An order of the Bureau of Reclamation dated March 15, 1948, concurred in by the Director, Bureau of Land Management, June 15, 1948, revoked Departmental Orders of March 7, 1935, July 24, 1937, and August 20, 1937, so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following-described land in connection with the Colorado-Big Thompson Project, Colorado, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 1 S., R. 75 W.,
Sec. 10, NW¼NW¼SE¼, W½NE¼NW¼SE¼, N½SW¼NW¼SE¼, NW¼SE¼NW¼SE¼;
Sec. 15, E½SE¼;
Sec. 32, W½NW¼.
T. 1 S., R. 76 W.,
Sec. 8, N½SW¼, W½SE¼;
Sec. 16;
Sec. 17, SW¼;
Sec. 18, SE¼SW¼;
Sec. 20, N½NW¼, SW¼NW¼, NW¼SE¼;
Sec. 21, NW¼SW¼;
Sec. 31, lot 4, SE¼SW¼, NE¼SW¼, W½SE¼.
T. 1 S., R. 77 W.,
Sec. 1, lots 3, 4 and 7;
Sec. 12, SE¼SE¼;
Sec. 24, SE¼SE¼;
Sec. 35, E½SE¼;
Sec. 36.
T. 1 N., R. 76 W.,
Sec. 1, lots 1 to 4, incl., S½NE¼, SE¼, SW¼NW¼;
Sec. 2, lots 1 to 4, incl., S½N½, S½SW¼;
Sec. 4, lots 1 to 4, incl., SW¼NE¼;
Sec. 5, N½SE¼, SE¼SE¼;
Sec. 7, lot 4, NW¼NE¼, SE¼NE¼, SE¼SW¼, SW¼SE¼;
Sec. 8, NE¼, W½NW¼, N½SE¼, SE¼SE¼;
Sec. 9, S½NE¼, W½NW¼, W½SW¼, SE¼SW¼, SE¼;
Sec. 10, NE¼NE¼, W½NW¼, SW¼;

Sec. 11, S½NE¼, NW¼, NE¼SW¼, N½SE¼;
Secs. 12, 13, 14;
Sec. 15, NE¼, SW¼SW¼, E½SE¼;
Sec. 17, E½NE¼, E½SW¼, SE¼;
Sec. 18, lots 1, 2, NW¼NE¼, NE¼NW¼, NE¼SE¼;
Sec. 20, NE¼NW¼;
Sec. 22, E½NE¼, W½NW¼;
Sec. 23, N½, SE¼;
Sec. 24, N½, SE¼;
Sec. 25;
Sec. 27, NE¼;
Sec. 31, lots 2, 3, 4, SE¼SW¼;
Sec. 33, NE¼NE¼;
Sec. 35, SW¼NW¼, NW¼SW¼.

T. 2 N., R. 76 W.,
Sec. 6, S½NE¼, SE¼;
Sec. 10, W½;
Sec. 15, N½SW¼, NW¼;
Sec. 17, S½SW¼, S½SE¼;
Sec. 18, lots 3, 4, E½SW¼, NE¼SE¼, S½SE¼;
Sec. 19, NE¼;
Sec. 20, NE¼NE¼, W½NE¼, NW¼;
Sec. 23, SW¼NE¼, S½NW¼, N½SW¼, SE¼SW¼, SE¼;
Sec. 25, W½SW¼, SW¼SE¼;
Sec. 26, E½SE¼.

T. 3 N., R. 76 W.,
Sec. 19, NE¼;
Sec. 20, W½NW¼, W½SW¼;
Sec. 21, SW¼NE¼, NE¼SE¼;
Sec. 22, NE¼, NW¼SE¼;
Sec. 28, SW¼SW¼;
Sec. 29, W½NW¼, N½SW¼, SE¼SW¼, S½SE¼;
Sec. 31, W½NE¼, E½NW¼, E½SW¼, SE¼;
Sec. 32, E½NE¼, SW¼SW¼;
Sec. 33, NW¼NW¼, S½NW¼, N½SW¼.

T. 2 N., R. 77 W.,
Sec. 3, lots 3, 4, S½NW¼, SW¼;
Sec. 4, lots 3, 4, S½NW¼, SW¼;
Secs. 5, 6, 7, 8;
Sec. 9, S½NE¼, W½, SE¼;
Sec. 10, SW¼NE¼, W½, W½SE¼;
Sec. 11, SE¼SW¼, E½SE¼;
Sec. 13, NW¼NW¼, W½SW¼;
Sec. 14, E½NW¼, SW¼NW¼, S½;
Sec. 15, NW¼NE¼, W½;
Secs. 17, 18;
Sec. 19, lots 1 to 4, incl., N½NE¼, SW¼NE¼, E½W½, NW¼SE¼;
Sec. 20, N½, N½SW¼, SE¼SW¼, N½SE¼;
Sec. 21, N½, N½SW¼, N½SE¼;
Sec. 22, NW¼;
Sec. 23, NE¼, NE¼NW¼, N½SE¼, SE¼SE¼;
Sec. 24, W½NW¼;
Sec. 26, NW¼NW¼, SW¼SW¼;
Sec. 27, N½NE¼, E½SE¼;
Sec. 28, SE¼SW¼, S½SE¼;
Sec. 29, NE¼NW¼;
Sec. 30, lots 1, 2, 3, S½NE¼, SE¼NW¼, NE¼SW¼, SE¼SW¼, SE¼;
Sec. 32, SE¼NE¼, S½SE¼, NE¼SE¼;
Sec. 33, NE¼, W½, N½SE¼;
Sec. 34, E½NE¼, E½SE¼.

T. 3 N., R. 77 W.,
Sec. 19, NE¼;
Sec. 20, NE¼NE¼, W½NE¼, NW¼;
Sec. 23, SW½NE¼, S½NW¼, N½SW¼, SE¼SW¼, SE¼;
Sec. 25, W½SW¼, SW¼SE¼;
Sec. 26, E½SE¼.

The above areas aggregate 25,549.11 acres.

The lands are rolling to mountainous in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

At 10:00 a. m. on April 13, 1949, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 13, 1949, to July 13, 1949, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 24, 1949, to April 12, 1949, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 13, 1949, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 14, 1949, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 24, 1949, to July 13, 1949, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 14, 1949, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

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

MARION CLAWSON,
Director.

[F. R. Doc. 49–1346; Filed, Feb. 21, 1949; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3187]

WISCONSIN CENTRAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Wisconsin Central Airlines, Inc., over route No. 86.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on February 23, 1949, at 10:00 a. m. (e. s. t.), in Room 2065, Temporary Building No. 4, south of Constitution Avenue between Sixteenth and Seventeenth Streets NW., Washington, D. C., before Examiner Lawrence J. Kosters.

Dated at Washington, D. C., February 16, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49–1351; Filed, Feb. 21, 1949; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

CLASS B FM BROADCAST STATIONS

ORDER AMENDING REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of Revised Tentative Allocation plan for Class B FM Broadcast Stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of February 1949;

The Commission having under consideration an amendment of its Revised Tentative Allocation plan for Class B FM Broadcast Stations, to the extent that Channel 291 will be allocated to Alexander City, Alabama, for the purpose of making possible the grant of an application now pending for that city; and

It appearing, that there is now pending before the Commission an application for a Class B FM station at Alexander City, Alabama, by Piedmont Service Corporation (File No. BPH–148); that there are no other applications pending for Class B FM facilities at Alexander City, Alabama; that no Class B FM channel has been allocated to Alexander City, Alabama; that Channel 291, which is presently unallocated in this

area, could be allocated to Alexander City, Alabama; that the operation of a station on Channel 291 at Alexander City, Alabama would not cause interference to any station, existing, proposed or contemplated by present allocations; that in addition to Channel 291 there is at least one other channel which is presently unallocated in this area and which could be allocated to Alexander City, Alabama; that the adoption of the proposed amendment will increase the number of channels allocated to Alexander City, Alabama, will not reduce the number of channels allocated to any other city, and will not require a change in the channel assignment of any existing FM authorization; and that no existing requirements of the Commission will be affected by said amendment; and

It further appearing, that the nature of the proposed amendment is such as to render unnecessary the public notice and procedure set forth in section 4 (a) of the Administrative Procedure Act; and that for the same reasons this order may be made effective immediately in lieu of the requirements of section 4 (c) of said act; and

It further appearing, that authority for the adoption of said amendment is contained in sections 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended;

It is ordered, That, effective immediately, the Revised Tentative Allocation plan for Class B FM Broadcast Stations is amended so that the allocation of Channel No. 291 to Alexander City, Alabama is included therein.

Released: February 15, 1949.

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

[F. R. Doc. 49-1354; Filed, Feb. 21, 1949; 8:51 a. m.]

[Docket No. 8161]

FREQUENCY BROADCASTING SYSTEM, INC.

ORDER CONTINUING HEARING

In re application of Frequency Broadcasting System, Inc., Shreveport, Louisiana, Docket No. 8161, File No. BP-5277; for construction permit.

The Commission having under consideration a petition filed February 9, 1949, by Frequency Broadcasting System, Inc., Shreveport, Louisiana, requesting a continuance in the hearing presently scheduled for February 17, 1949, upon its above-entitled application for construction permit;

It is ordered, This 11th day of February, 1949, that the petition be granted; and that the hearing upon the above-entitled application be continued to 10:00 a. m., Thursday, March 10, 1949, at Washington, D. C.

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

[F. R. Doc. 49-1355; Filed, Feb. 21, 1949; 8:51 a. m.]

[Docket No. 8855]

SHELBY BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Shelby Broadcasting Company, a partnership consisting of O. L. Parker and A. C. Childs, Center, Texas, Docket No. 8855, File No. BP-6572; for construction permits.

The Commission having scheduled a further hearing upon the above-entitled application for February 10, 1949, at Washington, D. C.; and

It appearing, that the public interest, convenience and necessity would be served by continuing the said hearing;

It is ordered, This 8th day of February 1949, on the Commission's own motion, that the hearing upon the above-entitled application be continued to 10:00 a. m., Monday, April 11, 1949, at Washington, D. C.

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

[F. R. Doc. 49-1356; Filed, Feb. 21, 1949; 8:51 a. m.]

[Docket No. 8686]

NORTHWEST PUBLIC SERVICES

ORDER CONTINUING HEARING

In re application of Roscoe Arthur Day, Jr., Henry H. Alderman, Frederick C. Arpke, a partnership, d/b as Northwest Public Services, Kelso, Washington, Docket No. 8686, File No. BP-6026; for construction permit.

The Commission having under consideration a petition filed February 4, 1949, by Northwest Public Services, Kelso, Washington, requesting a continuance in the further hearing presently scheduled for February 10, 1949, at Washington, D. C., upon its above-entitled application for construction permit;

It is ordered, This 8th day of February, 1949, that the petition be granted; and that the hearing upon the above-entitled application be continued to 10:00 a. m., Thursday, March 10, 1949, at Washington, D. C.

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

[F. R. Doc. 49-1357; Filed, Feb. 21, 1949; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT CO.

NOTICE OF OPINION AND ORDER

FEBRUARY 16, 1949.

Notice is hereby given that, on February 15, 1949, the Federal Power Commission issued its Opinion 174 and order entered February 10, 1949, directing accounting entries and disposition of amounts in adjustment accounts in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-1361; Filed, Feb. 21, 1949; 8:52 a. m.]

[Docket No. G-1083]

CITY OF INDIANAPOLIS

ORDER FIXING DATE OF HEARING

FEBRUARY 15, 1949.

In the matter of City of Indianapolis by and through its Board of Directors for Utilities of its Department of Public Utilities, a municipal corporation of the State of Indiana, successor trustee of a public charitable trust, doing business as Citizens Gas & Coke Utility, Docket No. G-1083.

On July 14, 1948, the City of Indianapolis by and through its Board of Directors for Utilities of its Department of Public Utilities, a municipal corporation of the State of Indiana, successor trustee of a public charitable trust, doing business as Citizens Gas & Coke Utility ("City"), filed with the Federal Power Commission an application under section 7 (a) of the Natural Gas Act for an order of the Commission directing either Panhandle Eastern Pipe Line Company or Texas Eastern Transmission Corporation, to permit City to establish physical connection with its transportation facilities and to require one or more among Panhandle Eastern Pipe Line Company ("Panhandle"), Texas Eastern Transmission Corporation (Texas Eastern), Texas Gas Transmission Corporation (Texas Gas), and Tennessee Gas Transmission Company (Tennessee), to deliver or sell to City or to others for the account of City an adequate supply of natural gas.

In its application City specifically requests the Commission to:

(a) Determine what proper interchange of natural gas can be made so as to make available to City not less than 10,000 MCF beginning not later than November, 1948, from either Texas Eastern Transmission Corporation or Panhandle Eastern Pipeline (sic) Company.

(b) Issue an order directing either Panhandle Eastern Pipeline (sic) Company or Texas Eastern Transmission Corporation to establish physical connection of its transportation facilities with the facilities of and sell or deliver natural gas to City or for its account.

(c) Grant to City such other relief as may seem equitable and proper in the premises.

Copies of the application were served on Pandhandle, Texas Eastern, Texas Gas, and Tennessee, on July 16, 1948, and the several answers thereto were filed by Panhandle, August 4, 1948; by Texas Eastern, July 26, 1948; by Texas Gas, August 16, 1948; and by Tennessee, August 11, 1948.

Due notice of the filing of the application has been given including publication in the FEDERAL REGISTER on August 3, 1948 (13 F. R. 4451).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on March 7, 1949, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington,

D. C., concerning the matters involved and the issues presented by the application and the several answers thereto.

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

Date of issuance: February 16, 1949.

By the Commission.

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

[F. R. Doc. 49-1363; Filed, Feb. 21, 1949; 8:53 a. m.]

[Docket No. G-1159]

UNITED NATURAL GAS CO.

ORDER POSTPONING HEARING

Counsel for United Natural Gas Company and Commission's staff counsel have requested that the hearing in this matter, heretofore set for March 1, 1949, be postponed as hereinafter provided.

The Commission orders:

The hearing in this matter now set to commence on March 1, 1949, be and the same is hereby postponed to commence at 10:00 a. m. (e. s. t.) on April 4, 1949, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: February 15, 1949.

By the Commission.

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

[F. R. Doc. 49-1359; Filed, Feb. 21, 1949; 8:52 a. m.]

[Docket No. E-6180]

DUKE POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF BONDS

FEBRUARY 16, 1949.

Notice is hereby given that, on February 15, 1949, the Federal Power Commission issued its order entered February 15, 1949, supplementing order dated February 1, 1949 (published in the FEDERAL REGISTER on February 8, 1949, Vol. 14, No. 25, p. 549), authorizing issuance of bonds in the above-designated matter.

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

[F. R. Doc. 49-1360; Filed, Feb. 21, 1949; 8:52 a. m.]

[Docket No. E-6194]

ARIZONA EDISON CO., INC.

ORDER TO SHOW CAUSE

FEBRUARY 15, 1949.

On March 11, 1948, the Commission issued an order in the proceeding entitled In the Matter of California Electric Power Company, Docket No. IT-6096, authorizing and approving the sale by that company of substantially all of its electric facilities in Yuma County, Arizona, to Arizona Edison Company, Inc., ("Arizona Edison").

The Commission, in the above-mentioned order, determined that the proposed sale of facilities, which included facilities for the transmission of electric energy subject to the jurisdiction of this Commission, would be in the public interest by reason of the terms and conditions contained in the application and the letter submitted by Arizona Edison on March 10, 1948.

Arizona Edison in its letter dated March 10, 1948, agreed that if as a result of a subsequent separate and lawful proceeding it is established that Arizona Edison is subject to the jurisdiction of the Commission, approval of the sale would be without prejudice to the Commission to require such accounting for the purchase as the Commission might have lawfully required at the time of the approval of such sale. Arizona Edison also advised in its letter that it would restrict an amount of $500,000 of its earned surplus account against any declaration of dividends for a period of two years from the date of consummation of the transaction. The sale was consummated on April 1, 1948.

Members of the Commission's staff have recently completed a field study and examination of the electric facilities and operations of Arizona Edison and have submitted a report to the Commission entitle "Field Study of the Facilities and Energy Flow on the Arizona Edison Company, Inc., and Connecting Systems," which report is herewith served on Arizona Edison.

From the staff's report, it appears that Arizona Edison owns and operates facilities in its Gila Bend, Maricopa, Coolidge-Florence, and Yuma Systems for the transmission of electric energy which is generated in the States of California and Nevada and consumed at points outside the State in which it is generated, including facilities which are in addition to, and do not include facilities for the generation of electric energy, facilities used in local distribution, or only for the transmission of electric energy in intrastate commerce, or facilities for the transmission of electric energy consumed wholly by the transmitter. Arizona Edison may, therefore, be a public utility within the meaning of that term as used in the Federal Power Act.

The Commission orders:

(A) Arizona Edison shall show cause, if any there be, under oath:

(i) Why the Commission should not find and determine that it is a public utility within the meaning of that term as used in the Federal Power Act;

(ii) In the event that Arizona Edison is found to be a public utility within the meaning of that term as used in the Federal Power Act, why the Commission should not require it to comply with the provisions of the Federal Power Act, and the general rules and regulations promulgated thereunder, applicable to public utilities;

(iii) In the event that Arizona Edison is found to be a public utility within the meaning of that term as used in the Federal Power Act, why the Commission should not by order, find, determine and direct that Arizona Edison dispose of the amount of $487,872.52, representing excess over depreciated book cost paid by Arizona Edison to California Electric Power Company for the latter's Arizona properties, by a charge of such amount to earned surplus.

(B) The Secretary shall serve a copy of the report referred to above upon Arizona Edison concurrently with the service of this order.

(C) Arizona Edison shall submit its response to this order and to the above-mentioned report in writing, within 45 days from the date of service of this order.

(D) Arizona Edison's response shall be in the form of an offer of proof; shall set forth with particularity the facts upon which it relies; shall state whether Arizona Edison admits or denies the accuracy of the facts as stated in the report; and shall state upon what facts, if any, or what conclusions, Arizona Edison desires opportunity to introduce evidence and to be heard. Denials of the allegations of this order and of the statements in the staff report which are general and unsupported by specific facts upon which Arizona Edison relies will not be considered as complying with this order.

Date of issuance: February 16, 1949.

By the Commission.

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

[F. R. Doc. 49-1362; Filed, Feb. 21, 1949; 8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 70-1680, 70-1905, 70-1914]

COMMONWEALTH & SOUTHERN CORP. (DEL.) ET AL.

SUPPLEMENTAL ORDER EFFECTING INTEGRATION OF HOLDING COMPANY SYSTEM

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of February 1949.

In the matter of the Commonwealth & Southern Corporation (Delaware), the Southern Company, Alabama Power Company, Georgia Power Company, File No. 70-1680; the Commonwealth & Southern Corporation (Delaware), Ohio Edison Company, Pennsylvania Power Company, File No. 70-1905; the Commonwealth & Southern Corporation (Delaware), Consumers Power Company, File No. 70-1914.

The Commission having by its orders dated September 9, 1948, approved joint applications and/or declarations filed by the Commonwealth & Southern Corporation ("Commonwealth"), and certain of its subsidiaries, pursuant to the Public Utility Holding Company Act of 1935 (the "act") relating, among other things, to the following proposed transactions:

(a) The issuance and sale by the Southern Company ("Southern") to Commonwealth of an additional 1,000,000 shares of its common stock and the investment by Southern of the proceeds of such sale in additional shares of the common stock of its subsidiaries Georgia

Power Company ("Georgia") and Alabama Power Company ("Alabama").

(b) The issuance and sale by Ohio Edison Company ("Ohio") of $12,000,000 principal amount of its First Mortgage Bonds and 285,713 additional shares of its common stock, of which 256,549 shares would be sold to Commonwealth, and the issuance and sale to Ohio by Pennsylvania Power Company ("Pennsylvania") of 50,000 additional shares of its common stock.

(c) The issuance and sale by Consumers Power Company of 458,158 additional shares of its common stock, of which 412,059 shares would be sold to Commonwealth.

(d) The issuance and sale by Commonwealth of up to but not exceeding $25,000,000 principal amount of its 2¼% promissory notes to provide it with funds with which to make the aforesaid investments in the securities of its subsidiaries; and

Commonwealth, Consumers, Ohio, Pennsylvania, Southern, Georgia and Alabama having requested that the Commission issue an order herein containing the recitals required by subdivision (f) of section 1808 of the Internal Revenue Code as amended with respect to all of the aforesaid financings on the grounds that such financings were related to compliance by Commonwealth with the provisions of section 11 of the act; and

It appearing to the Commision that the issuance and sale by Consumers to Commonwealth of an additional 412,059 shares of Consumers' Common Stock and the borrowing by Commonwealth of sufficient funds to acquire said shares are necessary in order for Commonwealth to consummate its amended plan of reorganization filed under section 11 and approved by the Commission's order dated November 22, 1948, but that the other financings described above are not necessary to enable Commonwealth to carry out the terms and provisions of its Amended Plan of reorganization and are not related to compliance with section 11 of the act within the meaning of the foregoing provisions of the Internal Revenue Code as amended.

It is hereby ordered and recited, And the Commission finds that the following transactions are appropriate steps in conformity with this Commission's opinion and order dated August 1, 1947, under section 11 (b) (1) of the act in File Nos. 59–20, 59–8, 54–75 and 54–152 and are necessary or appropriate to the integration or simplification of the holding company system of which Commonwealth and Consumers are members and are necessary or appropriate to effectuate the provisions of section 11 (b) of said act;

(a) The acquisition by Commonwealth for $13,597,947 of 412,059 shares of the no par value common stock of Consumers and its borrowing for such purpose, and the delivery of notes payable in evidence thereof, under the loan agreement dated as of July 21, 1948, of up to $13,600,000.

(b) The issuance and delivery by Consumers to Commonwealth of said 412,059 shares of common stock of Consumers.

It is further ordered, That the requests for the recitals required by subdivision (f) of section 1808 of the Internal Revenue Code in the matter of the Commonwealth & Southern Corporation, et al., File No. 70–1680 and in the matter of the Commonwealth & Southern Corporation, et al., File No. 70–1905, be, and the same hereby are, denied.

It is hereby further ordered, That this order is supplemental to our orders herein dated September 9, 1948, and is effective as of that date.

By the Commission.

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

[F. R. Doc. 49–1367; Filed, Feb. 21, 1949; 8:58 a. m.]

[File No. 70–1790]

NORTH CONTINENT UTILITIES CORP. ET AL.

ORDER GRANTING TRANSFER OF STOCK

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 14th day of February A. D. 1949.

In the matter of North Continent Utilities Corporation, The Denver Ice and Cold Storage Company, Western Railways Ice Company, Fort Morgan Ice and Cold Storage Company; File No. 70–1790.

The Commission, on December 6, 1948, having issued its order granting and permitting to become effective pursuant to Rule U-23 of the general rules and regulations promulgated under the Public Utility Holding Company Act of 1935 joint applications and declarations filed by North Continent Utilities Corporation, a registered holding company, and its subsidiaries, The Denver Ice and Cold Storage Company, Western Railways Ice Company and Fort Morgan Ice and Cold Storage Company (see Holding Company Act Release No. 8708); and

The Commission having heretofore directed North Continent Utilities Corporation to take such action as should be necessary to cause its liquidation and dissolution (see Holding Company Act Release No. 4686) and North Continent Utilities Corporation having filed a plan pursuant to section 11 (e) of said act to effect such liquidation and dissolution; and

Said applications and declarations having proposed transactions preliminary to and essentially a part of the plan for the liquidation and dissolution of North Continent Utilities Corporation; and

Applicants-declarants having requested that said order of December 6, 1948, be amended to include certain recitals necessary to conform to requirements of sections 371, 372, 373 and 1808 (f) of the Internal Revenue Code, as amended; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant the request of applicants-declarants:

It is ordered, That the order of this Commission dated December 6, 1948 in this matter be, and hereby is, amended by adding thereto the following paragraph:

It is further ordered and recited, That the transfer of 13,991 shares of Capital Stock of the S. W. Shattuck Chemical Company, as a capital contribution by North Continent Utilities Corporation to its wholly-owned subsidiary, The Denver Ice and Cold Storage Company, is necessary or appropriate to the integration or simplification of the holding company system of which said corporations are members and is necessary or appropriate to effectuate the provisions of subsection (b) of section 11 of the Public Utility Holding Company Act of 1935.

By the Commission.

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

[F. R. Doc. 49–1348; Filed, Feb. 21, 1949; 8:51 a. m.]

[File No. 70–2042]

WEST PENN ELECTRIC CO. AND WEST PENN POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 15th day of February A. D. 1949.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The West Penn Electric Company ("West Penn Electric"), a registered holding company, and West Penn Power Company ("Power"), a subsidiary of West Penn Electric. All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

Power proposes to issue and sell for cash, pursuant to the competitive bidding requirements of Rule U-50, Series N __% First Mortgage Bonds, due 1979, in the aggregate principal amount of $10,000,000 and Series C __% Preferred Stock, par value $100 per share, in the aggregate amount of 50,000 shares. Additionally, Power proposes to issue and sell 70,000 shares of common stock, without nominal or par value, at a price of $28.50 per share, or an aggregate cash consideration of $1,995,000. The presently outstanding common stock of Power is owned approximately 66.1% by West Penn Electric, approximately 28.5% by West Penn Railways (a subsidiary company of West Penn Electric whose common stick is entirely owned by West Penn Electric), and approximately 5.4% by the public. In connection with the issuance and sale of said common stock, Power proposes to issue transferable subscription warrants to the public holders of its common stock in an aggregate amount sufficient to entitle these persons to acquire 3,816 shares of the new issue, this being slightly in excess of the aliquot part to which these public holders are entitled on a basic of preemptive rights. West Penn Electric proposes to purchase from Power, at the subscription price of $28.50, all of the shares of additional common stock except those subscribed for by the public pursuant to the exercise of warrants, West Penn Railways Com-

pany waiving its rights to participate in this new issue. Furthermore, West Penn Electric proposes to buy subscription warrants which may be offered to it at a price to be based upon the difference between the subscription price and the market price of the common stock at the time of making the subscription offer. The details with respect to the ascertainment of this price are to be supplied by amendment and furnished to the security holders together with the warrants.

It is represented in the filing that the net proceeds from the sale of these securities are to be used to discharge loans of Power to banks (currently in the aggregate face amount of $5,500,000) and for the construction of property additions and improvements by Power. The filing designates sections 6, 7, 9, 10 and 12 of the act and Rules U-43 and U-50 promulgated thereunder as being applicable to the proposed transactions;

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 said matters and that the joint application-declaration should not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on said matters under the applicable sections of the act, and rules and regulations promulgated thereunder, be held at 10 a. m., e. s. t., on the 25th of February 1949 in the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk, in Room 101, will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in these proceedings should file with the Secretary of the Commission on or before February 23d, 1949, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

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 that hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to Hearing Officers under the Commission's rules of practice.

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

(1) Whether the securities proposed to be issued are reasonably adapted to the earning power and security structure of the issuing company and the West Penn Electric holding company system and whether financing by the issue and sale of the proposed securities is necessary or appropriate to the economical and efficient operation of the business in which Power is engaged;

(2) Whether the terms and conditions of the proposed new securities, including the terms of the proposed supplemental indenture, satisfy applicable standards of the act and are in any respects detrimental to the public interest and the interests of investors and consumers;

(3) Whether the terms and conditions of the subscription offer to the public holders of the common stock of Power and the manner in which such subscription warrants may be acquired by Power are in all respects in the interest of investors of Power;

(4) Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all the applicable requirements of the act and the rules and regulations thereunder and, if not, what modifications or terms and conditions should be required, or imposed, to meet such requirements.

By the Commission.

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

[F. R. Doc. 49-1350; Filed, Feb. 21, 1949; 8:51 a. m.]

[File No. 70-2053]

GULF POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of February 1949.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the "act") by Gulf Power Company ("Gulf"), a public utility subsidiary of the Southern Company, a registered holding company and a wholly owned subsidiary of the Commonwealth & Southern Corporation, also a registered holding company. The declarant has designated sections 6 (a) and 7 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than March 1, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after 5:30 p. m., e. s. t., on March 1, 1949, said declaration, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

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

Gulf proposes to issue and sell $2,500,000 principal amount of its First Mortgage Bonds, --% series, maturing in 1979, to be issued under and secured by Gulf's present indenture dated as of September 1, 1941, as supplemented by indentures dated as of April 1, 1944, April 1, 1948, and to be dated as of April 1, 1949. The bonds will be sold pursuant to the competitive bidding requirements of Rule U-50.

The filing states that Gulf contemplates making expenditures of approximately $5,800,000 during the years 1949 and 1950 for the construction or acquisition of property additions to its utility plant. In order to finance such construction program, the Company will, to the extent available, use its cash on hand (including the proceeds of the new bonds) in excess of working capital and cash generated from operations. The Company estimates that, based upon the present level of earnings and current expectations of the probable progress of its construction program, approximately $1,000,000 of its cash requirements will have to be provided before the end of 1950 from the sale of additional securities.

The declarant has requested that the Commission's order be issued as soon as possible and that it become effective forthwith upon issuance.

By the Commission.

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

[F. R. Doc. 49-1368; Filed, Feb. 21, 1949; 8:58 a. m.]

[File No. 70-2060]

NORTHERN STATES POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of February A. D. 1949.

Notice is hereby given that a dcelaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") by Northern States Power Company ("the Company"), a Minnesota company which is both a registered holding company and an operating utility company. The declarant designates sections 6 and 7 of the act as applicable to the proposed transaction.

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

The Company proposes to enter into an agreement with six banks in which the banks will severally undertake to make loans aggregating $15,000,000 to the Company on or about March 1, 1949, such loans to be evidenced by promissory notes payable on or before December 30, 1949, and bearing interest at the rate of 2% per annum. The names of the banks which will acquire said notes

and the amount to be taken by each are:

The Chase National Bank of the City of New York	$5,400,000
Continental Illinois National Bank & Trust Co. of Chicago	3,000,000
First National Bank of Minneapolis	1,700,000
Northwestern National Bank of Minneapolis	1,700,000
The First National Bank of Saint Paul	1,700,000
Harris Trust & Savings Bank	1,500,000

The proceeds from these notes will be added to the general funds of the Company and used to provide part of the new capital required for the year 1949 in connection with the Company's construction program. With the addition of such proceeds it is expected that the Company's general funds will be sufficient to meet construction expenditures until about August 1, 1949.

Currently estimated construction expenditures of the Company for the year 1949 aggregate $31,200,000. The financing of the balance thereof will be provided from reserves and earnings and from additional financing the nature and amount of which have not yet been determined. The declaration states it is the present intention of the Company, if market conditions permit, that part of such additional financing will be common stock. It is anticipated that the additional financing will provide funds for the payment at or before maturity of the bank loans now proposed to be made, and also to maintain a reasonable amount of working capital.

The Company estimates that its expenses in connection with the proposed transaction will be $4,000, including $2,500 attorney's fees and $1,500 miscellaneous expenses.

It is stated that no other regulatory commission has jurisdiction over the proposed transaction.

The Company requests that its declaration be permitted to become effective as soon as possible.

Notice is further given that any interested person may, not later than February 25, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-1370; Filed, Feb. 21, 1949; 8:59 a. m.]

[File No. 70-2061]

CITIES SERVICE CO. AND OHIO PUBLIC SERVICE CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of February A. D. 1949

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") by Cities Service Company ("Cities"), a registered holding company, and by the Ohio Public Service Company ("Public Service"), a subsidiary of Cities. The applicants-declarants have designated sections 6 (b) and 12 (d) of the act and Rules U-44 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 2, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 2, 1949 said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

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

Cities, which owns all of the presently outstanding shares of the common stock of Public Service, consisting of 2,638,160 shares of $5 par value each, proposes to sell 638,160 of such shares pursuant to the competitive bidding provisions of Rule U-50. Simultaneously with such sale, Public Service proposes to issue and sell 361,840 additional shares of its $5 par value common stock and $10,000,000 principal amount of First Mortage Bonds, ____% series due 1979, both pursuant to the competitive bidding requirements of Rule U-50. The bonds are to be issued under and pursuant to Public Service's present Indenture dated as of June 1, 1946, and a Second Supplemental Indenture to be dated as of March 1, 1949.

The filing states that Public Service will deposit the proceeds from the sale of the bonds with the Indenture Trustee and that such proceeds will be withdrawn from time to time upon the basis of property additions as provided and permitted by the Indenture. Public Service also states that it will use a portion of the proceeds from the sale of the 361,840 shares of common stock to retire its outstanding $3,000,000 Bank Loan Note dated January 7, 1949 and that the balance of such proceeds will become general funds available for construction expenditures.

Cities will apply the net proceeds from the sale (except for $816,759.15 thereof) of the aforementioned 638,160 shares of the common stock of Public Service toward the redemption of Cities outstanding 5% Gold Debentures due 1958 at the redemption price specified therein, as provided by the Indenture securing the outstanding 3% Debentures of Cities. The above amount of $816,759.15 will be added to the general funds of Cities in reimbursement for an equivalent amount contributed by Cities in connection with the previous retirement of a portion of its outstanding 5% Debentures in excess of the net funds theretofore realized by Cities from the sale of certain public utility securities and required to be used toward the retirement of the said 5% Debentures.

Giving effect to the proposed sales of common stock, Public Service will have outstanding 3,000,000 shares of common stock of which 2,000,000 shares will be held by Cities and 1,000,000 shares by the public. Cities states that the proposed sale of 638,160 shares of the common stock of Public Service is the first step in the disposition of its entire holdings of Public Service common stock and is in compliance with the requirements of the orders of the Commission dated May 5, 1944 and October 12, 1944, issued under section 11 (b) (1) of the act, and requests that the Commission's order herein with respect to the sale by it of the said shares of common stock of Public Service conform to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended.

The proposed issuance and sale of the bonds and the 361,840 shares of common stock by Public Service will be submitted to the Public Utilities Commission of Ohio for its approval.

Cities and Public Service have requested that the Commission's order become effective forthwith upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-1369; Filed, Feb. 21, 1949; 8:58 a. m.]

[File No. 70-2063]

STANDARD GAS AND ELECTRIC CO.

ORDER GRANTING PROPOSED SALE AND TRANSFER OF CERTAIN STOCK

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of February 1949.

The Commission having issued an order on August 8, 1941, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ("Act"), in proceedings concerning Standard Power and Light Corporation and Standard Gas and Electric Company ("Standard Gas"), registered holding companies, and their subsidiary companies, which requires,

among other things, that Standard Gas sever its relationship with Southern Colorado Power Company ("Southern Colorado"), in any appropriate manner not in contravention of the provisions of the act, and the rules and regulations promulgated thereunder, by disposing or causing the disposition of its direct or indirect ownership, control and holding of securities issued by Southern Colorado; and

Standard Gas having notified the Commission, pursuant to Rule U-44 (c) promulgated under said act, that in compliance with the aforementioned order dated August 8, 1941, it proposes, as soon as possible, to sell for cash 5,195 shares, without par value, of the Common Stock of Southern Colorado, either by direct sale to one or more persons, firms or corporations, none of whom would be an affiliate of Standard Gas, or through brokers, and no filing having been required by the Commission with respect to said proposed sale; and

Standard Gas having requested that the Commission issue an order conforming to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended; and

It appearing appropriate to the Commission that an order, as requested, should issue:

It is therefore ordered and recited and the Commission finds, That the proposed sale and transfer by Standard Gas and Electric Company of 5,195 shares of Common Stock, without par value, of Southern Colorado Power Company, a Colorado corporation, (such shares being represented by Certificates Nos. C–1589 to C–1636 inclusive, C–5346 to C–5348, inclusive, CO–1071 and CO–6733) as heretofore authorized or permitted by the Commission, are necessary or appropriate to the integration or simplification of the holding company system of which Standard Gas and Electric Company is a member, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49–1347; Filed, Feb. 21, 1949; 8:50 a. m.]

[File No. 812–579]

BANKERS SECURITIES CORP. ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of February A. D. 1949.

In the matter of Bankers Securities Corporation, Bankers Bond and Mortgage Company, and Girard Life Insurance Company, File No. 812–579.

Notice is hereby given that Bankers Securities Corporation ("Bankers"), a registered investment company, and Bankers Bond and Mortgage Company ("Bankers Bond"), a company financing the purchase and sale of real estate and mortgage loans, both located at No. 1315 Walnut Street, Philadelphia 7, Pennsylvania, and Girard Life Insurance Company, 529 Chestnut Street, Philadelphia, Pennsylvania ("Girard Life"), a life insurance company, all being corporations organized under the laws of the Commonwealth of Pennsylvania, have jointly filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of the act a proposed sale by Bankers Bond to Girard Life of a first mortgage loan hereinafter more fully described, originally $7,000, now reduced to $6,125 in principal amount, at a price of 101% of par plus accrued interest.

Bankers is a closed-end, non-diversified, management investment company and is registered under the Investment Company Act of 1940. Bankers owns 70.57% of the outstanding voting securities of Girard Life and 44.55% of the outstanding voting securities of Bankers Bond and Mortgage Guaranty Company of America, a Delaware corporation, which in turn owns all the voting stock of Bankers Bond.

Said first mortgage and the bond accompanying the mortgage is secured by the property known as No. 28 Seacrest Road, Ocean City, New Jersey, with improvements thereon, and is for an original amount of $7,000 with interest at the rate of 4½% payable quarterly with amortization at the rate of 5% of the original principal, likewise payable in quarterly installments. The mortgage is for a period of ten years, and the current amount outstanding is $6,125.

The proposed transaction involves the sale of securities by an affiliated person (Bankers Bond) of an affiliated person (Bankers Bond and Mortgage Guaranty Company) of a registered investment company (Bankers) to a company (Girard Life) controlled by such registered investment company (Bankers). Said tranaction also involves the purchase by an affiliated person (Girard Life) of a registered investment company (Bankers) of securities from a company (Bankers Bond) controlled by such registered investment company (Bankers). Such purchase and sale, therefore, are prohibited by sections 17 (a) (1) and 17 (a) (2) respectively of the act unless an exemption therefrom is granted by the Commission pursuant to the provisions of section 17 (b) of the act.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after February 28, 1949, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than February 25, 1949, at 5:30 p. m., e. s. t., submit in writing to the Commission his views or any additional fact bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49–1349; Filed, Feb. 21, 1949; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

[Vesting Order 12719]

RULEMAN E. MULLER

In re: Estate of Ruleman E. Muller, deceased. File No. D–28–12180; E. T. sec. 16395.

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

1. That Liesel Bode, Lizzie Muller, and Mariane Lussen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Lizzie Muller, and the issue, names unknown, of Mariane Lussen, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

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

4. That such property is in the process of administration by Frederick W. Muller, as Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Lizzie Muller, and the issue, names unknown, of Mariane Lussen, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

There is hereby vested in the Attorney General of the United States the property

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

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

Executed at Washington, D. C., on January 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1371; Filed, Feb. 21, 1949; 8:59 a. m.]

[Vesting Order 12726]

AMELIA TAUNTON

In re: Estate of Amelia Taunton, deceased. File No. D-28-12463; E. T. sec. 16676.

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

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

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof, in and to the estate of Amelia Taunton, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country, (Germany);

3. That such property is in the process of administration by Louis H. Meyers, as Sole Surviving Executor, acting under the judicial supervision of the Surrogate's Court, County of Kings, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on January 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1372; Filed, Feb. 21, 1949; 8:59 a. m.]

[Vesting Order 12751]

BEKK AND KAULEN

In re: Patents owned by Bekk and Kaulen.

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

1. That Bekk and Kaulen, whose last known address is Loevenich, Cologne, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has or on or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described as follows: All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation, or government for past infringement thereof) in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor, and Title

2,256,777; 9-23-41; Robert Kaulen; process for uniformly coating printing supports,

2,267,646; 12-23-41; Josef Gorig; printing cylinder and the like,

is property of the aforesaid national of a foreign country (Germany).

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

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

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

Executed at Washington, D. C., on February 1, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1373; Filed, Feb. 21, 1949; 8:59 a. m.]

[Vesting Order 12752]

EDEN, A. G.

In re: Patent Applications owned by Eden, A. G.

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

1. That Eden, A. G., is a corporation organized under the laws of Switzerland, whose principal place of business is Zug, Switzerland, which on or since the effective date of Executive Order 8389, as amended, has been acting or purporting to act directly or indirectly for the benefit or on behalf of a national of a foreign country (Germany) and is national of a foreign country (Germany);

2. That the property described as follows:

Patent Applications identified as follows:

Serial No., Date of Filing, Inventor, and Title

287,389; 7-29-39; Robert Kaulen; Methods of applying coating to printing members,

359,789; 10-4-40; Robert Kaulen; Methods and means for coating printing rollers and the like,

381,192; 2-28-41; Robert Kaulen; Means for manufacturing printing forms,

together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the inventions shown or described in such applications,

is property of the aforesaid national of a foreign country (Germany)

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

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

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

Executed at Washington, D. C., on February 1, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1374; Filed, Feb. 21, 1949; 8:59 a. m.]

[Vesting Order 12753]

OTTO MULLER

In re: United States Letters Patent No. 2,236,779 owned by Otto Muller.

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

1. That Otto Muller, whose last known address is Germany, is a resident of Germany and a national of a foreign country (Germany);

2. That the property described as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent No., Date of Issue, Inventor, and Title

2,236,779; 4-1-41; Otto Muller; Sole for orthopedic footwear,

is property of the aforesaid national of a foreign country (Germany).

All determinations and all action required by law, including appropriate

consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

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

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

Executed at Washington, D. C., on February 1, 1949.

For the Attorney General.

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

[F. R. Doc. 49-1375; Filed, Feb. 21, 1949; 9:00 a. m.]

[Vesting Order 12812]

CHRISTIAN PERROT

In re: Estate of Christian Perrot, deceased. File No. D-28-10041; E. T. sec. 14238.

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

1. Emma Perrot; David Friedrick Perrot, also known as Friedrich Perrot; Herman Perrot; Wilhelmina Karoline Perrot Scheedler, also known as Minnie or Mina Schedler; Gottliebin Marie Perrot Schleeweiss, also known as Marie Staib; Karl Johannes Conte, also known as Karl Conte; Paul Johannes Conte, also known as Paul Conte; Rosine Marie Conte Scheefer, also known as Marie Scherer; Louise Anna Conte Gehring, also known as Anna Gering; Ernst Perrot; Lina Perrot Mayer, also known as Lina Mayer; Marie Perrot Wiedenmayer, also known as Marie Wiedenmayer; Karl August Perrot, also known as August Perrot; Karl Gotthilp Perrot, also known as Karl Perrot; Friedrich Perrot; Hermann Wurz; Louise Hoenig, also known as Luise Hoenig; Lina Wuerz Lampert; Frida Wuerz Harder, also known as Frieda Wuerz Harder; Marie Roller Kiebler; Christine Roller; Samuel Roller; Michael Roller; Friedrich Roller; Fritz Roller; Christian Roller; Hans Roller; George Roller; Christine Roller Bohnet; Marie Roller Stengle; Eugen Sautter, also known as Eugen Christian Sautter; Karl Sautter, also known as Carl August Sautter; August Ludwig Sautter, also known as August Sautter, and Luise Sautter Seiler, also known as Louise Seiler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

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

4. That such property is in the process of administration by Carl Mauerhan, as executor, acting under the judicial supervision of the Probate Court of Wayne County, Michigan;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 49-1377; Filed, Feb. 21, 1949; 9:00 a. m.]

[Vesting Order 12814]

CONRAD EISENACH

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Conrad Eisenach, deceased. F-28-28548-D-1.

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

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

2. That the property described as follows: Three (3) shares of $10 par value capital stock of Philadelphia Life Insurance Company, 111 North Broad Street, Philadelphia 7, Pennsylvania, a corporation organized under the laws of the State of Pennsylvania, evidenced by a certificate numbered 3753, registered in the name of Conrad Eisenach, 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 personal representatives, heirs, next of kin, legatees and distributees of Conrad Eisenach, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 49-1378; Filed, Feb. 21, 1949; 9:00 a. m.]

[Vesting Order 12844]

UNITED STATES CURRENCY AND COIN OWNED BY PERSONS UNKNOWN

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

1. That the Federal Reserve Bank of New York on or about January 21, 1949, received from the Office of Military Government for Germany (U. S.) and presently has in its custody United States currency and coin in the aggregate amount of $3,553,201.88;

2. That the Office of Military Government for Germany (U. S.) has represented that the aforesaid currency and coin is, upon information presently available, believed to be the property of German nationals but that it has been unable to determine the identities of said persons;

3. That the persons referred to in subparagraph 2 hereof, who, if individuals, there is reasonable cause to believe are residents of Germany and, if partnerships, corporations, associations or other organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

4. That the property described as follows: United States currency and coin in the aggregate amount of $3,553,201.88, received by the Federal Reserve Bank of New York on or about January 21, 1949, from the Office of Military Government for Germany (U. S.) and presently in the custody of the Federal Reserve Bank of New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons referred to in subparagraph 3 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on February 16, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1379; Filed, Feb. 21, 1949; 9:00 a. m.]

LOUIS GRAVEURE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Louis Graveure, 114–73 178th Street, St. Albans, Long Island, N. Y.; 31100; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4031 (9 F. R. 13780, November 17, 1944), relating to the literary work "SUPER-DICTION with Twelve Studies in Song for Studio or Concert" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $120.18.

Executed at Washington, D. C., on February 16, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1381; Filed, Feb. 21, 1949; 9:00 a. m.]

MATHILDA PREVOSTS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Mathilda Prevosts, Montreuil, France; 6398; $1,641.00 in the Treasury of the United States. All right, title, interest and claim of any kind whatsoever of Mathilda Prevosts in and to the estate of Augusta Guggisberg, deceased.

Executed at Washington, D. C., on February 16, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1382; Filed, Feb. 21, 1949; 9:01 a. m.]

ODDA SMELTEVERK

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Odda Smelteverk A/S, Odda, Norway; 33754; property described in Vesting Order No. 672 (8 F. R. 5020, April 17, 1943), relating to United States Letters Patent Nos. 1,816,285; 1,821,309; 1,834,454; 1,834,455; 1,856,187; 1,859,738; 1,876,501; 1,900,287; 1,924,041; 1,939,351 and 1,976,283.

Executed at Washington, D. C., on February 16, 1949.

For the Attorney General.

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

[F. R. Doc. 49–1383; Filed, Feb. 21, 1949; 9:01 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 5 (E)]

INDEPENDENT PETROLEUM ASSN. OF AMERICA

APPLICATION FOR INVESTIGATION

FEBRUARY 17, 1949.

Application as listed below for investigation under the escape clause of trade agreements has been filed with the United States Tariff Commission under the provisions of Part III, Executive Order 10004 of October 5, 1948.

Name of article	Purpose of request	Date received	Name and address of applicant
Crude petroleum and petroleum products (secs. 3420 and 3422, Internal Revenue Code).	To determine whether crude petroleum and petroleum products are being imported in such increased quantities as to cause or threaten serious injury to domestic producers.	Feb. 15, 1949	Independent Petroleum Association of America, 1110 Ring Bldg., Washington 6, D. C.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission building, Eighth and E Streets NW., Washington, D. C., where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN,
Secretary.

[F. R. Doc. 49–1364; Filed, Feb. 21, 1949; 8:58 a. m.]