THE NATIONAL ARCHIVES

LITTERA SCRIPTA MANET

FEDERAL REGISTER

OF THE UNITED STATES 1934

VOLUME 13 NUMBER 141

Washington, Wednesday, July 21, 1948

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

ECONOMIC COOPERATION ADMINISTRATION

Under authority of § 6.1 (a) of Executive Order No. 9830, and at the request of the Economic Cooperation Administration, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (49) is amended by the addition of a subdivision as follows:

§ 6.4 *Lists of positions excepted from the competitive* service—(a) *Schedule A.* * * *

(49) *Economic Cooperation Administration.* * * *

(ii) Student assistants whose salaries shall not aggregate more than $832 a year. Only bona fide students at high schools or colleges of recognized standing shall be eligible for appointment under this subdivision. Employments under this subdivision shall not exceed 90 working days a year.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-6502; Filed, July 20, 1948; 8:54 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

PART 23—FEDERAL LAND BANK OF COLUMBIA

FEES

Section 23.1 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 23.1 *Loan application fees.* The following fees shall be charged in connection with loan applications:

Appraisal fee. An appraisal fee of $10 is payable at the time the application is filed.

Reappraisal fee. If a reappraisal is required because of delay for which the Bank is not responsible, or is made at the applicant's request, the regular appraisal fee will be charged for the reappraisal.

Return of fee. If the application is withdrawn or cancelled before appraisal by the Bank, the appraisal fee will be refunded to the applicant. If the application is withdrawn or cancelled after appraisal by the Bank, the appraisal fee will not be refunded to the applicant.

Loans on farms involving the cruise of timber. In addition to the regular appraisal fee of $10, the Bank may charge the cost of cruising the timber, not to exceed 10 cents per acre. Where more than 200 acres of commercial timber are involved a deposit of 5 cents per acre shall be payable at the time the application is filed and an additional 5 cents per acre shall be payable after a preliminary cruise is completed. If the total cost of the cruise is less than the total deposit of 10 cents per acre, the difference will be refunded to the applicant. Where less than 200 acres of commercial timber are involved, the cost of the cruise, not to exceed 10 cents per acre, shall be deducted from the proceeds of the loan. (Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44; 12 U. S. C. 781 "Ninth," and 723 (e); 6 CFR 19.322, 19.330, 19.332 and 19.335)

THE FEDERAL LAND BANK OF COLUMBIA,

[SEAL] JULIAN H. SCARBOROUGH,
President.

Confirmed:

B. S. BURCH,
Acting Secretary.

[F. R. Doc. 48-6488; Filed, July 20, 1948; 8:50 a. m.]

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE

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CODIFICATION GUIDE—Con.

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

TRANSFER OF 1948 FLOOD DAMAGE LOAN AUTHORITY TO FARMERS HOME ADMINISTRATION

Pursuant to authority contained in Public Law 785, 80th Congress, approved June 25, 1948, and in R. S. 161 (5 U. S. C. 22), It is hereby ordered, That:

1. Effective July 9, 1948, all authorities, powers, functions, and duties vested in the Secretary of Agriculture by Public Law 785, 80th Congress, with respect to providing assistance to farmers whose property was destroyed or damaged by floods in 1948, are hereby transferred to the Farmers Home Administration, to be exercised by the Administrator thereof.

2. Subject to my approval, the Administrator of the Farmers Home Administration may issue rules and regulations necessary for the proper exercise of the authorities and powers and for the performance of the functions and duties herein transferred.

3. In his discretion, the Administrator of the Farmers Home Administration may redelegate, upon such terms and conditions as he may prescribe, the powers and authorities herein conferred upon him. In his absence, or in the event of his disability, such powers and authorities may be exercised by the Acting Administrator.

4. The transfers ordered herein and the exercise of authorities delegated herein shall be subject to the applicable limitations and requirements of regulations of the Department of Agriculture.

(R. S. 161, Pub. Law 785, 80th Cong., 5 U. S. C. 22)

Done at Washington, D. C., this 9th day of July 1948.

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

JULY 16, 1948.

[F. R. Doc. 48-6489; Filed, July 20, 1948; 8:51 a. m.]

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

[Plum Order 15, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Late Tragedy plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this regulation is based became available and the time when this regulation 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.

Order, as amended. 1. During the period beginning at 12:01 a. m., California d. s. t., July 22, 1948, and ending at 12:01 a. m., California d. s. t., November 1, 1948, the provisions in §§ 936.342 (b) (1) (ii) and (b) (2) of Plum Order 15 (13 F. R. 3838) shall read as follows:

(ii) Any package or container of Late Tragedy plums containing plums of a size smaller than a size that will pack a 5 x 6 standard pack, as specified in the aforesaid United States Standards, in a standard basket, as specified in paragraph numbered 1 of section 828.1 of the Agricultural Code of California. The aforesaid 5 x 6 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 6 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the total of such plums contained in any such pack measure not less than $1\frac{7}{16}$ inches in diameter, such diameter, as defined in the aforesaid United States Standards, being the shortest distance measured through the center of the plum at right angles to a straight line running from the stem to the blossom end; (ii) at least sixty (60) percent, by count, of the total of such plums contained in any such pack measure, as aforesaid, not less than $1\frac{7}{16}$ inches in diameter; and (iii) no plums contained in any such pack measure, as aforesaid, less than $1\frac{7}{16}$ inches in diameter.

Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of said Plum Order 15, or (2) as releasing or extinguishing any violation of said Plum Order 15 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 936.1 et seq.)

Done at Washington, D. C., this 20th day of July 1948.

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

[F. R. Doc. 48-6604; Filed, July 20, 1948; 11:48 a. m.]

TITLE 15—COMMERCE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce, Office of International Trade

[3d Gen. Rev. of Export Reg., Amdt. 3]

PART 371—GENERAL REGULATIONS

MISCELLANEOUS AMENDMENTS

Part 371 is amended in the following particulars:

1. Section 371.7 *Presentation for export* is amended as follows:

a. Paragraphs (b) and (c) are redesignated respectively (d) and (e), and new paragraphs (b) and (c) are added to read as follows:

(b) In every case, as provided in paragraph (a) of this section, where a validated export license is required to be presented to a collector of customs or postmaster, as the case may be, a duly executed Shipper's Export Declaration (in the number of copies provided in paragraph (c) of this section) shall also be presented at the same time. In the case of shipments made pursuant to general license, a duly executed declaration (in the number of copies provided in paragraph (c) of this section) shall be presented to the collector of customs or postmaster, as the case may be, at the same time and in the same manner as in the case of shipments made under validated export licenses.

(c) For the purpose of export control, and in addition to the number of copies of Shipper's Export Declarations required by the Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States, issued by the Bureau of the Census, an additional copy of the Declaration shall be presented to the collector of customs at the port of exit or to the postmaster at the place of mailing, except in the cases of shipments to Can-

ada and between the United States and its territories and possessions. The Office of International Trade and the collecter of customs also may require, for the purpose of export control, the presentation of other additional copies of the Declaration.

b. Redesignated paragraph (e) is amended by adding at the end thereof a new unnumbered paragraph to read as follows:

Without limitation of the foregoing provisions of this paragraph, upon presentation of any validated export license or a Shipper's Export Declaration in connection with a shipment under either a general or validated license for the purpose of effecting exportation, or at any time thereafter, the collector of customs or postmaster, as the case may be, may require the licensee or his forwarding agent to produce documents for inspection and copying and furnish other information bearing upon the particular exportation and the identity and relationships of all participants therein. These may include invoices, orders, letters of credit, inspection reports, packing lists, shipping documents and instructions, correspondence, as well as any other relevant information or documents.

2. By inserting a new § 371.7a between §§ 371.7 and 371.8 to read as follows:

§ 371.7a *Authenticated Shipper's Export Declaration*—(a) *Procedure for authentication.* (1) All copies of Shipper's Export Declarations which are required to be presented to collectors of customs must be authenticated by the collector of customs at the port of exit. No collector shall authenticate a declaration unless he is satisfied, after comparing it with the applicable validated export license or general license, as the case may be, and with such other relevant information as he may have, that (i) exportation of the commodity or commodities described in such declaration is authorized under such license; (ii) that the statements in such declaration are identical in all respects with the contents of the validated export license, or the terms, provisions and conditions of the general license; and (iii) that the statements in such declaration are set forth in such manner as to permit all collectors of customs or other authorized officials or persons to whom the declaration may thereafter be exhibited or delivered in connection with the exportation to determine whether the said exportation complies with the contents of the validated export license, or the terms, provisions and conditions of the general license.

(2) No Shipper's Export Declaration shall be authenticated by a collector of customs unless there are set forth in such declaration, and in all copies thereof required to be presented to the collector:

(i) The name and address of the exporter, who shall be the licensee named in a validated export license or entitled to export under a general license.

(ii) The name and address of the forwarding agent, if any, duly authorized by the exporter.

(iii) All of the other data required to be shown on the Declaration form.

(3) Unless the exporter shall otherwise state in writing in the power of attorney set forth in the Shipper's Export Declaration or in a general power of attorney filed with the collector of customs, the forwarding agent named by the exporter in said power of attorney shall be deemed to be the true agent of the exporter for export control and Customs purposes.

(4) For the purposes of §§ 371.7 and 371.7a, a "forwarding agent" shall be a person authorized by a named exporter to perform for the exporter actual services which facilitate exportation of the commodities described in the declaration, such as preparing the declaration, attending to clearance of the shipment by submission of documents to the collector of customs or export control officers, securing cargo space or delivering the commodities to the exporting carrier, obtaining bills of lading in connection with the exportation, and attending to the formalities of consular invoices, certificates of origin, and other like documents; but such "forwarding agent" need not be a person regularly engaged in the freight forwarding business.

(5) The signature of the person making the declaration set forth on the Shipper's Export Declaration form and taking the oath shown on said form (where oath is required) shall be that of the exporter or the forwarding agent named in the declaration, or a duly authorized officer or employee of either. The signature of such person (whether oath is or is not required) and whether or not that of the exporter or his duly authorized officer or employee, shall constitute a representation by the exporter that all statements made and all information set forth in such declaration, are true and correct. In addition, if the signature is that of the forwarding agent, or his duly authorized officer or employee, such signature shall constitute a like representation by the forwarding agent.

(6) In all cases where a Shipper's Export Declaration is presented to a collector of customs or postmaster the exporter shall be deemed thereby to represent (i) that all statements made and information set forth in the declaration have been furnished by him or on his behalf for the purpose of effecting an exportation under the export regulations; (ii) that the exportation of the commodity or commodities described in such declaration is authorized under the general or validated export license therein identified; (iii) that the statements contained in such declaration are identical in all respects with the contents of the validated export license or the terms, provisions and conditions of the applicable general license; and (iv) that all of the other terms, provisions and conditions of Parts 370 to 399, inclusive, of this chapter, applicable to the exportation have been met.

(7) No person shall submit to the collector of customs for authentication any Shipper's Export Declaration unless such person is the licensee, the duly authorized forwarding agent of the licensee, or a duly authorized officer or employee of either.

(8) Collectors of customs shall reject all Shipper's Export Declarations which do not comply with the foregoing provisions of §§ 371.7 and 371.7a.

(9) Any collector of customs may, with the prior approval of the Office of International Trade, institute and maintain any procedure for the presentation for authentication of Shipper's Export Declarations, which shall provide in each case for the proper identification, and recording of the identity of the individuals who sign such declarations and who appear before the collector for such purpose.

(10) Collectors of customs shall not, except in case of hardship or emergency, authenticate any Shipper's Export Declaration showing evidence of change, alteration or amendment, but shall require clean copy. Where demonstrated cases of hardship or emergency exist in which collectors of customs find it desirable to make exception, collectors may approve on the face of the declaration specific changes, alterations or amendments. The duly authorized forwarding agent of an exporter may insert or correct in Declarations presented by him required items of information peculiarly within his own knowledge, such as the designation of the actual exporting carrier, the actual date of exportation, or the actual Schedule B number to which the commodity described in the declaration unambiguously refers; but nothing herein shall relieve such forwarding agent from liability for any misrepresentation of facts so inserted or corrected. The forwarding agent making such insertion or correction must specifically identify the same in writing on the face of the Declaration.

(b) *Use of authenticated Shipper's Export Declaration.* (1) When duly authenticated by the collector of customs at the port of exit, a Shipper's Export Declaration shall be deemed to be a document, issued pursuant to Parts 370 to 399, inclusive, of this chapter, evidencing the existence of a validated export license or permission for an exportation under an applicable general license; and such document may be used only by the exporter or his duly authorized forwarding agent for the purpose of clearing for exportation or otherwise facilitating or effecting the exportation of a commodity or commodities requiring a validated or general export license under the regulations issued pursuant to the export control law.

(2) No Shipper's Export Declaration, used or intended to be used in connection with any exportation of any commodity or commodities requiring a validated or general export license, which shall have been authenticated by any collector of customs shall, at any time after such authentication, be changed, altered, or amended in any respect by any person without prior written authorization therefor set forth on such authenticated declaration by the said collector of customs: *Provided, however,* That where for any reason an exporting carrier designated in an authenticated declaration cannot receive the shipment on board, the name and date of departure of another exporting carrier may be substituted by the steamship company, steamship agent, airline, railroad, motor vehicle company or other person issuing

bills of lading or similar documents of carriage for the carrier originally named if due and timely notice of such change is given to the collector of customs prior to loading of the shipment onto the substitute carrier and such change is specifically identified in writing on the face of the declaration by said steamship company, steamship agent, airline, railroad, motor vehicle company or other person. No change, alteration or amendment may be authorized in any authenticated export declaration which would have the effect of authorizing shipment after the validity period of the applicable validated or general export license has expired or which would otherwise vary the terms, provisions and conditions of such license.

(3) No person to whom any authenticated Shipper's Export Declaration showing evidence of change, alteration or amendment shall be exhibited for the purpose of facilitating any exportation, without the production of written authorization therefor by the collector of customs, shall take any action toward such facilitation, but shall promptly report the facts to the nearest collector of customs and shall, where such authenticated declaration is in his or its possession, surrender same to such collector of customs.

(4) All copies of authenticated Shipper's Export Declarations not used by an exporter for the purposes for which they are authenticated shall be returned to the collector of customs making the authentication.

(c) *Other applicable laws and regulations.* Nothing contained in §§ 371.7 and 371.7a shall relieve any person from complying with the applicable provisions of any other law of the United States, and rules and regulations issued thereunder, governing Shipper's Export Declarations and manifests.

(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. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

This amendment shall become effective as of August 15, 1948.

Dated: July 15, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-6520; Filed, July 20, 1948; 9:25 a. m.]

TITLE 25—INDIANS

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

[Order 544, Amdt. 1]

PART 02—DELEGATIONS OF AUTHORITY

FUNCTIONS RELATING TO INDIAN LANDS AND MINERALS

Paragraph (b) (7) of § 02.7 *Functions relating to Indian lands and minerals,* of Chapter I, Part 02 (11 F. R. 10266), is hereby added to read as follows:

(7) The approval of rights of way for oil and gas pipe lines, telephone and telegraph lines, and public highways pursuant to the provisions of 25 CFR, Part 256. This authority extends to and includes the issuance of advance authority for preliminary surveys and permission to begin construction prior to the official approval of the right of way.

(R. S. 161, 463, 60 Stat. 939; 5 U. S. C. 22, 25 U. S. C. 1a, 2; Order No. 2252, 11 F. R. 10296)

WILLIAM ZIMMERMAN, Jr.,
Acting Commissioner of Indian Affairs.

JUNE 25, 1948.

[F. R. Doc. 48-6468; Filed, July 20, 1948; 8:46 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter II—Public Assistance, Federal Security Agency

PART 201—ADMINISTRATIVE PROCEDURE

PART 230—SUBSTANTIVE POLICIES: CIVILIAN WAR ASSISTANCE

CIVILIAN WAR ASSISTANCE

Rights to assistance under the Civilian War Assistance program provided under the Labor-Federal Security Agency Appropriation Act 1948, terminated at end of fiscal year on June 30, 1948, and the following amendments are hereby made effective as of that time:

1. Part 201: Subpart C, Civilian War Assistance, and the sections thereunder, §§ 201.21 and 201.22 (11 F. R. 14166) are deleted from Part 201.

2. Part 230: Section 230.1 *Eligibility and assistance provided* (12 F. R. 6895) and § 230.2 *Return transportation to the Philippines or Hawaii* (12 F. R. 5597) are deleted from Part 230.

(Pub. Law 165, 80th Cong.; Reorg. Plan No. 2 of 1946, 11 F. R. 7873)

The foregoing statements are hereby ordered to be published in the FEDERAL REGISTER in compliance with section 3 of the Administrative Procedures Act.

[SEAL] W. L. MITCHELL,
Deputy Commissioner for Social Security.

Approved: July 15, 1948.

A. J. ALTMEYER,
Acting Federal Security Administrator.

[F. R. Doc. 48-6499; Filed, July 20, 1948; 9:25 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 0—ORGANIZATION AND ASSIGNMENT OF WORK

ASSIGNMENT OF DUTIES TO DIVISIONS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 21st day of June A. D. 1948.

Section 17 of the Interstate Commerce Act, as amended (49 U. S. C. 17), being under consideration: *It is ordered,* that the following change shall be made in this part:

Section 0.3 *Assignment of duties to Divisions,* paragraph (b) *Division Two,* shall be amended by adding between the first and second paragraphs the following paragraph:

Section 5a, relating to agreements between or among carriers.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing with the Director of the Division of the Federal Register.

(24 Stat. 385, as amended; 49 U. S. C. 17)

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-6493; Filed, July 20, 1948; 8:51 a. m.]

PART 0—ORGANIZATION AND ASSIGNMENT OF WORK

BUREAU ORGANIZATION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 12th day of July A. D. 1948.

Section 17 of the Interstate Commerce Act, as amended (49 U. S. C. 17), being under consideration: *It is ordered,* that the following change shall be made in this part:

Section 0.11 *Bureau organization,* paragraph (p) *Bureau of Water Carriers and Freight Forwarders,* is amended by the deletion of "and" after the third semicolon, by the substitution of a semicolon in lieu of the period after the first paragraph, and by the addition of the following language "and agreements between and among carriers under section 5a of the act."

That paragraph, as amended, will read:

(p) *Bureau of Water Carriers and Freight Forwarders*—(1) *Functions.* This bureau handles administratively matters relating to carriers by water and freight forwarders arising under Parts III and IV of the Interstate Commerce Act, including exemptions and the issuance of certificates and permits; inquiries into the management; relief from foreign competition; classifications of groups of carriers included under the terms "common carrier by water" and "contract carrier by water;" and agreements between and among carriers under section 5a of the act.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing with the Director of the Division of the Federal Register.

(24 Stat. 385, as amended; 49 U. S. C. 17)

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-6492; Filed, July 20, 1948; 8:51 a. m.]

PART 2—SPECIAL RULES OF PROCEDURE

TEMPORARY OPERATING AUTHORITIES AND APPROVALS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 6th day of July A. D. 1948.

The issuance under authority of section 12 of the Administrative Procedure Act (5 U. S. C. 1011) of rules relating to the extension beyond the expiration date specified therein, pursuant to section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b)), of temporary operating authorities and approvals granted under sections 210a (a), 210a (b), 311 (a), and 311 (b) of the Interstate Commerce Act (49 U. S. C. 310a (a), 310a (b), 911 (a), and 911 (b)), being under consideration: It is ordered, that:

Sec.
2.1 Extension of temporary operating authority or approval.
2.2 Definitions and interpretations.
2.3 Termination of temporary authority or approval.

AUTHORITY: §§ 2.1 to 2.3, inclusive, issued under 24 Stat. 385, 25 Stat. 861, 40 Stat. 270, 52 Stat. 1238, 54 Stat. 914, 923, 56 Stat. 176, 49 U. S. C. 17 (3), 310a (a), (b), 911 (a), (b).

§ 2.1 *Extension of temporary operating authority or approval.* The Commission will determine upon written request by any interested party, or it may determine upon its own initiative, whether under section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b)):

(a) Any temporary operating authority granted under 210a (a) or 311 (a) of the Interstate Commerce Act (49 U. S. C. 310a (a), 911 (a)) is continued in force, beyond the expiration date specified in such temporary operating authority, until the determination of an application filed by the holder of such temporary operating authority for a certificate of public convenience and necessity or a permit to engage in operations authorized by such temporary operating authority.

(b) Any temporary approval granted under section 210a (b) or 311 (b) of the Interstate Commerce Act (49 U. S. C. 310a (b), 911 (b)) is continued in force, beyond the expiration date specified in such temporary approval, until the determination of the related application for approval of a consolidation or merger of the properties of two or more motor or water carriers or of a purchase, lease, or contract to operate the properties of one or more such carriers.

In order to afford sufficient time for consideration and action thereon, a written request for such a determination should be filed not later than 30 days prior to expiration of the temporary operating authority or aproval.

§ 2.2 *Definitions and interpretations.* In making the determination provided in § 2.1, the Commission will be guided by the following interpretations of the provisions of the 3d sentence of section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b)):

(a) A "timely" application for a certificate of public convenience and necessity or a permit is one filed in accordance with the applicable laws, regulations, and instructions, not later than 60 days after issuance of temporary authority for a period of 180 days or not later than 60 days after issuance of the first of a series of consecutive temporary authorities aggregating 180 days, provided, that any such application filed prior to September 9, 1948, shall be deemed to be timely if filed prior to the expiration of 180 days of consecutive temporary authority.

(b) A "sufficient" application for a certificate of public convenience and necessity or a permit, is one which is in the form, contains the information, and is accompanied by the documents and exhibits required by the applicable law, regulations, and instructions.

(c) An operation authorized by a temporary authority or approval to be conducted for a period of less than an aggregate of 180 days is presumed not to be of a "continuing nature" unless the Commission otherwise expressly determines.

(d) For the purpose of this section:

(1) An application for a certificate or permit shall be considered to be "finally determined," (i) with respect to operations for which the certificate or permit is denied, upon the expiration of the period allowed by the rules and regulations of the Commission or by the order (whichever is greater) within which petitions for rehearing, reargument, or reconsideration may be filed, or upon the denial of such petitions if filed and (ii) with respect to operations for which the certificate or permit is granted, when the certificate or permit becomes effective.

(2) An application for approval of a consolidation or merger of the properties of two or more motor or water carriers, or of a purchase of the properties of one or more such carriers shall be considered to be "finally determined," (i) in the case of denial of such an application, upon the expiration of the period allowed by the rules and regulations of the Commission or by the order (whichever is greater) within which petitions for rehearing, reargument, or reconsideration may be filed, or upon the denial of such petitions if filed, and (ii) in the case of approval of such an application, when the certificate or permit to be transferred in connection with such application has been reissued in the name of the transferee and has become effective.

(3) An application for approval of a lease or contract to operate the properties of one or more motor or water carriers shall be considered to be "finally determined," (i) in the case of denial of such an application, upon the expiration of the period allowed by the rules and regulations of the Commission or by the order (whichever is greater) within which petitions for rehearing, reargument, or reconsideration may be filed, or upon the denial of such petitions if filed, and (ii) in the case of approval of such an application, when the order approving such application becomes effective.

§ 2.3 *Termination of temporary authority or approval.* Nothing in the rules in this part shall be construed as preventing the Commission from terminating at any time, in accordance with law, any temporary authority or approval, or any extension thereof under section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b)).

Effective date. These rules shall become effective August 9, 1948, and shall apply to temporary authorities and approvals expiring on or after that date.

Notice of this order shall be given to the public by posting a copy in the office of the Secretary of the Commission and by filing a copy with the Director, Division of the Federal Register.

By the Commission.

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

[F. R. Doc. 48-6491; Filed, July 20, 1948; 8:51 a. m.]

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

TEST STUDIES

At a ssesion of the Interstate Commerce Commission, Division I, held at its office in Washington, D. C., on the 8th day of July A. D. 1948.

The matter of the return movement of empty freight-train car equipment by direction and by classes of equipment: and statistics for way trains and all trains combined being under consideration: It is ordered, that:

§ 120.11c *Test studies of freight-train car-miles by types of equipment and directions of movement and statistics for way trains and for all trains combined.* All respondents classified as Class I steam railways (excluding switching and terminal companies) subject to Part 1 of the Interstate Commerce Act, and every receiver, trustee, executor, administrator or assignee of any such steam railway, are hereby required to compile and furnish to this Commission, the data called for in the Test Studies of Freight-train Car-miles by Types of Equipment and Directions of Movement and Statistics for Way Trains and for All Trains Combined, which is attached hereto[1] and made a part of this order.

It is further ordered, that the data specified in the foregoing paragraph for each test day shall be filed with the Bureau of Accounts and Cost Finding, Interstate Commerce Commission, Washington 25, D. C., within 45 days of each test day.

It is further ordered, that a copy of this order shall be served upon each respondent classified as a Class I steam railway (other than switching and terminal companies), subject to Part 1 of the Interstate Commerce Act and upon every receiver, trustee, executor, administrator, or assignee of any such steam railway and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register. (24 Stat. 385, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916, 49 U. S. C. 20 (1)–(8))

[1] Filed as a part of the original document. Copies may be obtained upon request to the Interstate Commerce Commission, Washington, D. C.

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

Dated at Washington, D. C., this 8th day of July A. D. 1948.

By the Commission, Division 1.

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

[F. R. Doc. 48-6494; Filed, July 20, 1948; 8:51 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

CARLOAD FREIGHT TRAFFIC

CROSS REFERENCE: For an exception to the provisions of § 500.72, see Part 520 of this chapter, *infra.*

[Special Direction ODT 18A-2A, Amdt. 12]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to § 500.73 of General Order ODT 18A Revised, as amended, Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13008; 10 F. R. 2523, 3470, 14906; 11 F. R. 1358, 13793, 14114; 12 F. R. 8025; 13 F. R. 1831, 3208, 3763), is hereby further amended by changing Item 46 thereof to read as follows:

46. *Eggs, shell.* In containers, fiberboard or wooden, shall be loaded with cases covering the full floor area and shall be loaded not less than four tiers high.

This Amendment 12 to Special Direction ODT 18A-2A shall become effective July 19, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Laws 395, 606, 80th Cong.; 50 U. S. C. App. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641; E. O. 9919, Jan. 3, 1948, 13 F. R. 59; General Order ODT 18A, Revised, as amended, 11 F. R. 8229, 8829, 10616, 13320, 14172; 12 F. R. 1034, 2386; 13 F. R. 2971)

Issued at Washington, D. C., this 16th day of July 1948.

C. R. MEGEE,
Director,
Railway Transport Department,
Office of Defense Transportation.

[F. R. Doc. 48-6500; Filed, July 20, 1948; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF CANNED BLENDED GRAPEFRUIT JUICE AND ORANGE JUICE[1]

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision, as herein proposed, of the United States Standards for Grades of Canned Blended Grapefruit Juice and Orange Juice, pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., approved June 19, 1948). The aforesaid standards have been in effect since November 1, 1945, and, if made effective, will be the fourth issue by the Department for canned blended grapefruit juice and orange juice.

The revision is proposed to improve further the quality of canned blended grapefruit and orange juice by changing the proportionate degree of sweetness to acidity.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision of these standards shall file the same in quadruplicate 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 publication of this notice in the FEDERAL REGISTER.

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

The proposed revision is as follows:

§ 52.374 *Canned blended grapefruit juice and orange juice.* Canned blended grapefruit juice and orange juice is composed of a combination of undiluted, unfermented juices obtained from the properly matured fresh fruit of the grapefruit tree (Citrus paradisi) and the orange tree (Citrus sinensis) which fruit has been properly washed; may be packed with or without the addition of a sweetening ingredient; and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers. It is recommended that canned blended grapefruit juice and orange juice be composed of not less than 50 percent orange juice; however, in oranges yielding light-colored juice it is further recommended that as much as 75 percent orange juice be used.

(a) *Grades of canned blended grapefruit juice and orange juice.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned blended grapefruit juice and orange juice that possesses a bright typical color; is practically free from defects; possesses a fine, distinct normal canned blended grapefruit juice and orange juice flavor; and scores not less than 85 points when scored in accordance with the scoring system outlined in this section. Canned blended grapefruit juice and orange juice of this grade meets the following requirements:

(i) *Brix.* Not less than 10.0 degrees Brix.

(ii) *Acid.* Not less than 0.80 gm. nor more than 1.70 gm., calculated as anhydrous citric, per 100 ml. of juice.

(iii) *Brix-acid ratio.* The Brix value is not less than 10 times the acid value, minus the factor 1.5; and the ratio of the Brix value to the acid value does not exceed 17 to 1.

(iv) *Recoverable oil.* Not more than 0.030 percent by volume of recoverable oil.

(v) *Pulp.* Not more than 12 percent free and suspended pulp.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned blended grapefruit juice and orange juice that possesses a good typical color; is fairly free from defects; possesses a good, normal canned blended grapefruit juice and orange juice flavor; and scores not less than 70 points when scored in accordance with the scoring system outlined in this section. Canned blended grapefruit juice and orange juice of this grade meets the following requirements:

(i) *Brix.* Not less than 9.5 degrees Brix.

(ii) *Acid.* Not less than 0.65 gm., calculated as anhydrous citric acid, per 100 ml. of juice.

(iii) *Brix-acid ratio.* The Brix value is not less than 8 times the acid value.

(iv) *Recoverable oil.* Not more than 0.050 percent by volume of recoverable oil.

(v) *Pulp.* Not more than 18 percent free and suspended pulp.

(3) "U. S. Grade D" or "Substandard" is the quality of canned blended grapefruit juice and orange juice that fails to meet the requirements of U. S. Grade C or U. S. Standard.

(b) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that canned blended grapefruit juice and orange juice occupy not less than 90 percent of the volume capacity of the container.

(c) *Ascertaining the grade.* The grade of canned blended grapefruit juice and orange juice may be ascertained by considering, in addition to the foregoing requirements, the following factors: Color, absence of defects, and flavor. The relative importance of each factor has been expressed numerically on a scale of 100.

The maximum number of points that may be given for each factor is:

	Points
(1) Color	20
(2) Absence of defects	40
(3) Flavor	40
Total score	100

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

(1) *Color.* (i) Canned blended grapefruit juice and orange juice that possesses a bright typical color may be given a score of 17 to 20 points. "Bright typical color" means that the blended juice possesses a light yellow-orange color typical of freshly extracted juice and is free from traces of light amber tints.

(ii) If the canned blended grapefruit juice and orange juice possesses a good typical color, a score of 14 to 16 points may be given. Canned blended grapefruit juice and orange juice that falls 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). "Good typical color" means that the blended juice possesses a color that may range from light yellow to light amber.

(iii) If the canned blended grapefruit juice and orange juice is definitely dull, amber, or off-color for any reason, a score of 0 to 13 points may be given. Canned blended grapefruit juice and orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from particles of membrane, core, skin, seeds and seed particles, "rag," recoverable oil, residue, similar substances, or other defects.

(i) Canned blended grapefruit juice and orange juice that is practically free from defects may be given a score of 34 to 40 points. Canned blended juice that shows coagulation shall not be scored in this classification. "Practically free from defects" means that the juice may contain not more than 12 percent free and suspended pulp and that there may be present not more than 0.030 percent by volume of recoverable oil when determined in accordance with the methods outlined in this section; and that the juice contains no noticeable seed particles, similar substances, nor other defects.

(ii) If the canned blended grapefruit juice and orange juice is fairly free from defects, a score of 28 to 33 points may be given. Canned blended grapefruit juice and orange juice that shows more than a slight coagulation shall not be scored in this classification. Canned blended grapefruit juice and orange juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the juice may contain not more than 18 percent free and suspended pulp and that there may be present not more than 0.050 percent by volume of recoverable oil when determined in accordance with the methods outlined in this section; and that seed particles, similar substances, or other defects may be noticeable but not prominent.

(iii) If the canned blended grapefruit juice and orange juice fails to meet the requirements of subdivision (ii) of this subparagraph, a score of 0 to 27 points may be given. Canned blended grapefruit juice and orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Flavor.* (i) Canned blended grapefruit juice and orange juice that possesses a fine, distinct, normal canned blended grapefruit juice and orange

OIL SEPARATORY TRAP

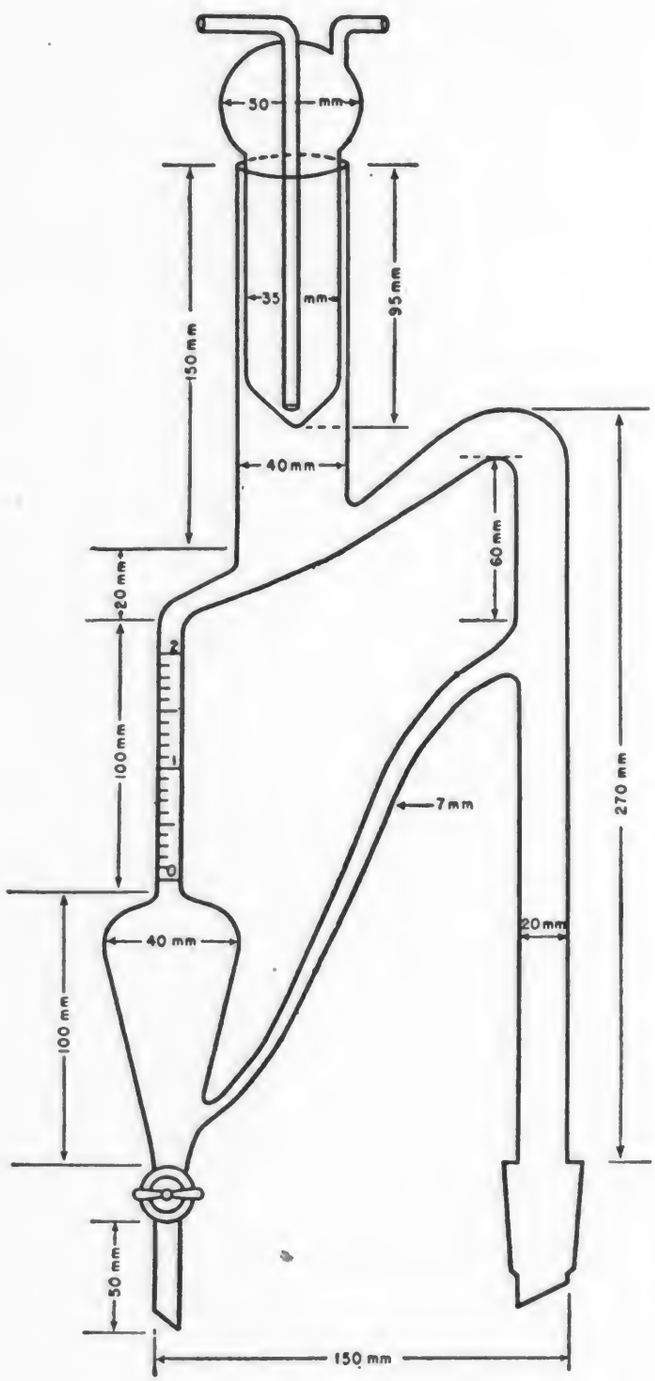

FIGURE 1

juice flavor, free from traces of scorching, caramelization, oxidation, or terpene may be given a score of 34 to 40 points. To score in this classification canned blended juice shall meet the following additional requirements:

Brix. Not less than 10 degrees.

Acid. Not less than 0.80 gm. nor more than 1.70 grams acid, calculated as anhydrous citric, per 100 ml. of juice.

Brix-acid ratio. The Brix value is not less than 10 times the acid value, minus the factor 1.5. (See Table No. I.) The ratio of the Brix value to the acid value does not exceed 17 to 1. (See Table No.. I.)

(ii) If the canned blended grapefruit juice and orange juice possesses a good normal canned blended grapefruit juice and orange juice flavor, having a slightly caramelized or an oxidized flavor, but not an objectionable flavor, a score of 28 to 33 points may be given. Canned blended grapefruit juice and orange juice that falls 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). To score in this classification canned blended juice shall meet the following additional requirements:

Brix. Not less than 9.5 degrees.

Acid. Not less than 0.65 gm., calculated as anhydrous citric, per 100 ml. of juice.

Brix-acid ratio. The Brix value is not less than 8 times the acid value. (See Table No. I.)

(iii) If the canned blended grapefruit juice and orange juice fails to meet the requirements of subdivision (ii) of this subparagraph, or if the canned blended juice has the flavor of green fruit, is off flavor, or is distinctly unpalatable for any reason, a score of 0 to 27 points may be given. Canned blended grapefruit juice and orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

OIL SEPARATORY TRAP

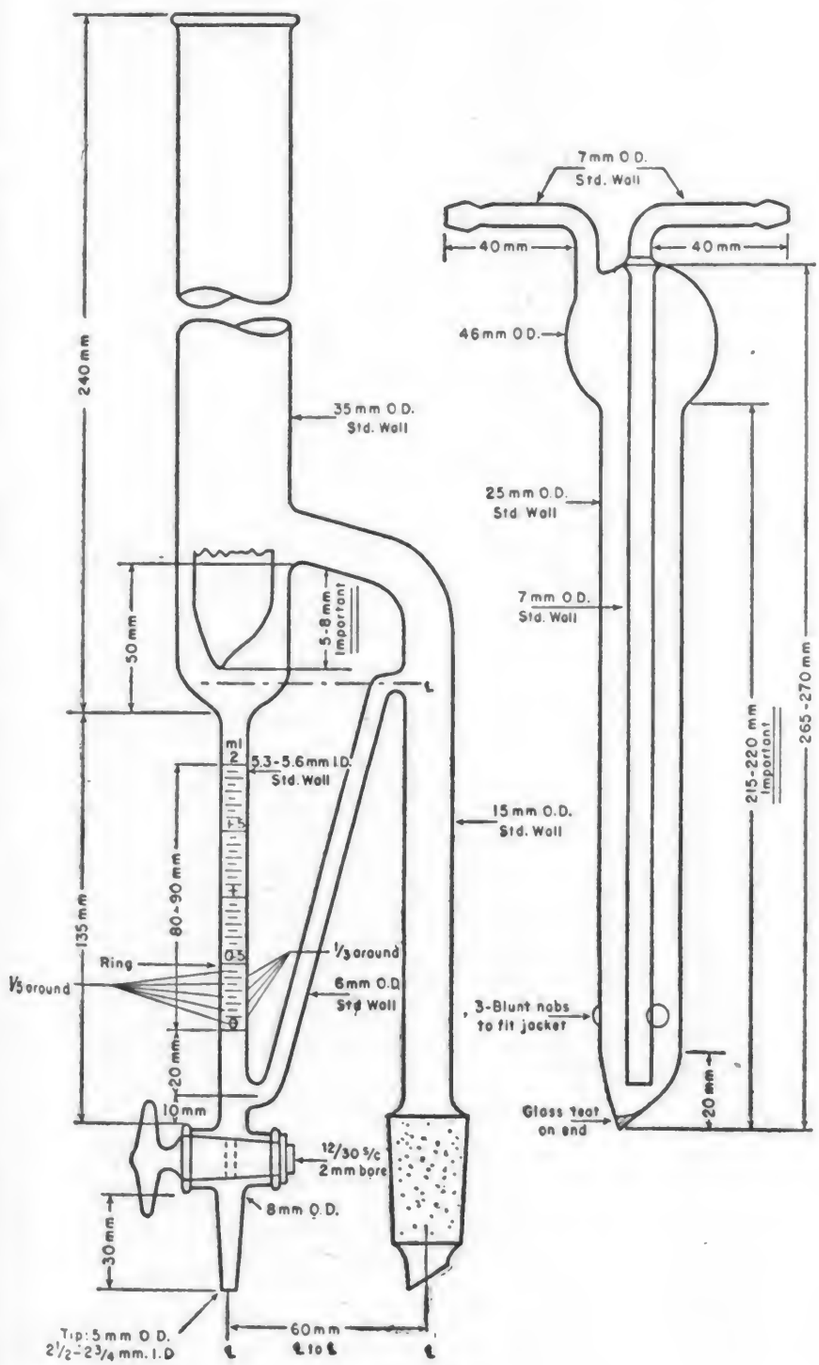

FIGURE 2

TABLE NO. I—MAXIMUM AND MINIMUM ACID FOR THE RESPECTIVE GRADES

Degree Brix	U. S. Grade A or U. S. Fancy		U. S. Grade C or U. S. Standard	
	Grams acid per 100 ml.		Grams acid per 100 ml.	
	Maximum	Minimum	Maximum	Minimum
9.5	.....	.....	1.19	0.65
9.6	.....	.....	1.20	.65
9.7	.....	.....	1.21	.65
9.8	.....	.....	1.22	.65
9.9	.....	.....	1.24	.65
10.0	1.15	0.80	1.25	.65
10.1	1.16	.80	1.26	.65
10.2	1.17	.80	1.27	.65
10.3	1.18	.80	1.29	.65
10.4	1.19	.80	1.30	.65
10.5	1.20	.80	1.31	.65
10.6	1.21	.80	1.32	.65
10.7	1.22	.80	1.34	.65
10.8	1.23	.80	1.35	.65
10.9	1.24	.80	1.36	.65
11.0	1.25	.80	1.37	.65
11.1	1.26	.80	1.39	.65
11.2	1.27	.80	1.40	.65
11.3	1.28	.80	1.41	.65
11.4	1.29	.80	1.42	.65
11.5	1.30	.80	1.44	.65
11.6	1.31	.80	1.45	.65
11.7	1.32	.80	1.46	.65
11.8	1.33	.80	1.47	.65
11.9	1.34	.80	1.49	.65
12.0	1.35	.80	1.50	.65
12.1	1.36	.80	1.51	.65
12.2	1.37	.80	1.52	.65
12.3	1.38	.80	1.54	.65
12.4	1.39	.80	1.55	.65
12.5	1.40	.80	1.56	.65
12.6	1.41	.80	1.57	.65
12.7	1.42	.80	1.59	.65
12.8	1.43	.80	1.60	.65
12.9	1.44	.80	1.61	.65
13.0	1.45	.80	1.62	.65
13.1	1.46	.80	1.64	.65
13.2	1.47	.80	1.65	.65
13.3	1.48	.80	1.66	.65
13.4	1.49	.80	1.67	.65
13.5	1.50	.80	1.69	.65
13.6	1.51	.80	1.70	.65
13.7	1.52	.80	1.71	.65
13.8	1.53	.81	1.72	.65
13.9	1.54	.82	1.74	.65
14.0	1.55	.82	1.75	.65
14.1	1.56	.83	1.76	.65
14.2	1.57	.83	1.77	.65
14.3	1.58	.84	1.79	.65
14.4	1.59	.84	1.80	.65
14.5	1.60	.85	1.81	.65
14.6	1.61	.86	1.82	.65
14.7	1.62	.86	1.84	.65
14.8	1.63	.87	1.85	.65
14.9	1.64	.87	1.86	.65
15.0	1.65	.88	1.87	.65
15.1	1.66	.89	1.89	.65
15.2	1.67	.89	1.90	.65
15.3	1.68	.90	1.91	.65
15.4	1.69	.91	1.92	.65
15.5	1.70	.91	1.94	.65

(e) *Explanation of terms.* (1) "10.0 degrees Brix" means that the juice tests 10.0 degrees when tested with a Brix hydrometer, read at the proper temperature for the instrument used.

(2) "Normal canned blended grapefruit juice and orange juice flavor" means that the product is free from objectionable flavors or off flavors of any kind.

(3) "Free and suspended pulp" is determined by the following method:

Graduated centrifuge tubes with a capacity of 50 ml. are filled with juice and placed in a suitable centrifuge. The speed is adjusted, according to diameter, as indicated in Table No. II, and the juice is centrifuged for exactly 10 minutes. As used herein, "diameter" means the over-all distance between the bottoms of opposing centrifuge tubes in operating position. After centrifuging, the milliliter reading at the top of the layer of pulp in the tube is multiplied by 2 to give the percentage of pulp.

TABLE No. II

Diameter:	*Approximate revolutions per minute*
10 inches	1,609
10½ inches	1,570
11 inches	1,534
11½ inches	1,500
12 inches	1,468
12½ inches	1,438
13 inches	1,410
13½ inches	1,384
14 inches	1,359
14½ inches	1,336
15 inches	1,313
15½ inches	1,292
16 inches	1,271
16½ inches	1,252
17 inches	1,234
17½ inches	1,216
18 inches	1,199
18½ inches	1,182
19 inches	1,167
19½ inches	1,152
20 inches	1,137

(4) "Acid" in canned blended grapefruit juice and orange juice is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator. Acid is calculated as anhydrous citric acid.

(5) "Percent by volume of recoverable oil" in canned blended grapefruit juice and orange juice is determined by the following method:

Equipment:

Oil separatory trap similar to either of those illustrated in figure 1 and figure 2.

Gas burner or hot plate.

Ringstand and clamps.

Rubber tubing.

3-liter narrow-neck flask.

Procedure:

Exactly 2 liters of juice are placed in a 3-liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Boiling is continued for one hour at the rate of approximately 50 drops per minute. By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

(f) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned blended grapefruit juice and orange juice, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers 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 fall 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.

(g) *Score sheet for canned blended grapefruit juice and orange juice.*

Size and kind of container			
Container mark or identification			
Label			
Net weight (in Avd. ounces) or Fluid measure (Fl. ounces)			
Vacuum (in inches)			
Density (degrees Brix)			
Percent pulp			
Anhydrous citric acid (grams/100 ml.)			
Percent recoverable oil (volume)			
Factors	**Score point**		
I. Color	20	(A) 17–20 (C) 14–16 [1] (D) 0–13 [1]	
II. Absence of defects	40	(A) 34–40 (C) 28–33 [1] (D) 0–27 [1]	
III. Flavor	40	(A) 34–40 (C) 28–33 [1] (D) 0–27 [1]	
Total score	100		
Grade			

[1] Indicates limiting rule.

Issued this 13th day of July 1948.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator.

[F. R. Doc. 48–6381; Filed, July 20, 1948; 9:00 a. m.]

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF CANNED ORANGE JUICE [1]

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., approved June 19, 1948), that the United States Department of Agriculture is considering the revision, as herein proposed, of the United States Standards for Grades of Canned Orange Juice (11 F. R. 13244). The aforesaid standards have been in effect since November 15, 1946, and, if made effective, will be the fifth issue by the Department for canned orange juice.

The revision is proposed to improve further the quality of canned orange juice by changing the proportionate degree of sweetness to acidity.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision of these standards shall file the same in quadruplicate 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 publication of this notice in the FEDERAL REGISTER.

The proposed revision is as follows:

§ 52.488 *Canned orange juice.* Canned orange juice is the undiluted, unfermented juice obtained from the matured fresh fruit of the orange tree (Citrus sinensis) which fruit has been properly washed; may be packed with or without the addition of a sweetening ingredient; and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

(a) *Grades of canned orange juice.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned orange juice that possesses a bright typical color; is practically free from defects; possesses a fine, distinct normal canned orange juice flavor; and scores not less than 85 points when scored in accordance with the scoring system outlined in this section. Canned orange juice of this grade meets the following requirements:

(i) *Brix.* Not less than 10.5 degrees.

(ii) *Acid.* Not less than 0.75 gm. nor more than 1.40 gm., calculated as anhydrous citric, per 100 ml. of juice.

(iii) *Brix-acid ratio.* The Brix value is not less than 11 times the acid value, minus the factor 1.5; and the ratio of the Brix value to the acid value does not exceed 18 to 1.

(iv) *Recoverable oil.* Not more than 0.030 percent by volume of recoverable oil.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned orange juice that possesses a good typical color; is fairly free from defects; possesses a good, normal canned orange juice flavor; and scores not less than 70 points when scored in accordance with the scoring system outlined in this section. Canned orange juice of this grade meets the following requirements:

(i) *Brix.* Not less than 10.0 degrees.

(ii) *Acid.* Not less than 0.60 gm., nor more than 1.60 gm., calculated as anhydrous citric, per 100 ml. of juice.

(iii) *Brix-acid ratio.* The Brix value is not less than 9 times the acid value.

(iv) *Recoverable oil.* Not more than 0.050 percent by volume of recoverable oil.

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

(b) *Recommended fill of container.* The recommended fill of container is not

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

incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that canned orange juice occupy not less than 90 percent of the volume capacity of the container.

(c) *Ascertaining the grade.* The grade of canned orange juice may be ascertained by considering, in addition to the foregoing requirements, the following factors: Color, absence of defects, and flavor. The relative importance of each factor has been expressed numerically on the scale of 100. The maximum number of points that may be given for each factor is:

	Points
(1) Color	20
(2) Absence of defects	40
(3) Flavor	40
Total score	100

OIL SEPARATORY TRAP

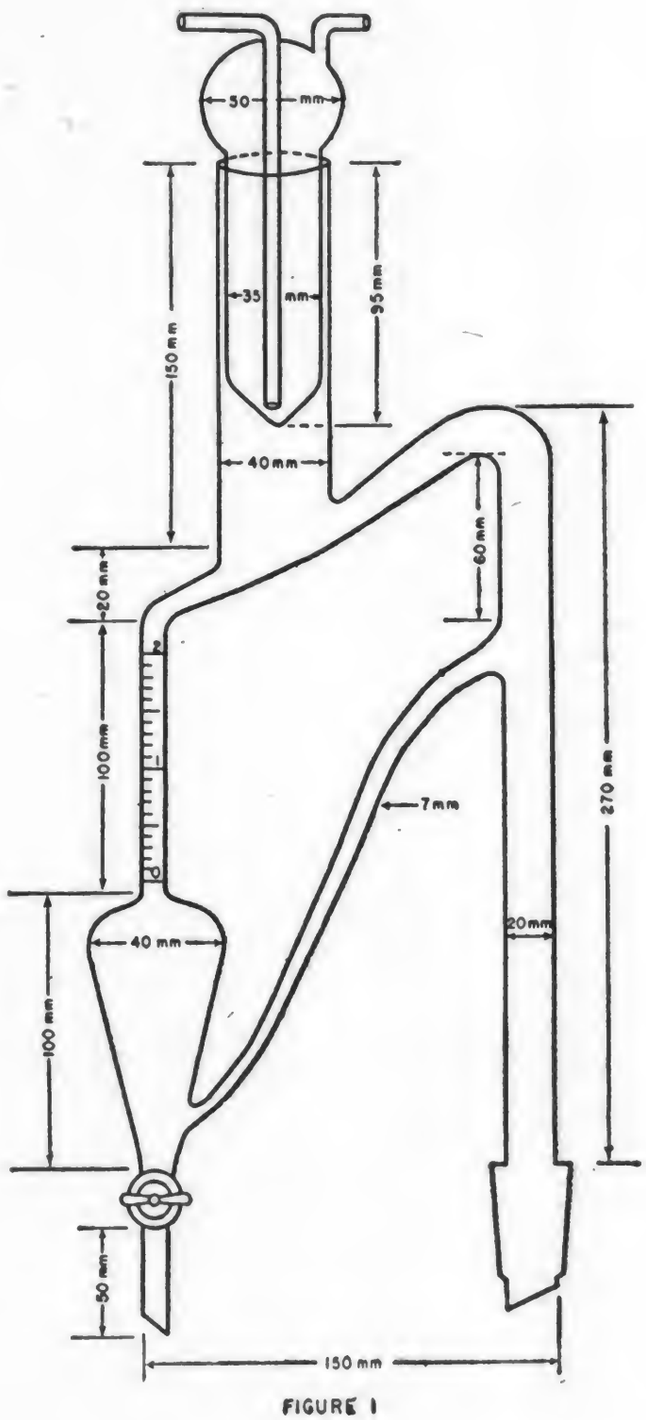

FIGURE 1

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

(1) *Color.* (i) Canned orange juice that possesses a bright typical color may be given a score of 17 to 20 points. "Bright typical color" means that the orange juice possesses a bright yellow to yellow-orange color typical of freshly extracted juice and is free from traces of browning due to scorching, oxidation, caramelization, or other causes.

(ii) If the canned orange juice possesses a good typical color, a score of 14 to 16 points may be given. Canned orange juice that falls 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). "Good typical color" means that the orange juice is slightly amber or very light in color but typical of canned orange juice and may show evidence of slight browning.

(iii) If the canned orange juice is definitely dull, amber, or off-color for any reason, a score of 0 to 13 points may be given. Canned orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from particles of membrane, core, skin, seeds and seed particles, "rag," recoverable oil, residue, similar substances, or other defects.

(i) Canned orange juice that is practically free from defects may be given a score of 34 to 40 points. Canned orange juice that shows coagulation shall not be scored in this classification. "Practically free from defects" means that there may be present not more than 0.030 percent by volume of recoverable oil when determined in accordance with the method outlined in this section and that the juice contains no noticeable seed particles, similar substances, nor other defects.

(ii) If the canned orange juice is fairly free from defects, a score of 28 to 33 points may be given. Canned orange juice that shows more than a slight coagulation shall not be scored in this classification. Canned orange juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that there may be present not more than 0.050 percent by volume of recoverable oil when determined in accordance with the method outlined in this section and that seed particles, similar substances, or other defects may be noticeable but not prominent.

(iii) If the canned orange juice fails to meet the requirements of subdivision (ii) of this subparagraph, a score of 0 to 27 points may be given. Canned orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total

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

(3) *Flavor.* (i) Canned orange juice that possesses a fine, distinct, normal canned orange juice flavor, free from traces of scorching, caramelization, oxidation, or terpene may be given a score of 34 to 40 points. To score in this classification canned orange juice shall meet the following additional requirements:

Brix. Not less than 10.5 degrees.

Acid. Not less than 0.75 gm. nor more than 1.40 gm., calculated as anhydrous citric, per 100 ml. of juice.

Brix-acid ratio. The Brix value is not less than 11 times the acid value, minus the factor 1.5. (See Table No. I.)

The ratio of the Brix value to the acid value does not exceed 18 to 1. (See Table No. I.)

(ii) If the canned orange juice possesses a good normal canned orange juice flavor, having a slightly caramelized or an oxidized flavor, but not an objectionable flavor, a score of 28 to 33 points may be given. Canned orange juice that falls 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). To score in this classification canned orange juice shall meet the following additional requirements:

Brix. Not less than 10.0 degrees.

Acid. Not less than 0.60 gm. nor more than 1.60 gm., calculated as anhydrous citric, per 100 ml. of juice.

Brix-acid ratio. The Brix value is not less than 9 times the acid value. (See Table No. I.)

(iii) If the canned orange juice fails to meet the requirements of subdivision (ii) of this subparagraph, or if the canned orange juice has the flavor of green fruit, if off flavor, or is distinctly unpalatable for any reason, a score of 0 to 27 points may be given. Canned orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

OIL SEPARATORY TRAP

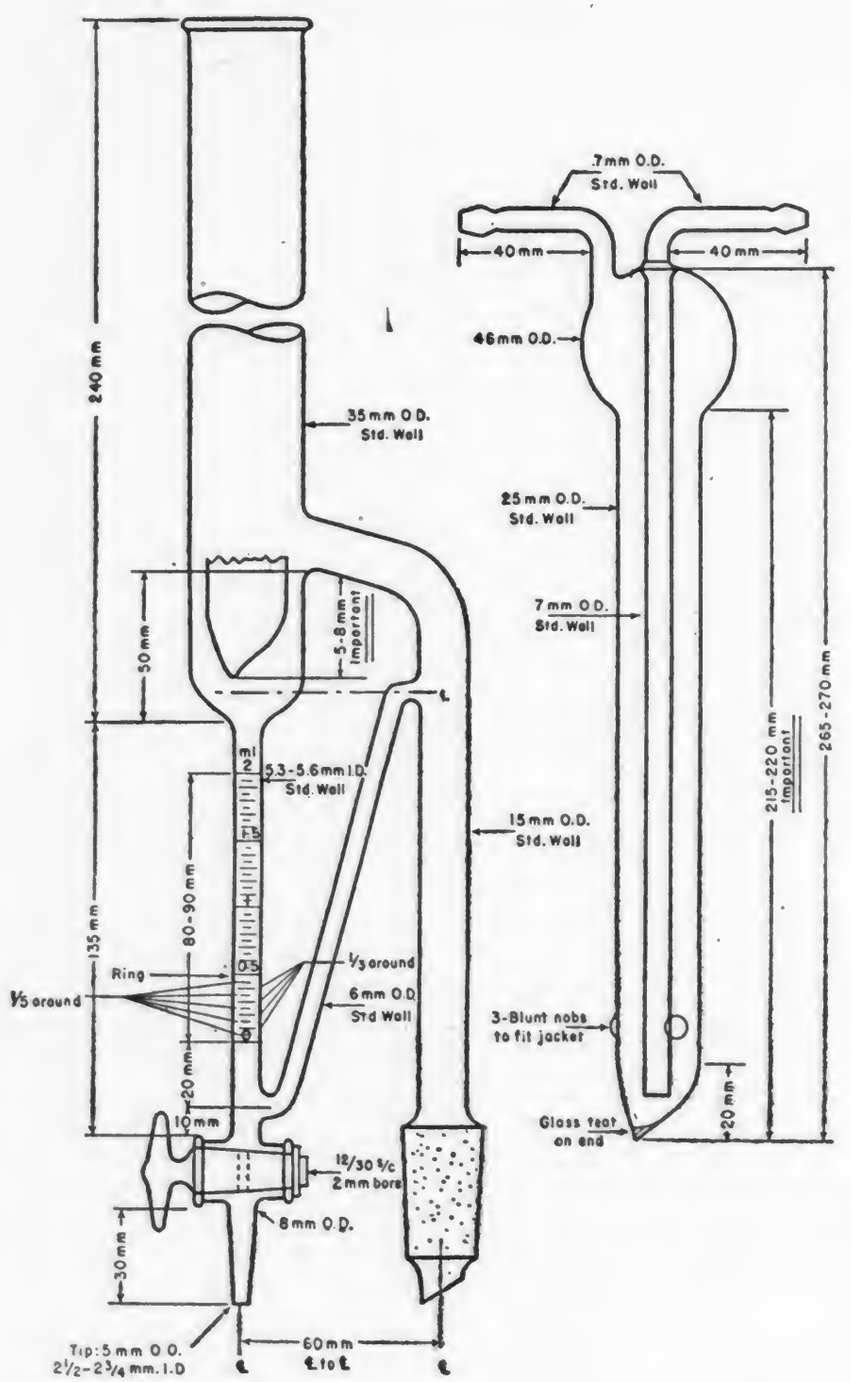

FIGURE 2

TABLE NO. I—MAXIMUM AND MINIMUM ACID FOR THE RESPECTIVE GRADES

Degree Brix	U. S. Grade A or U. S. Fancy		U. S. Grade C or U. S. Standard	
	Grams acid per 100 ml.		Grams acid per 100 ml.	
	Maximum	Minimum	Maximum	Minimum
10.0			1.11	0.60
10.1			1.12	.60
10.2			1.13	.60
10.3			1.14	.50
10.4			1.15	.60
10.5	1.09	0.75	1.17	.60
10.6	1.10	.75	1.18	.60
10.7	1.11	.75	1.19	.60
10.8	1.12	.75	1.20	.60
10.9	1.13	.73	1.21	.60
11.0	1.14	.75	1.22	.60
11.1	1.15	.75	1.23	.60
11.2	1.15	.75	1.24	.60
11.3	1.16	.75	1.25	.60
11.4	1.17	.75	1.27	.60
11.5	1.18	.75	1.28	.60
11.6	1.19	.75	1.29	.60
11.7	1.20	.75	1.30	.60
11.8	1.21	.75	1.31	.60
11.9	1.22	.75	1.32	.60
12.0	1.23	.75	1.33	.60
12.1	1.24	.75	1.34	.60
12.2	1.25	.75	1.35	.60
12.3	1.25	.75	1.37	.60
12.4	1.26	.75	1.38	.60
12.5	1.27	.75	1.39	.60
12.6	1.28	.75	1.40	.60
12.7	1.29	.75	1.41	.60
12.8	1.30	.75	1.42	.60
12.9	1.31	.75	1.43	.60
13.0	1.32	.75	1.44	.60
13.1	1.33	.75	1.45	.60
13.2	1.34	.75	1.47	.60
13.3	1.35	.75	1.48	.80
13.4	1.35	.75	1.49	.63
13.5	1.36	.75	1.50	.60
13.6	1.37	.75	1.51	.60
13.7	1.38	.76	1.52	.60
13.8	1.39	.76	1.53	.60
13.9	1.40	.77	1.54	.60
14.0	1.40	.78	1.55	.60
14.1	1.40	.78	1.57	.60
14.2	1.40	.79	1.58	.60
14.3	1.40	.79	1.59	.60
14.4	1.40	.80	1.60	.60
14.5	1.40	.80	1.60	.60
14.6	1.40	.81	1.60	.60
14.7	1.40	.81	1.60	.60
14.8	1.40	.82	1.60	.60
14.9	1.40	.83	1.60	.60
15.0	1.40	.83	1.60	.60
15.1	1.40	.84	1.60	.60
15.2	1.40	.84	1.60	.60
15.3	1.40	.85	1.60	.60
15.4	1.40	.85	1.60	.60
15.5	1.40	.86	1.60	.60

(e) *Explanation of terms.* (1) "10.0 degrees Brix" means that the juice tests 10.0 degrees when tested with a Brix hydrometer, read at the proper temperature for the instrument used.

(2) "Normal canned orange juice flavor" means that the product is free from objectionable flavor or off flavor of any kind.

(3) "Acid" in canned orange juice is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator. Acid is calculated as anhydrous citric acid.

(4) "Percent by volume of recoverable oil" in canned orange juice is determined by the following method:

Equipment:

Oil separatory trap similar to either of those illustrated in Figure 1 and Figure 2.

Gas burner or hot plate.

Ringstand and clamps.

Rubber tubing.

3-liter narrow-neck flask.

Procedure:

Exactly 2 liters of juice are placed in a 3-liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Boiling is continued for one hour at the rate of approximately 50 drops per minute. By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

(f) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned orange juice, the grade for such lot will be determined by averaging the total score of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers 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 fall 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.

(g) *Score sheet for canned orange juice.*

Size and kind of container		
Container mark or identification		
Label		
Net weight (in Avd. ounces) or Fluid measure (Fl. ounces)		
Vacuum (in inches)		
Density (degrees Brix)		
Anhydrous citric acid (grams/100 ml.)		
Percent recoverable oil (volume)		

Factors	Score points		
I. Color	20	(A) 17–20 (C) 14–16 [1] (D) 0–13 [1]	
II. Absence of defects	40	(A) 34–40 (C) 28–33 [1] (D) 0–27 [1]	
III. Flavor	40	(A) 34–40 (C) 28–33 [1] (D) 0–27 [1]	
Total score	100		
Grade			

[1] Indicates limiting rule.

Issued this 13th day of July 1948.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator.

[F. R. Doc. 48–6380; Filed, July 20, 1948; 9:00 a. m.]

[7 CFR, Part 936]

HANDLING OF FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

DECISION WITH RESPECT TO PROPOSED FURTHER AMENDMENTS TO THE MARKETING AGREEMENT AND ORDER

Correction

In F. R. Doc. 48–6324 appearing in the issue for Thursday, July 15, 1948, at page 4017, the following change is made:

In § 936.0 (a) the reference to "Order No. 62" in the eleventh and twelfth lines should read "Order No. 36."

[7 CFR, Part 936]

HANDLING OF FRESH BARTLETT PEARS, PLUMS AND ELBERTA PEACHES GROWN IN CALIFORNIA

ORDER DIRECTING THAT REFERENDUM BE CONDUCTED, DESIGNATION OF AGENTS TO CONDUCT REFERENDUM; DETERMINATION OF REPRESENTATIVE PERIOD

Correction

In F. R. Doc. 48–6331, appearing in the issue for Thursday, July 15, 1948, the following change should be made on page 4020 in the second column, 3d paragraph from the end, last line:

Instead of "2168 Milvia Street," it should read "2180 Milvia Street."

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 40, 42, 61]

SCHEDULED NONCERTIFICATED CARGO CARRIERS

TEMPORARY AUTHORIZATION TO OPERATE UNDER PROVISIONS OF PART 42 OF CIVIL AIR REGULATIONS

Pursuant to authority delegated by the Civil Aeronautics Board to the Safety Regulation Bureau, notice is hereby given that the Bureau will propose to the Board an amendment of Special Civil Air Regulation Serial Number SR–317 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Safety Regulation Bureau, Washington 25, D. C. All communications received by July 30, 1948, will be considered by the Board before taking further action on the proposed rule.

Special Civil Air Regulation Serial Number SR–317 adopted by the Civil Aeronautics Board January 26, 1948, effective February 10, 1948, authorized noncertificated cargo carriers to operate under the provisions of Part 42 of the Civil Air Regulations until the Board had acted upon their applications for certificates of public convenience and necessity or until August 1, 1948, whichever occurred sooner. At the time this Special Civil Air Regulation was adopted it was anticipated that final action would have been completed on these applications for certificates of public convenience and necessity prior to August 1, 1948. Final action has not yet been completed on these applications and an extension of the termination date of this Special Civil Air Regulation is necessary to permit these air carriers to continue to operate under the provisions of Part 42.

It is proposed to amend Special Civil Air Regulation Serial Number SR–317 by amending the last sentence to read as follows: "This regulation shall terminate August 1, 1949, unless sooner terminated or revoked by the Board."

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601, 604, 52 Stat. 984, 1007, 1010; 49 U. S. C. 425 (a), 551, 554)

Dated: July 16, 1948, at Washington, D. C.

By the Safety Regulation Bureau.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 48–6517; Filed, July 20, 1948; 8:56 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

HUNGRY HORSE PROJECT, MONTANA

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 30, 1948.

Pursuant to the authority delegated by Departmental Order No. 2238 of August 16, 1946 (43 CFR 4.410), I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

HUNGRY HORSE PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 30 N., R. 19 W., (part unsurveyed)
sec. 9, SE¼NW¼, NE¼SW¼, N½SE¼;
sec. 16, E½NE¼, NW¼SE¼, E½SE¼;
sec. 22, W½, SE¼;
sec. 23, S½;
sec. 26, N½;
sec. 27, N½.

The above areas approximate 1,800 acres.

Notice for filing objections. Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in Montana for use in connection with the Hungry Horse project, Montana, 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, 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.

WESLEY R. NELSON,
Assistant Commissioner,
Bureau of Reclamation.

I concur. The records of the Bureau of Land Management and of the District Land Office will be noted accordingly.

ROSCOE E. BELL,
Assistant Director,
Bureau of Land Management.

JULY 2, 1948.

[F. R. Doc. 48-6519; Filed, July 20, 1948; 8:57 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3267]

MID-CONTINENT AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Mid-Continent Airlines, Inc., under section 401 of the Civil Aeronautics Act of 1938, as amended, for amendment of its certificate of public convenience and necessity for route No. 48 so as to remove the condition that Mason City, Iowa, and Waterloo, Iowa, shall not be served on the same flight.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on July 26, 1948, at 10:00 a. m. (eastern daylight saving time) in Room 131, Temporary Building No. 5, 16th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner Walter W. Bryan.

Dated at Washington, D. C., July 16, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-6503; Filed, July 20, 1948; 8:54 a. m.]

FEDERAL POWER COMMISSION

NEW ENGLAND POWER CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS CLASSIFIED IN ACCOUNT 107, ELECTRIC PLANT ADJUSTMENTS

JULY 15, 1948.

Notice is hereby given that, on July 9, 1948, the Federal Power Commission issued its order entered July 9, 1948, approving and directing disposition of amounts classified in Account 107, Electric Plant Adjustments, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6475; Filed, July 20, 1948; 8:48 a. m.]

[Docket No. G-1019]

EL PASO NATURAL GAS CO.

NOTICE OF AMENDED APPLICATION

JULY 15, 1948.

Notice is hereby given that on June 30, 1948, a second amended application was filed with the Federal Power Commission in Docket No. G-1019 by El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal place of business at El Paso, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities, together with necessary structures and appurtenant equipment:

(1) A 24-inch transmission pipe line, approximately 95 miles in length from a point in the Benedum Field, in southeastern Upton County, Texas, to Applicant's Keystone Main Line Compressor Station (described in Docket No. G-1051), in Winkler County, Texas.

(2) Several sections of 30-inch transmission loop line, extending from Applicant's Keystone Main Line Compressor Station (described in Docket No. G-1051), in Winkler County, Texas, to a point approximately 52.5 miles west of Applicant's Gila Compressor Station, in Maricopa County, Arizona, totaling approximately 235 miles in length, and paralleling portions of Applicant's 26-inch pipe line from Lea County, New Mexico, to the Colorado River, near Blythe, California.

(3) A 26-inch transmission loop line, approximately 12.3 miles in length, beginning at a point approximately 52.5 miles west of Applicant's Gila Compressor Station and paralleling Applicant's existing 26-inch pipe line to the west.

(4) A 26-inch transmission pipe line, approximately 102 miles in length, from a point on Applicant's existing 26-inch transmission line, approximately 42.5 miles west of Applicant's Gila Compressor Station, to the junction with the San Juan Pipe Line Company's 26-inch line at a point near the A. T. & S. F. Railway Company's station of Franconia, approximately 17 miles east of the California-Arizona boundary, near Topock, Arizona.

(5) A 30-inch transmission pipe line, approximately 17 miles in length, from the western terminus of the pipe line described in (4) above, to the California-Arizona boundary, at the Colorado River, near the town of Topock, Arizona, and approximately 4 miles south and east of the town of Needles, California.

(6) 8,800 additional horse-power in Applicant's Keystone Main Line Compressor Station, located in Winkler County, Texas.

(7) 6,000 additional horse-power in Applicant's Guadalupe Compressor Station, located in Culberson County, Texas.

(8) 2,000 additional horse-power in Applicant's Gila Compressor Station, located in Maricopa County, Arizona.

(9) 7,200 additional horse-power in Applicant's Fullerton Compressor Station, located in the Fullerton Field, in Andrews County, Texas.

(10) An additional to the gas purification and dehydration plant at Applicant's Fullerton Plant, in Andrews County, Texas, with a capacity of 40,000,000 cubic feet of gas per day.

(11) A 16-inch loop line approximately 27.6 miles in length, and an 8⅝-inch pipe line approximately 5 miles in length, for the purpose of transporting gas from said Fullerton Plant and the proposed Stanolind Oil and Gas Company's plant in the Fullerton Field, Andrews County, Texas, to Applicant's 30-inch transfer pipe line, between Applicant's Eunice and Jal No. 1 plants. Applicant proposes to construct this 16-inch and 8⅝-inch pipe line in lieu of an 8⅝-inch line applied for under Docket No. G-1051, as described in paragraph C, (14) (e) of the application in that docket.

(12) 800 additional horse-power in Applicant's Keystone Field Compressor Station, located in Keystone Field, in Winkler County, Texas.

(13) 22,800 additional horse-power in Applicant's Goldsmith Compressor Station, located in Ector County, Texas.

(14) An addition to the gas purification and dehydration plant at Applicant's Goldsmith Plant in Ector County, Texas, with a capacity of 115,000,000 cubic feet of gas per day.

(15) A 20-inch loop pipe line, approximately 26 miles in length, extending westerly from said Goldsmith Compressor Station to a point in Applicant's Keystone Field Compressor Station, in Winkler County, Texas.

(16) A 10¾-inch pipe line, approximately 5 miles in length, extending northerly from a point in northeastern Crane County, Texas, to the junction with Applicant's proposed 24-inch pipe line from the Benedum Field in Upton County, Texas, described under paragraph (1) above.

(17) A natural gasoline extraction plant with a capacity for processing 85,000,000 cubic feet of gas per day, located in the Benedum Field in southeastern Upton County, Texas.

(18) A purification and dehydration plant, located at the site of the gasoline extraction plant referred to under paragraph (17) above, with a capacity of 80,000,000 cubic feet of gas per day.

(19) 3,300 additional horsepower in Applicant's El Paso Compressor Station, located in El Paso County, Texas.

(20) 3,300 additional horsepower in Applicant's Deming Compressor Station, located near the town of Deming, in Luna County, New Mexico.

(21) 3,200 additional horsepower in Applicant's Willcox Compressor Station, located near the town of Willcox, in Cochise County, Arizona.

(22) 2,200 additional horsepower in Applicant's Tucson Compressor Station, located approximately 30 miles west of the city of Tucson, in Pima County, Arizona.

Applicant states that the proposed facilities are designed so as to deliver natural gas at the western termini of Applicant's proposed pipe lines at the Colorado River, approximately 4 miles southeast of Needles, California, to the companies which are now distributing and selling natural gas in the Bay Area of the State of California, including San Francisco, Oakland, Berkeley and other cities and towns in that State.

Applicant states that it has contracted with San Juan Pipe Line Company to purchase from that company 150,000,000 cubic feet of gas per day, delivered to Applicant in Mohave County, Arizona, near the Santa Fe Station of Franconia, Arizona, which gas will be formation gas obtained in the San Juan Basin in northern New Mexico, southern Colorado, and southern Utah. Applicant further states that it has contracts either consummated or near consummation for the purchase in the Permian Basin of west Texas and southeastern New Mexico of not less than 250,000,000 cubic feet of residue gas per day for transportation through the proposed 30-inch loop lines to the Colorado River. Applicant alleges that such residue gas will consist of the flare gas now being produced in the Permian Basin and vented in the air for lack of markets.

Applicant proposes to begin construction of parts of the hereinbefore described facilities during the year of 1950, and to complete the same so that Applicant can deliver 150,000,000 cubic feet of gas per day from the Permian Basin in west Texas, and 150,000,000 cubic feet of gas per day from the San Juan Pipe Line Company at the western termini of the proposed facilities not later than October 1, 1951., Applicant proposed to begin construction of the remainder of the facilities during the year of 1951, and to complete the same so that Applicant can deliver an additional 100,000,000 cubic feet of gas per day from the Permian Basin in west Texas, at the western termini of the facilities not later than January 1, 1953.

The estimated total over-all cost of construction of all of the proposed facilities is $45,047,606, plus $1,458,453 additional provision for contingencies, making a total of $46,506,059, to be financed from the proceeds received by the issuance and sale of bonds, shares of common stock, either directly or through sale of convertible debentures, and by the contracting of a bank loan.

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

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

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6498; Filed, July 20, 1948; 8:52 a. m.]

[Docket Nos. G-1003, G-1075]

PUBLIC SERVICE ELECTRIC AND GAS CO. AND TEXAS EASTERN TRANSMISSION CORP.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE FOR HEARING

JULY 15, 1948.

Upon consideration of the application filed July 12, 1948, by Public Service Electric and Gas Company (Applicant) a New Jersey corporation with its principal office at Newark, New Jersey, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Eastern Transmission Corporation to establish physical connection of its transportation facilities with the facilities of and to sell natural gas to Applicant at a point on the transmission line of Texas Eastern Transmission Corporation near South Plainfield, New Jersey, as described in such application on file with the Commission and open to public inspection;

It appears to the Commission that:

(a) It is necessary and desirable in the public interest that a hearing be held respecting the matters involved and the issues raised by such application;

(b) Good cause exists for consolidating the proceedings to be held in Docket No. G-1075 with proceedings in Docket No. G-1003 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. d. s. t.) on July 16, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented by the application;

(B) The public hearing provided for in paragraph (A) above be and the same is hereby consolidated for hearing with the matters involved in Docket No. G-1003;

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: July 16, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6495; Filed, July 20, 1948; 8:52 a. m.]

[Docket Nos. G-1003, G-1076]

SOUTH JERSEY GAS CO. AND TEXAS EASTERN TRANSMISSION CORP.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE FOR HEARING

JULY 15, 1948.

Upon consideration of the application filed July 12, 1948, by South Jersey Gas Company (Applicant), a New Jersey corporation with its principal place of business at Atlantic City, New Jersey, for an order pursuant to section 7 (a) of the Natural Gas Act, directing Texas Eastern Transmission Corporation to establish physical connection of its transportation facilities with the facilities of and to sell natural gas to Applicant, as described in such application on file with the Commission and open to public inspection:

It appears to the Commission that:

(a) It is necessary and desirable in the public interest that a hearing be held respecting the matters involved and the issues raised by such application;

(b) Good cause exists for consolidating the proceedings to be held in Docket No. G-1076 with proceedings in Docket No. G-1003 for the purpose of hearing; and

The Commission orders that:

(A) A public hearing be held, commencing at 10:00 a. m. (e. d. s. t.) on

July 16, 1948, in the Main Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented by the application;

(B) The public hearing provided for in paragraph (A) above be and the same is hereby consolidated for hearing with the matters involved in Docket No. G–1003;

(C) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: July 16, 1948.

By the Commission.

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

[F. R. Doc. 48–6496; Filed, July 20, 1948; 8:52 a. m.]

[Docket No. G–1034]

NORTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND APPROVING ABANDONMENT AND REMOVAL OF FACILITIES

JULY 15, 1948.

Notice is hereby given that, on July 14, 1948, the Federal Power Commission issued its findings and order entered July 13, 1948, issuing certificate of public convenience and necessity and approving abandonment and removal of facilities in the above-designated matter.

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

[F. R. Doc. 48–6473; Filed, July 20, 1948; 8:47 a. m.]

[Docket No. G–1055]

OHIO FUEL GAS CO.

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

JULY 15, 1948.

Notice is hereby given that, on July 14, 1948, the Federal Power Commission issued its findings and order entered July 13, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

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

[F. R. Doc. 48–6474; Filed, July 20, 1948; 8:48 a. m.]

[Docket No. G–1067]

SAN JUAN PIPE LINE CO.

NOTICE OF APPLICATION

JULY 15, 1948.

Notice is hereby given that on June 30, 1948, an application was filed with the Federal Power Commission by San Juan Pipe Line Company (Applicant), a Delaware corporation with its principal place of business at El Paso, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities:

(1) A 26-inch transmission pipe line, approximately 451 miles in length, beginning at a point in the Barker Dome Field, in San Juan County, New Mexico, and running thence in a southerly and westerly direction to a point near the A. T. & S. F. Railway Company's station of Franconia, which point is approximately 17 miles east of the California-Arizona boundary, near Topock, Arizona.

(2) A 12¾-inch feeder pipe line, approximately 61 miles in length, from a point in the Boundary Butte Field, in San Juan County, Utah, thence easterly to a connecting point with the 26-inch transmission pipe line described under (1) above, in the Barker Dome Field, San Juan County, New Mexico.

(3) A 12¾-inch feeder pipe line, approximately 40 miles in length, from a point in the Blanco Field, located in the northeastern portion of San Juan County, New Mexico, thence in a westerly direction to a point of connection with the 26-inch transmission pipe line described under (1) above, in the Barker Dome Field, San Juan County, New Mexico.

(4) A compressor station with 3,000 horse-power, together with the necessary structures and equipment for the operation of the same, located in the Blanco Field, in the northeastern portion of San Juan County, New Mexico.

(5) A natural gasoline extraction plant located at the site of the compressor station referred to under (4) above, with a capacity to process 25,000,000 cubic feet of gas per day output.

(6) A gas dehydration plant located at the site of the compressor station, referred to under (4) above, with a capacity of 25,000,000 cubic feet of gas per day.

(7) Necessary gathering pipe lines of miscellaneous diameters for the purpose of transporting gas to Applicant's proposed plant facilities in the Blanco Field.

Applicant proposes to supply natural gas to El Paso Natural Gas Company at a point located approximately 20 miles east of the town of Needles, California, in Mohave County, Arizona, for transportation to a point on the Colorado River near Needles, California, where El Paso Natural Gas Company will deliver the gas to the companies which are now distributing and selling natural gas in the Bay Area, including San Francisco, Oakland, Berkeley and other cities and towns in that section of California. Applicant proposes to supply El Paso Natural Gas Company, through the facilities heretofore described, with 150,000,000 cubic feet of natural gas per day from formation gas reserves in the San Juan Basin located in northwestern New Mexico, southwestern Colorado and southeastern Utah.

Applicant states that it proposes to commence construction as soon as a certificate is granted by the Federal Power Commission, and to complete such construction so that Applicant can commence deliveries of gas to El Paso Natural Gas Company at the delivery point in Mohave County, Arizona, hereinbefore described, through such system not later than January 1, 1951.

The estimated total over-all capital cost of construction of all of the proposed facilities is $28,000,000, to be financed from proceeds received by the sale of $500,000 of Applicant's common stock, by the sale of $9,000,000 of Applicant's 5% preferred stock, and by the sale of $18,500,000 of Applicant's 3¼% bonds.

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

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

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

[F. R. Doc. 48–6497; Filed, July 20, 1948; 8:52 a. m.]

[Docket No. E–6153]

TELLURIDE POWER CO.

NOTICE OF APPLICATION

JULY 15, 1948.

Notice is hereby given that on July 13, 1948, an application was filed with the Federal Power Commission, pursuant to section 19 of the Federal Power Act, by Telluride Power Company, a Delaware corporation doing business in the State of Utah, with its principal business office at Salt Lake City, Utah, seeking an order authorizing the issuance of a series of unsecured promissory notes to Walker Bank and Trust Company, Salt Lake City, Utah, covering borrowings not to exceed $400,000.00. The said notes are to be dated as of the time of actual borrowing as the company's needs require, and are to mature 5 years from date, with 10% of the principal payable 2 years from date, and 20% payable at the end of each of the 3d and 4th years, bearing interest at 3¼% per annum, with the proceeds therefrom to be used to provide additional funds for construction of needed improvements to the company's system; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 16th

day of August 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6470; Filed, July 20, 1948; 8:46 a. m.]

[Project No. 350]

CITY OF ANCHORAGE, ALASKA

NOTICE OF ORDER APPROVING EXHIBITS AND DISMISSING APPLICATION FOR AMENDMENT OF LICENSE (MAJOR)

JULY 15, 1948.

Notice is hereby given that, on July 15, 1948, the Federal Power Commission issued its order entered July 13, 1948, approving certain exhibits and dismissing application for amendment of license (major) in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6471; Filed, July 20, 1948; 8:46 a. m.]

[Project No. 739]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF ORDER APPROVING PROJECT EXHIBITS

JULY 15, 1948.

Notice is hereby given that, on July 15, 1948, the Federal Power Commission issued its order entered July 13, 1948, approving propect exhibits in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6472; Filed, July 20, 1948; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 2-5787 (22-417)]

HOUSEHOLD FINANCE CORP.

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 15th day of July A. D. 1948.

Notice is hereby given that Household Finance Corporation (applicant) has filed an application under clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939 for a finding by the Commission that trusteeship of J. P. Morgan & Co. Incorporated under an indenture dated July 1, 1945, which was heretofore qualified under the Trust Indenture Act of 1939, and trusteeship by said Company under a proposed indenture to be dated July 1, 1948 (not to be qualified under the act), is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify said trustee from acting as such under the qualified indenture dated July 1, 1945.

The applicant alleges: (1) That it proposes to issue $25,000,000 aggregate principal amount of 3% Sinking Fund Debentures, due July 1, 1964, under a new indenture under which J. P. Morgan & Co. Incorporated is to be named indenture trustee; that said debentures will be sold to two institutional investors which will purchase for investment and not with a view to distribution; and, that the new indenture is exempted from qualification under the Trust Indenture Act of 1939 by section 304 (b) (1) thereof; (2) that it has outstanding $15,000,000 principal amount of unsecured 2¾% Sinking Fund Debentures, due July 1, 1970, issued under the qualified indenture dated July 1, 1945, under which J. P. Morgan & Co., Incorporated is trustee; (3) that the old indenture dated July 1, 1945, names J. P. Morgan & Co. Incorporated as trustee and contains language substantially similar to that of section 310 (b) (1) of the act, including clause (ii) thereof; (4) that the old indenture and the new indenture will be wholly unsecured; that the provisions of the new indenture will in all other respects be substantially the same as the old indenture except that the new indenture will contain different dates, redemption prices, sinking fund amounts and certain covenants, and the effectiveness of certain provisions conforming to the act will be deferred until the said new indenture is qualified thereunder; and (5) that differences existing between the old indenture and the new indenture are not likely to involve a conflict of interest in the trusteeship; and

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington 25, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time after July 26, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (ii) of section 310 (b) (1) of the Trust Indenture Act of 1939. Any interested person may, not later than July 23, 1948, at 5:30 p. m., eastern daylight saving time, in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing 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. 48-6478; Filed, July 20, 1948; 8:48 a. m.]

[File No. 16-1A23]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., ET AL.

MEMORANDUM OPINION AND ORDER APPROVING CONTINUANCE IN MEMBERSHIP IN NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

The National Association of Securities Dealers, Inc. ("NASD"), a national securities association registered pursuant to section 15A of the Securities Exchange Act of 1934 has applied for our approval of its continuance in NASD membership of a member firm while employing H. L. Ruppert and Joseph H. Lynch as "registered representatives."[1] Notice of the application has been mailed to interested parties and published in the FEDERAL REGISTER. We have not been advised of any objection to the granting of the application.

Ruppert was formerly president, treasurer and a director, and Lynch was a vice-president and director of Ruppert & Company, Inc. of St. Louis. On February 5, 1942, we revoked that firm's registration and expelled it from membership in the NASD and the St. Louis Stock Exchange.[2] We found that the company willfully violated the act in that it transacted business while having no net capital and while owing substantial sums to customers and banks, that it wrongfully commingled and hypothecated customers' securities; and that it failed to make and keep certain required records.

Under section 15A (b) (4) of the Securities Exchange Act of 1934 and Article I, section 2 of the NASD by-laws, except with the approval or at the direction of the Commission in cases in which the Commission finds it appropriate in the public interest so to approve or direct, no member may be continued in association membership while employing in a trading or selling capacity a person who was "a cause" of an order of revocation or expulsion. Since it appeared that Ruppert and Lynch were each "a cause" of the revocation and expulsion orders, and that, so long as they were employed in a trading or selling capacity, their employer would be disqualified from continuance in membership in the NASD unless we approved such continuance, the NASD, after a hearing pursuant to its applicable by-laws, filed the instant application.

The District Committee and the Board of Governors of the NASD noted that all of the obligations of H. L. Ruppert & Company have been met through the contributions of Ruppert, Lynch and

[1] The identity of the member firm has been disclosed in a separate filing with the Commission. The Association has requested that such identity be accorded confidential treatment under section 24 (b) of the act and Rule X-24B-2. The request for confidential treatment is hereby granted for reasons similar to those discussed in "National Association of Securities Dealers, Inc." (re Edward E. Trost), — S. E. C. — (1947), Securities Exchange Act Release No. 3955.

[2] "H. L. Ruppert & Company, Inc.," 10 S. E. C. 1119 (1942).

another associate in that firm; that Ruppert's and Lynch's activities in their present employment are adequately supervised; and were of the opinion that in view of all the circumstances, including review of Ruppert's and Lynch's recent activities and their general reputation in the business community, they should be permitted to engage in the securities business as employees and registered representatives, and that, subject to approval of the Commission, their employer should be continued in membership in the NASD.

Upon review of the record before the NASD and in conformity with the principles expressed in "National Association of Securities Dealers, Inc." (re William L. Johnsen), — S. E. C. —, Securities Exchange Act Release No. 4116 issued this day, we conclude that it is in the public interest to grant the relief requested.

Accordingly, it is ordered, That the application of the National Association of Securities Dealers, Inc. for approval of continuance of membership of its member firm while employing Henry L. Ruppert and Joseph H. Lynch be, and it hereby is, approved.[1]

By the Commission.

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

[F. R. Doc. 48-6482; Filed, July 20, 1948; 8:49 a. m.]

[File No. 16-1A25]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., AND GEORGE M. PETERSON

MEMORANDUM OPINION AND ORDER APPROVING CONTINUANCE IN MEMBERSHIP IN NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

The National Association of Securities Dealers, Inc. ("NASD"), a national securities association registered pursuant to section 15A of the Securities Exchange Act of 1934 has applied for our approval of its continuance in NASD membership of a member firm while employing George M. Peterson as a "registered representative."[2] Notice of the application has been mailed to interested parties and published in the FEDERAL REGISTER. We have not been advised of any objection to the granting of the application.

Peterson was formerly an executive officer and, together with Harry H. Polk, controlled the firm of Polk-Peterson Corporation, of Des Moines, Iowa. On February 6, 1942, we revoked that firm's registration and expelled it from membership in the NASD.[3] We found that the firm willfully violated the Securities Exchange Act of 1934, in that it transacted business without required net capital, improperly commingled and hypothecated customers' securities, and failed to keep proper books and records; and that it willfully violated the Securities Act of 1933, in that, while insolvent, it received a capital contribution from Peterson and Polk, funds for which were obtained from an investment company controlled by them, the latter company selling its portfolio securities and turning over the proceeds in exchange for the personal notes of Peterson and Polk.

Under section 15A (b) (4) of the Securities Exchange Act of 1934 and Article I, Section 2 of the NASD by-laws, except with the approval or at the direction of the Commission in cases in which the Commission finds it appropriate in the public interest so to approve or direct, no member may be continued in association membership while employing in a trading or selling capacity a person who was "a cause" of an order of revocation or expulsion. Peterson was "a cause" of the revocation and expulsion orders directed against Polk-Peterson Corporation and, accordingly, so long as he is employed in a trading or selling capacity, his employer would be disqualified from continuance in membership in the NASD unless we approved or directed such continuance.

The record of proceedings before the NASD indicates that Peterson was in the armed services from April 28, 1942 until July 15, 1945; that all of the obligations of Polk-Peterson Corporation have been discharged; that Polk and Peterson have personally purchased at original cost plus interest all of the publicly held outstanding stock of the investment company holding their notes; that Peterson would be adequately supervised in his selling activities and that his customers would consist largely of institutional investors; and that Peterson's employers are fully acquainted with his entire record in the securities business and have confidence in his ability and integrity. The District Committee and the Board of Governors were of the opinion that Peterson should be allowed to engage in the securities business as an employee and registered representative and that, subject to the approval of the Commission, his employer should be continued in membership in the NASD.

Upon review of the record before the NASD and in conformity with the principles expressed in "National Association of Securities Dealers, Inc." (re William L. Johnsen), — S. E. C. —, Securities Exchange Act Release No. 4116, issued this day, we conclude that it is in the public interest to grant the relief requested.

Accordingly, it is ordered, That the application of the National Association of Securities Dealers, Inc. for approval of continuance in membership of its member firm while employing George M. Peterson be, and it hereby is, approved.

By the Commission.

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

[F. R. Doc. 48-6485; Filed, July 20, 1948; 8:50 a. m.]

[File No. 16-1A26]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., AND WILLIAM L. JOHNSEN

MEMORANDUM OPINION AND ORDER APPROVING CONTINUANCE IN MEMBERSHIP IN NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

The National Association of Securities Dealers, Inc. ("NASD"), a national securities association registered under section 15A of the Securities Exchange Act of 1934, has applied for our approval of the continuance in NASD membership of a member firm, while employing William L. Johnsen as a "registered representative."[2] Notice of the application has been mailed to interested parties and published in the FEDERAL REGISTER. We have not been advised of any objection to the granting of the application.

Johnsen was formerly president and a director of Behel, Johnsen & Company, Inc., of Chicago. On June 25, 1947, we revoked that firm's registration and expelled it from the NASD, after finding that it had willfully violated the antifraud provisions of the Securities Act of 1933 and the Securities Exchange Act of 1934 by obtaining secret profits from customers and causing excessive trading in their accounts.[4] We found that the business activities of the registrant were dominated and controlled by Johnsen and by Robert B. Pennington, who was also an officer and director, but that the latter actually effected the transactions which were the basis of the statutory violations.

Under section 15A (b) (4) of the Securities Exchange Act of 1934 and Article I, Section 2 of the NASD by-laws, except with the approval or at the direction of the Commission in cases in which the Commission finds it appropriate in the public interest so to approve or direct, no member may be continued in association membership while employing in a trading or selling capacity a person who was "a cause" of an order of revocation or expulsion. Johnsen must be regarded as "a cause" of the revocation and expulsion orders directed against Behel, Johnsen & Company, Inc. and, accordingly, so long as he is employed in a trading or selling capacity, his employer would be disqualified from continuance in membership in the NASD unless we approved or directed such continuance.

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[1] See Memorandum Opinion issued this day in connection with a similar application on behalf of H. L. Brocksmith, a former associate in the Ruppert firm. "National Association of Securities Dealers, Inc.," — S. E. C. —, Securities Exchange Act Release No. 4120.

[2] The identity of the member firm has been disclosed in a separate filing with the Commission. The Association has requested that such identity be accorded confidential treatment under section 24 (b) of the act and Rule X-24B-2. The request for confidential treatment is hereby granted for reasons similar to those discussed in "National Association of Securities Dealers, Inc." (re Edward E. Trost), — S. E. C. — (1947), Securities Exchange Act Release No. 3955.

[3] "Polk-Peterson Corporation," 10 S. E. C. 1132 (1942).

[4] "Behel, Johnsen & Company, Inc.," — S. E. C. — (1947), Securities Exchange Act Release No. 3967.

The record of proceedings before the NASD indicates that its District Committee and Board of Governors were of the opinion that Johnsen was responsible for the violations in the Behel, Johnsen & Company matter only in that he failed to exercise proper supervision over Pennington's activities, in part because of absence from his office due to illness; that Johnsen would be under adequate supervision in his new employment; that considering Johnsen's recent activity and his general reputation in the business community, Johnsen should be permitted to engage in the securities business as an employee and registered representative; and that, subject to approval of the Commission, his employer should be continued in membership in the NASD.

It is clear that section 15A (b) (4) does not necessarily require that a person who has been found to be "a cause" of a prior order of revocation or expulsion must thereafter be permanently excluded from the securities business. We think the statute contemplates that it may be consistent with the public interest to permit the employment of such a person in the securities business where—taking into account the facts of the prior revocation or expulsion order and the extent of such person's responsibility for such order, the nature of the proposed employment and the degree of supervision to be exercised over such person, and such other circumstances as may be relevant in any particular case—there is substantial reason to believe that the proposed employment will not result in injury to investors. And, in determining that question, we think that due weight should be given to the findings and recommendation of the NASD. Applying these principles in the instant case, we conclude that it is appropriate in the public interest to grant the relief requested.

Accordingly, it is ordered, That the application of the National Association of Securities Dealers, Inc., for approval of continuance of membership of its member firm while employing William L. Johnsen be, and it hereby is, approved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-6484; Filed, July 20, 1948; 8:50 a. m.]

[File No. 16-1A27]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC., AND JOSEPH LOEB

MEMORANDUM OPINION AND ORDER APPROVING CONTINUANCE IN MEMBERSHIP IN NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

The National Association of Securities Dealers, Inc. ("NASD"), a national securities association registered pursuant to section 15A of the Securities Exchange Act of 1934, has applied for our approval of its continuance in NASD membership of a member firm while employing Joseph Loeb as a "registered representative."[1] Notice of the application has been mailed to interested parties and published in the FEDERAL REGISTER. We have not been advised of any objection to the granting of the application.

Joseph Loeb was formerly a partner in Loeb, Newman & Co. of New York, whose registration we revoked on April 14, 1939. Our order instituting the revocation proceedings placed in issue the question whether it was in the public interest to revoke registration on the basis of the firm's alleged willful violations of the act in failing to maintain sufficient net capital and in failing to keep accurate its registration statement, and on the basis of the existence of an order of the Supreme Court of the State of New York enjoining the firm and its partners as individuals from engaging in the securities business. In response to our order, the firm filed an "Answer and Consent" in which it admitted "that grounds exist for the revocation of * * * registration" and consented to such revocation.

Under section 15A (b) (4) of the Securities Exchange Act of 1934 and Article I, Section 2, of the NASD by-laws, except with the approval or at the direction of the Commission in cases in which the Commission finds it appropriate in the public interest so to approve or direct, no member may be continued in association membership while employing in a trading or selling capacity a person who was "a cause" of an order of revocation. Loeb must be regarded as "a cause" of the revocation order directed against Loeb, Newman & Co. and, accordingly, so long as he is employed in a trading or selling capacity, his employer would be disqualified from continuance in membership in the NASD unless we approved or directed such continuance.

The record of the proceedings before the NASD indicates that from the time of the revocation until recently Loeb was employed by public charitable organizations; and that all of the obligations of his former firm have been discharged. The NASD District Committee and Board of Governors were of the opinion, that, considering Loeb's recent activities and his general reputation in the business community, he should be permitted to engage in the securities business as an employee and registered representative; and that, subject to the approval of the Commission, his employer should be continued in membership in the NASD.

Upon review of the record before the NASD and in conformity with the principles expressed in "National Association of Securities Dealers, Inc." (re William L. Johnsen), — S. E. C. —, Securities Exchange Act Release No. 4116, issued this day, we conclude that it is in the public interest to grant the relief requested.

Accordingly, it is ordered, That the application of the National Association of Securities Dealers, Inc. for approval of continuance in membership of its member firm while employing Joseph Loeb be, and it hereby is, approved.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-6486; Filed, July 20, 1948; 8:50 a. m.]

[1] The identity of the member firm has been disclosed in a separate filing with the Commission. The Association has requested that such identity be accorded confidential treatment under section 24 (b) of the act and Rule X-24B-2. The request for confidential treatment is hereby granted for reasons similar to those discussed in "National Association of Securities Dealers, Inc." (re Edward E. Trost), — S. E. C. — (1947), Securities Exchange Act Release No. 3955.

[File No. 16-1A28]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC. AND H. L. BROCKSMITH

MEMORANDUM OPINION AND ORDER APPROVING CONTINUANCE IN MEMBERSHIP IN NATIONAL SECURITIES ASSOCIATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

The National Association of Securities Dealers, Inc. ("NASD"), a national securities association registered under section 15A of the Securities Exchange Act of 1934, has applied for our approval of its continuance in NASD membership of a member firm while employing H. L. Brocksmith as a "registered representative."[1] Notice of the application has been mailed to interested parties and published in the FEDERAL REGISTER. We have not been advised of any objection to the granting of the application.

Brocksmith was formerly vice president of H. L. Ruppert & Company, Inc., of St. Louis. On February 5, 1942, we revoked that firm's registration and expelled it from membership in the NASD and the St. Louis Stock Exchange.[2]

We found that the company willfully violated the act in that it transacted business while having no net capital and while owing substantial sums to customers and banks; that it wrongfully commingled and hypothecated customers' securities; and that it failed to make and keep certain required records.

Under section 15A (b) (4) of the Securities Exchange Act of 1934 and Article I, section 2 of the NASD by-laws, except with the approval or at the direction of the Commission in cases in which the Commission finds it appropriate in the public interest so to approve or direct, no member may be continued in association membership while employing in a trading or selling capacity a person who was "a cause" of an order of revocation or expulsion. Since it appeared that Brocksmith was "a cause" of the revocation and expulsion orders, and that, so long as he was employed in a trading or selling capacity, his employer would be disqualified from continuance in membership in the NASD unless we approved such continuance, the NASD, after a hearing pursuant to its

[2] "H. L. Ruppert & Company, Inc.," 10 S. E. C. 1119 (1942).

applicable by-laws, filed the instant application.

The District Committee and the Board of Governors of the NASD noted that all of the obligations of H. L. Ruppert & Company have been met through the contributions of Brocksmith and his associates in that firm; that Brocksmith's activities in his present employment are adequately supervised; and were of the opinion that in view of all the circumstances, including review of Brocksmith's recent activities and his general reputation in the business community, he should be permitted to engage in the securities business as an employee and registered representative, and that, subject to approval of the Commission, his employer should be continued in membership in the NASD.

Upon review of the record before the NASD and in conformity with the principles expressed in "National Association of Securities Dealers, Inc." (Re William L. Johnsen), — S. E. C. —, Securities Exchange Act Release No. 4116, issued this day, we conclude that it is in the public interest to grant the relief requested.

Accordingly, it is ordered, That the application of the National Association of Securities Dealers, Inc., for approval of continuance of membership of its member firm while employing H. L. Brocksmith be, and it hereby is, approved.[8]

By the Commission.

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

[F. R. Doc. 48-6483; Filed, July 20, 1948; 8:49 a. m.]

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

UNITED LIGHT AND RAILWAYS CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of July A. D. 1948.

In the matter of The United Light and Railways Company, American Light & Traction Company, et al.; File Nos. 59-11, 59-17, 54-25.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by American Light & Traction Company ("American Light"), a registered holding company. Applicant-declarant designates Rule U-50 promulgated under the act as applicable to the proposed transactions.

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

On December 30, 1947, the Commission entered an Order approving a plan filed pursuant to section 11 (e) of the act by American Light and its parent, United Light and Railways Company, also a registered holding company, which provides, among other things, that during 1948 American Light will apply for permission to sell such shares of common stock of The Detroit Edison Company ("Detroit Edison") as may be required from time to time in connection with its investment in Michigan-Wisconsin Pipeline Company, a subsidiary, and that during 1948 American Light will dispose of all of its interest in Detroit Edison. American Light sold two blocks of 450,000 shares each of Detroit Edison common stock in January and April, 1948, respectively. American Light now proposes to sell at competitive bidding, pursuant to the requirements of Rule U-50, 190,000 shares of the common stock of Detroit Edison and invest the proceeds in the common stock of Michigan-Wisconsin Pipeline Company or use such proceeds to reimburse American Light's treasury on account of funds heretofore so invested. Upon the consummation of the sale, American Light will hold approximately 260,365 shares of said stock.

In order to facilitate the distribution and offering of the said 190,000 shares of stock, American Light requests authority to purchase on the New York Stock Exchange and the Detroit Stock Exchange such number of shares of common stock of Detroit Edison as may be necessary or appropriate to stabilize the price of such stock. It is stated that such purchases may commence at 10 o'clock a. m., on the date set for opening of bids and continue until American Light has accepted a bid or, if no bid is accepted, until all bids are rejected, and that all purchases of stock will be made through a member or members of the Exchanges under applicable rules. It is further stated that all shares of such stock purchased for stabilization purposes will be held subject to the outstanding orders of the Commission and the provisions of the Plan in the same manner as shares of such stock are now held.

Applicant-declarant requests that the period provided by Rule U-50 for the invitation of bids be shortened from ten days to seven days, and that the effectiveness of the Commission's order to be entered herein be accelerated.

It appearing to the Commission appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the proposed transactions and that said application-declaration should not be granted and permitted to become effective except pursuant to the further order of this Commission:

It is ordered, That, pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, a hearing with respect to said application-declaration be held on July 28, 1948, at 10 a. m., e. d. s. t., at the offices of this 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 persons desiring to be heard or otherwise participate in this proceeding shall file with the Secretary of the Commission, on or before July 26, 1948, a written request therefor as provided by Rule XVII of the Commission's rules of practice.

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

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

1. Whether the proposed transactions are appropriate in the light of the status of the plan filed by American Light and United Light and Railways Company and heretofore approved by the Commission, and in this connection whether any terms and conditions should be imposed to assure that the plan will be carried out in accordance with its purpose.

2. Whether the proposed accounting entries to record the proposed transactions conform to the Uniform System of Accounts for Public Utility Holding Companies.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing by registered mail a copy of this notice and order to American Light & Traction Company, United Light and Railways Company, Michigan Public Service Commission, and to all participants in the proceeding with respect to Application No. 31 (File No. 54-25); that further notice shall be given to all persons by publication of this notice and order in the FEDERAL REGISTER; and that a copy of this notice and order through a general release of this Commission shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-6481; Filed, July 20, 1948; 8:49 a. m.]

[File No. 70-1838]

NEW ENGLAND POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

New England Power Company ("NEPCO"), a subsidiary company of New England Electric System ("NEES"), a registered holding company, having filed a declaration pursuant to section 7

[8] See Memorandum Opinion issued this day in connection with similar applications on behalf of Brocksmith's former associates in the Ruppert firm. "National Association of Securities Dealers, Inc.," — S. E. C. —, Securities Exchange Act Release No. 4117.

of the Public Utility Holding Company Act of 1935 with respect to the following proposed transaction:

NEPCO proposes to reduce the par value of its common stock from $25 per share to $20 per share. The declaration states that the aggregate reduction in par value of $3,111,665 will be credited to the capital surplus account, which account will also be credited with $1,071,665, the entire amount recorded in NEPCO's premium on common stock account. The declaration further states that $7,040,315, representing upward revaluations of utility property as determined by the Staff of the Federal Power Commission and the Staff of NEPCO, will be disposed of by (1) a charge to the capital surplus account of $4,183,330, (2) a charge to the reserve for depreciation of electric plant account of $2,002,095 and (3) a charge to the earned surplus account of $854,890. The earned surplus account as at March 31, 1948 aggregated $943,940 which, after adjustment to reflect the above proposed charge, will have a balance of $89,050.

The declaration, as amended, states that the stockholders of NEPCO have voted to change the par value of the common stock from $25 to $20 a share. The Department of Public Utilities of the Commonwealth of Massachusetts has approved said reduction in par value. The Federal Power Commission has jurisdiction over the accounting treatment of the disposition of said $7,040,315 representing upward revaluations of utility property as determined by staffs of said Commission and NEPCO and nothing herein should be construed as constituting approval or disapproval by this Commission of the accounting proposed in connection therewith.

NEPCO's expenses for services in connection with the proposed transactions including services by New England Power Service Company, an affiliated service company, at the actual cost thereof, are estimated at $1,500.

Said declaration having been filed on May 18, 1948 and notice of such filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing thereon within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

Declarant having requested that the Commission's order herein become effective forthwith and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the Act are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective:

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

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 48-6476; Filed, July 20, 1948; 8:48 a. m.]

[File No. 70-1850]

BELLOWS FALLS HYDRO-ELECTRIC CORP. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1948.

In the matter of Bellows Falls Hydro-Electric Corporation, Connecticut River Power Company, New England Power Company, New England Electric System, File No. 70-1850.

New England Electric System ("NEES"), a registered holding company, and its subsidiary companies, Bellows Falls Hydro-Electric Corporation ("Bellows"), Connecticut River Power Company ("Connecticut"), and New England Power Company ("NEPCO"), having filed a joint application-declaration and amendments thereto, pursuant to sections 6 and 9 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-45 and U-50 thereunder regarding the following proposed transactions:

Bellows proposes to sell its utility assets and materials and supplies to NEPCO and Connecticut proposes to sell to NEPCO a certain transmission line. NEPCO proposes to issue and sell, at competitive bidding pursuant to Rule U-50, $11,000,000 principal amount of First Mortgage Bonds, __%, Series B, due 1978, hereinafter sometimes referred to as "Series B Bonds", under its existing Indenture of Trust and First Mortgage, dated November 15, 1936, and its First Supplemental Indenture, to be dated July 1, 1948. The interest rate and price to NEPCO for the Series B Bonds will be determined by competitive bidding, except that the invitation for bids will specify that the interest rate shall be a multiple of ⅛ of 1% and that the price to NEPCO, exclusive of accrued interest, shall not be less than 100% nor more than 102¾% of the principal amount of said Series B bonds.

The net proceeds to be derived from the proposed issuance and sale of said Series B bonds, estimated at $10,888,000, together with treasury funds in the estimated amount of $213,625, will be used by NEPCO (1) to pay for the utility assets of Bellows at net original cost ($8,763,038) and materials and supplies ($40,707) less than assumption of certain liabilities ($52,120) or a net amount of $8,751,625; (2) to pay $533,960 for the transmission line of Connecticut at net original cost; and (3) to reduce by $1,816,040 its indebtedness to banks. Bellows proposes to use the cash it receives from the sale of its properties for the call of its $8,150,000 principal amount of First Mortgage, 5% Gold Bonds at the call price of 101½% of the principal amount thereof and for the payment of its $500,000 indebtedness to a bank. Connecticut proposes to use the cash it receives to reduce the principal amount of its 3¾% Series A First Mortgage Bonds from $16,089,000 to $15,555,000.

The application-declaration states that in connection with the sale by Bellows of its utility assets, a loss will be sustained which will be deducted from taxable consolidated net income in determining the liability for federal income taxes. Bellows and NEES seek the Commission's authority to allocate consolidated federal income taxes for the taxable year 1948 in a manner other than that permitted by Rule U-45 (b) (6) by proposing that NEES, in the first instance, receive the full tax credit for the claimed loss to be included in the consolidated federal income tax return. NEES in the application-declaration stipulates and agrees that if the above referred to authorization is granted by the Commission, it will, at the time of the sale by Bellows of its properties, establish upon its books a reserve equal to full tax credit and proposes that the Commission reserve jurisdiction to dispose of such tax credit and the reserve to be set up therefor in such manner and by such adjustments to the accounts of NEES as the Commission may at any time determine. NEES in the application-declaration further stipulates and agrees that the above referred to reserve account will be entitled "Reserve Re Tax Allocation"; and that such tax credit and reserve account will be disposed of by NEES in such manner as the Commission may subsequently order; and that such reserve account will be footnoted in all published financial statements to indicate that the Commission has reserved jurisdiction over the disposition thereof and related accounting adjustments. Bellows and NEES request in the application-declaration that when the Commission acts upon the disposition of said reserve account, it permit the full amount of the tax credit to be allocated to Bellows so that Bellows will be the ultimate recipient of the full tax credit for the net loss claimed. The application-declaration further states that Bellows will not be liquidated until such time as disposition of said reserve account is ordered by the Commission.

NEES further proposes, pursuant to Rule U-45, to make a cash advance to Bellows of an amount not in excess of $1,100,000 to provide Bellows with sufficient cash to pay its accounts payable to NEPCO at or prior to the consummation of the proposed sale of its utility assets. It is stated that the cash advanced will bear interest at the rate of 3% per annum. The investment of NEES in Bellows which, by virtue of the above referred to cash advance, will be increased from $3,500,000 to approximately $4,600,000, will be carried in the investment account of NEES and its disposition will be made pursuant to further order of the Commission. All published financial statements of NEES will include a footnote to its investment in Bellows stating that Bellows is in the process of liquida-

tion but as the final tax credit in connection with the claimed loss on the sale of its properties and the disposition of the Reserve Re Tax Allocation and related accounting adjustments are not known, disposition will not be made except pursuant to further order of the Commission in connection with the disposition of said reserve account.

The expenses for services in connection with the proposed sale by Bellows and Connecticut including services at the actual cost thereof by New England Power Service Company, an affiliated service company, are estimated in the application-declaration not to exceed $10,000 and $2,000, respectively. Although the total expenses in connection with the issuance and distribution of the Series B bonds by NEPCO, except underwriting discounts and commissions, are estimated at $112,250, the estimate does not designate the amount for counsel fees and expenses.

The Department of Public Utilities of the Commonwealth of Massachusetts, the Vermont Public Service Commission, and the New Hampshire Public Service Commission have authorized the issuance and sale of the Series B bonds. Such Commissions have approved the purchase by NEPCO and the sale by Bellows and Connecticut of the utility assets of Bellows and the transmission line of Connecticut and the Federal Power Commission has approved such acquisitions by NEPCO.

The Applicants-Declarants having requested that the Commission's order become effective forthwith, and NEPCO having requested that the ten-day period for inviting bids as provided in Rule U-50 be shortened to not less than six days; and

Said application-declaration having been filed on May 27, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the applicable standards of the act are satisfied, that there is no basis for any adverse findings with respect thereto, and that it is not necessary to impose any terms and conditions other than those set forth below; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective; and further deeming it appropriate to grant the request of Applicants-Declarants that this order become effective upon issuance:

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

1. That the proposed issuance and sale of said Series B bonds shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 with respect to said Series B bonds shall have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate.

2. That jurisdiction be, and the same hereby is, reserved with respect to all counsel fees and expenses, including fees and expenses of counsel for the successful bidders, in connection with the proposed transactions.

It is further ordered, That authorization is granted to NEES and Bellows to allocate consolidated federal income taxes for the taxable year 1948, in the first instance, so that NEES will receive the full tax credit for the loss claimed to be sustained in connection with the sale by Bellows of its utility assets subject to the following conditions:

1. That jurisdiction be, and the same hereby is, reserved with respect to (a) the disposition of the proposed reserve account of NEES to be entitled "Reserve Re Tax Allocation," (b) the disposition of the tax credit for the loss claimed to be sustained in connection with the sale by Bellows of its utility assets and to be included in the 1948 consolidated federal income tax return of NEES and the participating subsidiary companies, and (c) the disposition of the investment account of NEES in Bellows or any amount recorded therein.

2. That the authority hereinabove granted with respect to the allocation of the consolidated federal income taxes for the taxable year 1948 will continue in effect only until such time as this Commission, by subsequent order, after notice and opportunity for hearing, determines the appropriate disposition of the proposed reserve account of NEES, the investment account of NEES in Bellows, or the tax credit which NEES, in the first instance, will receive.

It is further ordered, That the ten-day period prescribed by Rule U-50 for the invitation of bids with respect to the Series B bonds proposed to be issued and sold by NEPCO, be, and the same hereby is, shortened to not less than six days.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48 6480; Filed, July 20, 1948; 8:49 a. m.]

[File Nos. 70-1859, 70-1860]

NORTHERN STATES POWER CO. (MINN.) AND NORTHERN STATES POWER CO. (WIS.)

SUPPLEMENTAL ORDER REGARDING JURISDICTION AND GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of July A. D. 1948.

In the matter of Northern States Power Co., a Minnesota corporation, File No. 70-1860; Northern States Power Company, a Wisconsin corporation, File No. 70-1859.

Northern States Power Company, a Minnesota corporation ("the Minnesota company"), an electric and gas utility company and a registered holding company under the Public Utility Holding Company Act of 1935 ("the act"), which company is also a subsidiary of Northern States Power Company, a Delaware corporation and a registered holding company, having filed an application-declaration and amendments thereto pursuant to sections 6, 7, 9 and 10 of the act and Rules U-23, U-24, U-42 and U-50 promulgated thereunder regarding, among other things, its proposal to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $10,000,000 principal amount of its First Mortgage Bonds, Series due July 1, 1978 ("New Bonds") and 200,000 shares of its Cumulative Preferred Stock, $____ Series without par value and with an involuntary liquidation value of $100 per share ("New Preferred Stock"); and

Northern States Power Company, a Wisconsin corporation, an electric and gas utility company and a subsidiary of the Minnesota company, having filed an application pursuant to section 6 (b) of the act and Rules U-23, U-24 and U-43 thereunder regarding its proposal to issue and sell at par to its parent, the Minnesota company, 60,000 additional shares of its Common Stock of the par value of $100 per share; and

The Commission having consolidated said matters by order issued on June 17, 1948, and having granted said applications and permitted said declaration to become effective by order issued on June 30, 1948, subject to the terms and conditions prescribed in Rule U-24 and subject to the condition that the proposed issue and sale of the New Bonds and New Preferred Stock by the Minnesota Company should not be consummated until the results of competitive bidding pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order had been issued by the Commission in the light of the record so completed, and subject also to the Commission's reservation of jurisdiction with respect to the fees and expenses in connection with said transactions; and

A further amendment to its application-declaration having been filed by the Minnesota company on July 14, 1948 setting forth the action taken by it to comply with the requirements of Rule U-50 and stating that, pursuant to the invitations for competitive bids, the following bids have been received:

FOR THE NEW BONDS

Bidders, (group headed by—)	Interest rate (percent)	Price to Company [1]	Cost to Company
Merrill Lynch, Pierce, Fenner & Beane	3	101.169	2.9411
Harriman Ripley & Co., Incorporated	3	101.133	2.9429
Union Securities Corp.	3	101.0707	2.9460
Equitable Securities Corp.	3	101.069	2.9461
The First Boston Corp.	3	101.059	2.9466
Halsey, Stuart & Co., Inc.	3	100.90	2.9546
Lehman Bros. and Riter & Co.	3	100.7999	2.9596
Glore, Forgan & Co.	3	100.572	2.9711

[1] Plus accrued interest from July 1, 1948 to date of delivery.

FOR THE NEW PREFERRED STOCK

Bidders (group headed by—)	Dividend rate	Price to company [1]	Cost to company
Lehman Bros. and Riter & Co.	$4.80	100.7599	4.7638
Smith, Barney & Co.	4.80	100.57	4.7728

[1] Plus accrued dividends from July 1, 1948 to date of delivery.

Said amendment having further set forth that the Minnesota company has accepted the bid of the group headed by Merrill Lynch, Pierce, Fenner & Beane as set out above for the New Bonds, and that such bonds will be offered for sale to the public at a price of 101.59% of the principal amount thereof, plus accrued interest from July 1, 1948 to the date of delivery, resulting in an underwriter's spread of $0.421 per $100 principal amount of said bonds; and

Said amendment having also set forth that the Minnesota company has rejected both of the proposals made as aforesaid for the purchase of the New Preferred Stock, since the company did not consider the terms thereof to be satisfactory; that it is the company's intention to request this Commission to exempt the sale of the New Preferred Stock from the provisions of Rule U-50 and, if such exemption is granted, to negotiate with underwriters for the sale of the New Preferred Stock; that if the request is denied, the company expects to invite new proposals for the purchase of said stock, to be opened at a time to be hereafter specified; that in either event the company will make no public offering of the New Preferred Stock, other than by its aforesaid public invitation for proposals for the purchase thereof until the requisite approval of this Commission has been obtained; and

The company now stating that the proceeds of the sale of the New Bonds will be added to its general funds and used to provide part of the new capital required for the 1947–1951 construction program of the company and its subsidiaries and that with the addition of such proceeds, it is expected that the company's general funds available during the period to September 30, 1948 will provide the cash required by it (a) for its expenditures under the construction program to about September 30, 1948; and (b) to purchase at par, from time to time on or before September 30, 1948, not to exceed 25,000 additional shares (par value $100 per share) of the Common Stock of Northern States Power Company, a Wisconsin corporation, enabling that company to carry on its portion of the construction program to about September 30, 1948; and

The Commission having examined said amendments and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matters except as below.

It is ordered, That the jurisdiction heretofore reserved with respect to the results of competitive bidding under Rule U-50 as to the New Bonds of the Minnesota company be, and hereby is released, and that the application-declaration of said company with respect to the issue and sale thereof and with respect to the purchase of 25,000 additional shares of Common Stock of Northern States Power Company, a Wisconsin corporation, be and it hereby is granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction is retained with respect to the results of further competitive bidding under Rule U-50 as to the New Preferred Stock of the Minnesota company, or any modification of our prior order with respect to the issuance and sale thereof; and also with respect to the fees and expenses in connection with all of the aforesaid transactions, except only the fee of $5,000 and expenses not exceeding $500 due to the firm of Gardner, Carton & Douglas for legal services as independent counsel to the successful bidders for the New Bonds, which said bidders are committed to pay by the terms of their purchase agreement, which the Commission finds not unreasonable, and as to which the Commission now releases jurisdiction.

By the Commission.

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

[F. R. Doc. 48-6477; Filed, July 20, 1948; 8:48 a. m.]

[File No. 70-1861]

LONG ISLAND LIGHTING CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of July 1948.

Long Island Lighting Company, a registered holding company, having filed a declaration, as amended, pursuant to the provisions of sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act"), wherein it proposes to issue and sell to four commercial banks for cash at face amount $8,000,000 of unsecured promissory notes bearing interest at the rate of 2¼% per annum, each of which will mature eleven months from date of issuance except that no note will mature later than July 15, 1949; and

The Commission having considered the record and having entered its finding and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration, as amended, to become effective, and to grant a request of the declarant that the effective date of the order be the date upon which this order is entered:

It is hereby ordered, Pursuant to the provisions of section 6 (a) and 7 of the act, that the declaration, as amended, be and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-6479; Filed, July 20, 1948; 8:49 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 1528]

THUSNELDE HEINZELMANN

In re: Stock owned by Thusnelde Heinzelmann, also known as Thusnelda Heinzelmann, as Thusnelde Heintzelmann and as Thusnelda Heintzelmann. F-28-22993-A-1, F-28-22993-E-1, F-28-22993-E-2, F-28-22993-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 Thusnelde Heinzelmann, also known as Thusnelda Heinzelmann, as Thusnelde Heintzelmann and as Thusnelda Heintzelmann, whose last known address is 6 Weidachstr., Stuttgart-Degerloch, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, presently in the custody of Schoellkopf, Hutton & Pomeroy, Inc., 70 Niagara Street, Buffalo, New York, together with all declared and unpaid dividends thereon,

b. Two (2) shares of no par value capital stock of Spencer Kellogg & Sons, Inc., Buffalo, New York, a corporation organized under the laws of the State of New York, evidenced by stock dividend certificate numbered 018924, registered in the name of Miss Thusnelda Heinzelmann, and presently in the custody of The Marine Midland Trust Company of New York, 120 Broadway, New York 15, New York, together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation owing to Thusnelde Heinzelmann, also known as Thusnelda Heinzelmann, as Thusnelde Heintzelmann and as Thusnelda Heintzelmann, by Erie County Savings Bank, 16 Niagara Street, Buffalo, New York, arising out of a savings account, account number 555392, entitled Thusnelde Heinzelmann, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

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

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Par value	Certificate No.	Number of shares	Registered owner
General Motors Corp., 3044 W. Grand Blvd., Detroit, Mich.	Delaware	Common	$10	C187-059	10	Miss Thusnelde Heinzelmann.
Spencer Kellogg & Sons, Inc., Buffalo, N. Y.	New York	Capital	No par value	014206	10	Miss Thusnelda Heinzelmann.
S. S. Kresge Co., 2727 2d Ave., Detroit 32, Mich.	Michigan	Common	$10	CL128540	10	Miss Thusnelde Heinzelmann.
Niagara Share Corp., 70 Niagara St., Buffalo, N. Y.	Maryland	Class B common	$5	9087	5	Thusnelde Heinzelmann.
Schoellkopf, Hutton & Pomeroy, Inc., 70 Niagara St., Buffalo, N. Y.	New York	Common	$0.10	03889	1	Miss Thusnelde Heinzelmann.

[F. R. Doc. 48-6506; Filed, July 20, 1948; 8:55 a. m.]

[Vesting Order 11505]

LEONHARD REGES

In re: Estate of Leonhard (Leonard) Reges, deceased. File No. D-28-11135; E. T. sec. 15553).

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 Heinrich Reges, Maria (Marie) Wiesmeth, Margaretha Franziska Bickel Reges, Elizabeth (Elisabeth) Wies, Babette (Barbara) Rascher, Rosa Nonnenmacher and Marie Neukem (Neukam), 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 of Georg Reges, 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 Leonhard (Leonard) Reges, 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 George H. Reges and M. Hale Dinneen, as administrators, acting under the judicial supervision of the Circuit Court of Arlington County, Arlington, Virginia;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees of Georg Reges, 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 June 25, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6504; Filed, July 20, 1948; 8:54 a. m.]

[Vesting Order 11527]

ERNST V. GOLLER

In re: Bank account and stock owned by Ernst V. Goller, also known as E. V. Goller, and as Ernst Victor Goller. F-28-3690-E-1, F-28-3690-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 Ernst V. Goller, also known as E. V. Goller, and as Ernst Victor Goller, whose last known address is Garmish Pertenkirchen Obb (13b) Ludwing Thoma Strasse 10, U. S. Zone, Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Ernst V. Goller, also known as E. V. Goller, and as Ernst Victor Goller, by The San Francisco Bank, 526 California Street, San Francisco, California, arising out of a special savings checking account, entitled Ernst V. Goller, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. Ten (10) shares of no par value common capital stock of W. R. Grace & Co., 7 Hanover Square, New York 5, New York, a corporation organized under the laws of the State of Connecticut, evidenced by certificate numbered C554, registered in the name of E. V. Goller, and any and all declared and unpaid dividends thereon, together with all rights under a 2 for 1 stock split declared December 18, 1943, and a 3 for 2 stock split declared December 27, 1945,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6505; Filed, July 20, 1948; 8:54 a. m.]

[Return Order 152]

SAMUEL ROBERT GODKIN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,[1]

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

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

Samuel Robert Godkin, 4798, May 28, 1948 (13 F. R. 2905); $250.74 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 14, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6512; Filed, July 20, 1948; 8:55 a. m.]

NORDISK INSULINLABORATORIUM

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

Nordisk Insulinlaboratorium, Gentofte, Denmark, 1142; Property described in Vesting Order No. 664 (8 F. R. 4989, April 17, 1943), relating to United States Letters Patent No. 2,076,082.

Executed at Washington, D. C., on July 14, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6514; Filed, July 20, 1948; 8:56 a. m.]

[Return Order 155]

KIYO OHARA ET AL.

Having considered the claims set forth below and having issued a determination allowing the claims which are incorporated by reference herein and filed herewith and notice of intention to return having been published on June 12, 1948 (13 F. R. 3220).

It is ordered, That the claimed property, described below and in the determination,[1] be returned, subject to any increase or decrease resulting from the administration thereof prior to return, after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Kiyo Ohara, 1129-A Coombs Lane, Honolulu, T. H.	7668	$2,731.35
Kensuke Okimura, 1272 D-1 Hall St., Honolulu, T. H.	7669	348.93
Asako Okinaka,[1] 1006 11th Ave., Honlulu, T. H.	7671	267.03
Kazuo Sakai, P. O. Box 741, Wahiawa, Oahu, T. H.	7677	1,044.43
Haru Sakamoto or Sadako Sakamoto Ishikawa, 869 Kawaiahao St., Honolulu 42, T. H.	7678	781.14
Saburo Sakaue, 736-B Birch St., Honolulu, T. H.	7679	1,028.57
Shigeru Shirabe, 986 Robello Lane, Honolulu, T. H.	7686	1,093.32
Iwakichi Sugihara, 3358 Hardesty St., Honolulu 31, T. H.	7689	289.47
Harumi Takahashi, 3622 Manoa Rd., Honolulu 54, T. H.	7692	1,124.00
Mrs. Kame Takao,[2] 564 Reed Lane, Honolulu, T. H.	7695	1,029.28
Shigefusa Takasawa or Koto Takasawa, P. O. Box 33, Hanapepe, Kauai, Japan	7696	14,587.97
Kazue Tanaka or Nobuko Tanaka, 959 F. Akepo Lane, Honolulu 51, T. H.	7704	817.68
Seichi Tanaka, 980-A Robello Lane, Honolulu, T. H.	7705	877.81
Yoshino Togami,[3] 4319 Apeape Pl., Honolulu, T. H.	7709	833.47
Koichi Tsuchitori, 4104 Ahina Pl., P. O. Box 1377, Honolulu 7, T. H.	7711	1,002.71
Harue Fukushima, formerly Harue Tsutsumi, 1620 Palolo Ave., Honolulu, T. H.	7716	1,070.50
Saburo Tsutsumi, 1620 Palolo Ave., Honolulu 31, T. H.	7717	1,506.96
Okitaro Ujiie, 1816 Akone Pl., Honolulu, T. H.	7719	1,623.99
Yosuke Uyeda, 2018 Pahukui St., Honolulu, T. H.	7720	539.76
Sumito Yoshihara, 113-A Ohelo Lane, Honolulu, T. H.	7729	235.24
Masaru Yano,[4] 561-N North Vineyard St., Honolulu, T. H.	7740	441.73
Kameshiro Abe, P. O. Box 272, Ewa, Oahu, T. H.	7930	944.82
Hatsu Asano or Misayo Asano, 138 North Vineyard St., Honolulu, T. H.	7932	1,403.50
Senri Fujihara, 1234 Matlock Ave., Honolulu 34, T. H.	7934	989.51
Noboru Hamada or Kichi Hamada, 123 Ohelo Lane, Honolulu, T. H.	7936	600.45
Rikichi Hiraki,[5] 404 North School St., Honolulu, T. H.	7937	1,047.21
Masaji Isono,[6] P. O. Box 194, Ewa, Oahu, T. H.	7938	987.65
Yutaka Iwai or Kane Iwai, 1632 McGrew Lane, Honolulu, T. H.	7939	227.30
Shoichi Kawamura, Waianae, Oahu, T. H.	7940	503.00
Kama Kiyabu and Kana Higa, 850-C Lopez Lane, Honolulu, T. H.	7941	731.09
Mrs. Sueno Masumoto, guardian of Yaeno Masumoto, 691 South King St., Honolulu, T. H.	7942	1,003.34
Kazumi Miyawaki, guardian of Hiroyuki Miyawaki, 1326 College Walk, Honolulu, T. H.	7945	1,057.31
Sajiro Murakami or Kaju Murakami, n/k/a Kazu Murakami, 2680-F East Manoa Road, Honolulu, T. H.	7947	300.00
Kikujiro Nakahara or Shoichi Nakahara, Hecia, Oahu, T. H.	7948	2,560.36
Heishiro Nakayama, 929 Sheridan St., Honolulu, T. H.	7949	1,251.90
Kumao Odachi, 198 E. Kapalu St., Honolulu, T. H.	7952	1,000.90
Kensuke Okimura or Mrs. Sue (Suye) Okimura, 1272 D-1 Hall St., Honolulu, T. H.	7954	1,545.11
Terushige Omori, a/k/a T. Omori, 1217 Hall St., Honolulu 22, T. H.	7955	$894.28
Masaichi Sakata, guardian of Takashi Sakata, 748 Hoawa St., Honolulu 27, T. H.	7957	1,134.06
Ko Sato or Isao Sato, 943 Winant St., Honolulu 35, T. H.	7958	1,441.76
Sogoro Shinkawa or Kisa Shinkawa, 2356 Waiolani Ave., Honolulu, T. H.	7959	1,028.46
Seigo Suganuma, 1355 10th Ave., Honolulu, T. H.	7961	1,693.37
Maju Sugimoto or Kazuto Sugimoto, 705-B North School St., Honolulu, T. H.	7963	122.07
Rinzo Takata or Minoru Takata, 947 B. Akepo Lane, Honolulu 51, T. H.	7965	3,491.24
Shonosuke Takayama, P. O. Box 12, Waipahu, Oahu, T. H.	7966	1,693.15
Mataki Tsutsui, 866 3d St., P. O. Box 42, Pearl City, Oahu, T. H.	7970	1,169.89
Hyosaburo Uyeda, P. O. Box 179, Waianaanalo, Oahu, T. H.	7973	306.09
Toichi Eki or Mrs. Miyo Eki, 681 South King St., Honolulu, T. H.	8962	11,267.49
Tatsu Fujita or Tomiko Fujita, 1221 North Vineyard St., Honolulu, T. H.	8966	2,217.21
Masato Fukumoto,[7] 1014 Kenole Lane, Honolulu, T. H.	8967	1,613.17
Kinzo Hanzawa, 1115 McCully St., Honolulu, T. H.	8970	228.69
Yuki Yoshiura 113-A Ohelo Lane, Honolulu, T. H.	7730	666.52
Ushiya Higa, 1229 River St., Honolulu, T. H.	8974	788.74
Mrs. Some Hirasuna, guardian of Masao Hirasuna and Hanae Hirasuna, or Asako Hirasuna, Ewa, Oahu, T. H.	8975	1,431.11
Itoyo Horita, 321 Akaka Lane, Honolulu, T. H.	8978	1,688.78
Ushiya Iha, a/k/a Ushi Iha, 3463 Maunalei Ave., Honolulu, T. H.	8979	505.12
Satoshi Tsutsui, 866 3d St., P. O. Box 42, Pearl City, Oahu, T. H.	7971	178.87
Shigeyo Ipponsugi, 3750 Pahoa Ave., Honolulu, T. H.	8983	1,610.88
Shokichi Ishimoto, 1540 Emma St., Honolulu, T. H.	8990	4,322.00
Kame Kamiya, Nuuanu Cemetery, Honolulu, T. H.	8997	1,008.83
Sato Kanctoku, 2648 Booth Road, Honolulu, T. H.	8999	1,018.96
Tetsuji Kanno, Aisa, Oahu, T. H.	9000	574.43
Jisuke Kasashima, 1651 Pohaku St., Honolulu, T. H.	9001	733.07
Ichi Kawakami or Yoshito Kawakami, P. O. Box 4, Waipahu, Oahu, T. H.	9004	823.16
Masata Kawate or Masanobu Kawate, 3243 Katherine St., Honolulu, T. H.	9007	3,051.24
Kampei Minamiland Raku Minami, 1525 Gulick Ave., Honolulu, T. H	9029	1,579.06
U. Minami, 1236 Ahlahi St., Honolulu 51, T. H.	9030	452.88
Mrs. Kiku Miura, 920-D #2 Austin Lane, Honolulu, T. H.	9031	321.87
Masuo Moriguchi, 2020 Citron St., Honolulu, T. H.	9041	2,582.40
Itsu Mori or Jisaku Mori, 3269 Manoa Road, Honolulu, T. H	9046	325.45
Yoshi Morinaka,[8] Waianae, Oahu, T. H.	9049	482.55
Mitsugu Natori, 1272-G Hall St., Honolulu 22, T. H.	9057	312.67
Ikuichi Nishimoto or Shigeo Nishimoto, 624-C Waipa Lane, Honolulu, T. H.	9058	2,892.83
Kuno Nomura or Noboru Nomura, c/o Moanalua Service Station, Honolulu, T. H.	9060	2,697.89
Sukeichi Nomura, 1705 Kalakaua Ave., Honolulu, T. H.	9061	3,406.15
Hisao Okamura, 3389 Campbell Ave., Honolulu, T. H.	9067	9,865.41
Shinshiro Ono, Ewa, Oahu, T. H.	9070	652.68
Seijiro Ota, 59 Lower Camp, Ewa, Oahu, T. H.	9072	1,116.33
Shosaburo Otokozawa, 1550 Fort St., Honolulu, T. H.	9073	1,361.54
Juichi Saito or Kuniyo Saito, 337-A Koa St., c/o C. P. C., Wahiawa, Oahu, T. H.	9076	2,768.88
Misataro Sato or Tetsuzo Sato, 1941-H Kam IV Road, Honolulu, T. H.	9085	1,001.83
Matajiro Sato, 1544 Colburn St., Honolulu, T. H.	9086	596.27
Kijiro Sumida or Toshio Sumida, Eleele, Kauai, T. H.	12514	1,867.74

[1] Or Seikichi Okinaka, deceased.
[2] Or Banichi Takao, deceased.
[3] Or Senhichi Togami, deceased.
[4] Or Kuni Yano, deceased.
[5] Or Toshio Hiraki, deceased.
[6] Or Matsu Isono, deceased.
[7] Or Hatsu Fukumoto, deceased.
[8] Or Akijuro Morinaka, deceased.

[1] Filed as part of the original document.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 14, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6458; Filed, July 19, 1948; 8:53 a. m.]

[Vesting Order 11580]

YOSHINOBU OZAKI AND SUYE OZAKI

In re: Rights of Yoshinobu Ozaki and Suye Ozaki under insurance contracts. File No. F-39-92-H-1 and H-2.

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

1. That Yoshinobu Ozaki and Suye Ozaki, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policy Nos. 8705747 and 8705749, issued by the New York Life Insurance Company, New York, New York, to Yoshinobu Ozaki, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6453; Filed, July 19, 1948; 8:51 a. m.]

[Vesting Order 11583]

TORAKICHI SAKATA

In re: Rights of Torakichi Sakata under insurance contract. File No. F-39-5335-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. CWS-414136, issued by the California Western States Life Insurance Company, Sacramento, California, to Torakichi Sakata, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6454; Filed, July 19, 1948; 8:51 a. m.]

ARKADY FIEDLER

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

Arkady Fiedler, 19 Horusey Rise, London N. 19, England, 3407; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4301 (9 F. R. 13780, November 17, 1944) relating to the literary work "Kosciusko Squadron 303" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $552.74.

Executed at Washington, D. C., on July 14, 1948.

For the Attorney General.

HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-6515; Filed, July 20, 1948; 8:56 a. m.]

[Vesting Order 11627]

KANO NINOMIYA

In re: Real property owned by Kano Ninomiya.

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 Kano Ninomiya, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Real property, situated in the City of Livingston, County of Merced, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, 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 July 14, 1948.

For the Attorney General.

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

EXHIBIT A

Real property situated in the City of Livingston, County of Merced, State of California, described as follows:

Lots 1, 2, 3, 4, 5, 16, 17, 18, 19 and 20, in Block 24 according to map entitled Map of the Town of Livingston in Merced County, California, recorded December 6, 1886 in Book "Y" of Deeds, page 121, Merced County Records.

Excepting therefrom a strip of land 15 feet in width, being 7½ feet on each side of a center line described as follows: Beginning at the southwesterly corner of said Lot 1; thence southeasterly in a straight line to the southeasterly corner of said Lot 5.

[F. R. Doc. 48-6456; Filed, July 19, 1948; 8:53 a. m.]

[Vesting Order 8770, Amdt.]

EUGENE THUM

In re: Trusts under will of Eugene Thum, deceased. File No. D-28-6574; E. T. sec. No. 4719. Vesting Order No. 8770, dated April 18, 1947, is hereby amended to read as follows:

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 Tilla Schoepffer, Gertrud von Wangenheim, Sofie Krauss, Ernst von Watter, Hilmar Schoepffer, Wolfgang Schoepffer, Heinz von Wangenheim, Edith von Wangenheim, Ursula von Wangenheim, Wolfgang von Wangenheim, Turgen von Wangenheim, Helva von Wangenheim, Gerta Morian, Ingrid Morian, Margarethe Muller Krauss, Wolfgang Krauss, Doris Krauss, Hans Otto Muller, Wolf-Dieter Muller and Anneliese von Watter, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children (other than the persons identified in subparagraph 1 hereof), and the children (other than the persons identified in such subparagraph) of any deceased child or children of Tilla Schoepffer, Sofie Krauss, Gertrud von Wangenheim, and Ernst von Watter, 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 trusts created under the Will of Eugene Thum, 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 City Bank Farmers Trust Company, as Trustee of the Trusts created under the Will of Eugene Thum, deceased, for the benefit of the persons identified in subparagraphs 1 and 2 hereof, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof and the children, and the children of any deceased child or children of Tilla Schoepffer, Sofie Krauss, Gertrud von Wangenheim and Ernst von Watter, 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 May 25, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6457; Filed, July 19, 1948; 8:53 a. m.]

RAOUL BLANCHARD

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

Raoul Blanchard, 5 Grande Rue, La Tronche (Isere) France, 4442; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the literary work "Geography of Europe" (listed in Exhibit A of said vesting order), including royalties pertaining thereto, in the amount of $2,624.45.

Executed at Washington, D. C., on July 14, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6516; Filed, July 20, 1948; 8:56 a. m.]

MAX HOXTER

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., and Property and Location

Max Hoxter, Buenos Aires, Argentina, 7009; All right, title, interest, and claim of any kind or character whatsoever of Simon Hoexter in and to the Trust Estate of Meier Katten, deceased. $4,261.70 in the Treasury of the United States.

Executed at Washington, D. C., on July 14, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6513; Filed, July 20, 1948; 8:56 a. m.]

[Vesting Order 11529]

MRS. HEDWIG HEYL

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Hedwig Heyl, deceased. F-28-2353-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 Mrs. Hedwig Heyl, 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: Seven and one-half (7½) shares of $100.00 par value common capital stock of Red Hand Compositions Company, Inc., 1 Broadway, New York 4, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered 52 and 253 for one-half and seven shares respectively, registered in the name of Mrs. Hedwig Heyl, 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 Mrs. Hedwig Heyl, 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 Mrs. Hedwig Heyl, deceased, are not within a desig-

nated 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 June 25, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6507; Filed, July 20, 1948; 8:55 a. m.]

[Vesting Order 11573]

HENRY J. HIPKENS

In re: Estate of Henry J. Hipkens, deceased. File No. D-28-10791; E. T. sec. 15128.

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 Marie Hipkens, 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 named in subparagraph 1 hereof in and to the estate of Henry J. Hipkens, 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 Henry W. Hipkens, as Executor, acting under the judicial supervision of the Surrogate's Court, Onondaga County, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6509; Filed, July 20, 1948; 8:55 a. m.]

[Vesting Order 11582]

EDGAR R. RATHSCHECK

In re: Estate of Edgar R. Rathscheck, also known as Edgar R. Hansen, deceased. File No. D-28-12134, E. T. sec. 16336.

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 Wolfgang Rathscheck, Erich Rathscheck, Dr. Winfried Rathscheck, Albert Rathscheck, Mia-Mayer Rathscheck, Norma Janssen, Ingried Janssen, Wilfried Janssen, and Juergen Janssen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Edgar R. Rathscheck, also known as Edgar R. Hansen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Elisabeth S. Rathscheck as Administratrix, acting under the judicial supervision of the Surrogate's Court, County of New York, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6511; Filed, July 20, 1948; 8:55 a. m.]

[Vesting Order 11577]

ALICE KUSSWETTER

In re: Estate of Alice Kusswetter, deceased. File No. F-28-11790; E. T. sec. 16534.

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 Theresa Kusswetter, Laura Kusswetter, Paul Nashan, and Emma Dlugaicyk, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by Annette Iler, as administratrix, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy 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 July 2, 1948.

For the Attorney General.

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

[F. R. Doc. 48-6510; Filed, July 20, 1948; 8:55 a. m.]