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**TITLE 3—THE PRESIDENT
 PROCLAMATION 2731**

FLAG DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES
 OF AMERICA
 A PROCLAMATION

WHEREAS it has become our hallowed custom to observe June 14 of each year as Flag Day by engaging in patriotic exercises and by displaying the American flag proudly in commemoration of its adoption on June 14 in the year 1777 and

WHEREAS this symbol of our national strength, our national unity, and our national integrity now flies with the flags of all the other United Nations as an earnest of newly achieved international strength, unity, and integrity; and

WHEREAS, in the words of President Wilson set forth in his Flag Day proclamation of 1916, the anniversary of the adoption of the Stars and Stripes as our national emblem "should this year and in the years to come be given special significance as a day of renewal and reminder; a day upon which we should direct our minds to thoughts of the ideals and principles of which we have sought to make our great Government the embodiment";

NOW THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate June 14, 1947, as Flag Day and I direct the officials of the Federal Government and request the officials of the State and local governments to have our colors displayed on all public buildings on that day.

I also urge the people of the United States to fly the American flag from their homes on June 14, and I suggest that civic groups and individuals arrange, where feasible, for joint displays of the emblems of the United Nations in recognition of our joint dedication to the freedom of mankind.

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

DONE at the City of Washington this 27th day of May in the year of our Lord nineteen hundred and forty-seven, and of the Independence

of the United States of America
 the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
 Secretary of State.

[F. R. Doc. 47-5271; Filed, May 29, 1947;
 3:19 p. m.]

EXECUTIVE ORDER 9858

APPOINTMENT OF THE MEMBERS AND THE ALTERNATE MEMBER OF A MILITARY TRIBUNAL ESTABLISHED FOR THE TRIAL AND PUNISHMENT OF MAJOR WAR CRIMINALS IN GERMANY

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States and Commander in Chief of the Army and Navy of the United States, it is ordered as follows:

1. I hereby designate Charles B. Sears, formerly Associate Judge of the Court of Appeals of New York, William C. Christianson, formerly Associate Justice of the Supreme Court of Minnesota, and Frank N. Richman, formerly Judge of the Supreme Court of Indiana, as the members, and Richard Dillard Dixon, formerly Judge of Superior Court, North Carolina, as the alternate member, of one of the several military tribunals established by the Military Governor for the United States Zone of Occupation within Germany pursuant to the quadripartite agreement of the Control Council for Germany, enacted December 20, 1945, as Control Council Law No. 10, and pursuant to Articles 10 and 11 of the Charter of the International Military Tribunal, which tribunal was established by the Government of the United States of America, the Provisional Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the Union of Soviet Socialist Republics, for the trial and punishment of major war criminals of the European Axis. Such members and alternate member may, at the direction of the Military Governor of the United States Zone of Occupation, serve on any of the several military tribunals above mentioned.

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1946 SUPPLEMENT

to the

CODE OF FEDERAL REGULATIONS

The following book is now available:

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 2. The members and the alternate member herein designated shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes.
 3. The Secretary of State, the Secretary of War, the Attorney General, and the Secretary of the Navy are authorized to provide appropriate assistance to the members and the alternate member herein designated in the performance of their duties and may assign or detail such personnel under their respective jurisdictions, including members of the armed forces, as may be requested for the purpose. Personnel so assigned or detailed shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes, except that personnel assigned or detailed from the Navy Department shall receive such compensation and allowances for expenses to which they may be entitled by reason of their grade and service and as may be payable from appropriations or funds available to the Navy Department for such purposes.
 HARRY S. TRUMAN
 THE WHITE HOUSE,
 May 31, 1947.
 [F. R. Dec. 47-5291; Filed, June 2, 1947; 10:20 a. m.]

EXECUTIVE ORDER 9859

REVOKING EXECUTIVE ORDER No. 9196 OF JULY 9, 1942

Under and by virtue of the authority vested in me as President of the United States, Executive Order No. 9196 of July 9, 1942, entitled "Government Purchases of Prison-made Goods" is hereby revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
 May 31, 1947.

[F. R. Dec. 47-5269; Filed, June 2, 1947; 10:20 a. m.]

EXECUTIVE ORDER 9860

RESTORING CERTAIN LAND, AND GRANTING AN EASEMENT IN CERTAIN OTHER LAND, TO THE TERRITORY OF HAWAII

WHEREAS by Executive Order No. 3353 of November 24, 1920, two tracts of land on Sand and Quarantine Islands, Oahu, Hawaii, designated as Tract No. 1 and Tract No. 2, respectively, were set aside for military purposes; and

WHEREAS a certain parcel contained in the said Tract No. 1 is no longer needed for the use of the War Department, and it is deemed advisable and in the public interest that it be restored to the jurisdiction of the Territory of Hawaii for use in connection with the construction of the Keahi Lagoon Seaplane Harbor; and

WHEREAS the War Department has a continuing need for the use of another parcel contained in the said Tract No. 1, but such parcel may be made subject to an easement to the Territory of Hawaii for the construction and maintenance of a breakwater without interference with the use for which the parcel is needed by the War Department:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1909, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, and as President of the United States, it is ordered as follows:

1. The following-described parcel of land at Sand Island, Oahu, Hawaii, comprising a part of the above-mentioned Tract No. 1, is hereby restored to the jurisdiction of the Territory of Hawaii:

Beginning at the North corner of this piece of land on the Northeast boundary of Keahi Lagoon Seaplane Runway "D" and also on the boundary between Mokuauia Fishery, Territorial Condemnation, Law No. 16396 (Governor's Executive Order No. 1016), and Tract No. 1 of Presidential Executive Order No. 3358 (formerly Koholalea Fishery) the true azimuth and distance from a concrete monument marking the end of course No. 17 of Tract No. 1 of Presidential Executive Order No. 3358, the end of course No. 31 of Territorial Condemnation, Law No. 16336 (Mokuauia Fishery), and the end of course No. 60 of Governor's Executive Order No. 1016 (Keahi Lagoon), being 15°55' 27.026 feet and the coordinates of said point of beginning referred to Government Survey Triangulation Station "U. S. E. North Base" being 100.38 feet South and 4,627.32 feet West, thence running by azimuths measured clockwise from true South:

RULES AND REGULATIONS

1. 334°00'10" 645.17 feet along the remainder of Tract No. 1 of Presidential Executive Order No. 3358;

2. 64°00'10" 579.16 feet along same;

3. 195°55' 866.99 feet along the remainder of Keehi Lagoon Seaplane Runway "D" along the perimeter of the land described in Governor's Executive Order No. 1016 (Mokauea Fishery, Territorial Condemnation, Law No. 16696) to the point of beginning, and containing an area of 4,289 Acres.

2. The following-described parcel of land at Sand Island, Oahu, Hawaii, comprising a part of the above-mentioned Tract No. 1, is hereby made subject to an easement in favor of the Territory of Hawaii for the construction and maintenance of a breakwater.

Beginning at the Northwest corner of this piece of land on the Southeast boundary of Keehi Lagoon Seaplane Runway "D" and also on the boundary between Mokauea Fishery, Territorial Condemnation, Law No. 16696 (Governor's Executive Order No. 1016), and Tract No. 1 of Presidential Executive Order No. 3358 (formerly Koholaloa Fishery) the true azimuth and distance from a concrete monument marking the end of course No. 17 of Tract No. 1, Presidential Executive Order No. 3358, the end of course No. 31 of Territorial Condemnation, Law No. 16696 (Mokauea Fishery), and the end of course No. 60 of Governor's Executive Order No. 1016 (Keehi Lagoon, being 15°55' 3,574.95 feet and the coordinates of said point of beginning referred to Government Survey Triangulation Station "U. S. E. North Base" being 940.13 feet South and 4,865.08 feet West, thence running by azimuths measured clockwise from true South:

1. 244°00'10" 579.16 feet along the Southeast boundary of Keehi Lagoon Seaplane Runway "D" along the remainder of Tract No. 1 of Presidential Executive Order No. 3358;

2. 334°00'10" 686.00 feet along the remainder of Tract No. 1 of Presidential Executive Order No. 3358, to shore line;

3. Thence following along shore line, the direct azimuth and distance being 89°03'45" 929.15 feet;

4. 195°55' 393.00 feet along the perimeter of the land described in Governor's Executive Order No. 1016 (Mokauea Fishery, Territorial Condemnation, Law No. 16696) to the point of beginning and containing an area of 7.25 Acres.

The said Executive Order No. 3358 of November 24, 1920, is modified accordingly.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 31, 1947

[F. R. Doc. 47-5290; Filed, June 2, 1947;
10:20 a. m.]

EXECUTIVE ORDER 9861

RESTORING CERTAIN LANDS OF THE FORT ARMSTRONG MILITARY RESERVATION TO THE USE OF THE TERRITORY OF HAWAII

WHEREAS by Proclamation No. 22 of November 2, 1898, and by Proclamation No. 8 of November 10, 1899, certain lands in Honolulu, Territory of Hawaii, were reserved for naval purposes, portions of which land were by Executive Order No. 2323 of February 21, 1916, transferred and placed under the control of the War Department; and

WHEREAS certain other lands in Honolulu, Territory of Hawaii, were set aside

for military purposes by Executive Order No. 2335 of March 6, 1916; and

WHEREAS all of the said lands now comprise a portion of the Fort Armstrong Military Reservation; and

WHEREAS it is deemed advisable and in the public interest that a part of such lands, hereinafter described, be restored to the Territory of Hawaii:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, and the act of June 19, 1930, 46 Stat. 789, it is ordered as follows:

The following parcels of land comprising a part of the Fort Armstrong Military Reservation, Oahu, Territory of Hawaii, are hereby restored to their previous status for the use of the Territory of Hawaii for road purposes, subject to the terms and conditions hereinafter stated:

Beginning at the north corner of the parcel of land located on the present southwest side of Halekauwila Street, between Richards and Punchbowl Streets, Honolulu, Oahu, Territory of Hawaii, being also the present south corner of Halekauwila and Richards Streets, the true azimuth and distance from a survey street monument near the south corner of Halekauwila and Richards Streets, being 352°08'40" 25.99 feet; said survey street monument being set on an offset of 10.00 feet to the southwest side of Halekauwila Street and on an offset of 23.04 feet to the southeast side of Richards Street, and the coordinates of said survey street monument referred to Government Survey Triangulation station "Punchbowl" being 2,446.43 feet south and 4,588.23 feet west, thence running by azimuths measured clockwise from true south:

1. 329°31' 642.50 feet along the present southwest side of Halekauwila Street;

2. 77°51'30" 92.79 feet along the present northwest side of Punchbowl Street;

3. 205°35' 19.27 feet along the perimeter of the land described as Tract 2 in Executive Order No. 2323, of February 21, 1916;

4. Thence along same on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being 177°33' 47.00 feet;

5. 149°31' 502.21 feet along the perimeter of the land described as Tract 2 in Executive Order No. 2323 of February 21, 1916;

6. Thence along same on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being 102°02'30" 73.70 feet;

7. 234°34' 104.71 feet along the present southeast side of Richards Street to the point of beginning. Area 33,093 square feet.

Beginning at the north corner of the parcel of land located on the present southwest side of Halekauwila Street, between Alakea and Richards Streets, Honolulu, Oahu, Territory of Hawaii, being also the present south corner of Halekauwila and Alakea Streets, the true azimuth and distance from a survey street monument near the west corner of Halekauwila and Alakea Streets, being 342°18'20" 45.16 feet; said survey street monument being set on an offset of 10.00 feet to the southwest side of Halekauwila Street (running southeasterly) and on an offset of 44.05 feet to the southeast side of Alakea Street (running southwesterly) and the coordinates of said survey street monument referred to Government Survey triangulation station "Punchbowl" being 2,184.60 feet south and 4,742.33 feet west, thence running by azimuths measured clockwise from true south:

1. 329°31' 219.00 feet along the present southwest side of Halekauwila Street;

2. 59°35' 100.06 feet along the present northwest side of Richards Street;

3. Thence on a curve to the left with a radius of 50.00 feet along the perimeter of the land described in Executive Order No. 2335 of March 6, 1916, the chord azimuth and distance being 194°33' 70.75 feet;

4. 149°31' 119.00 feet along the perimeter of the land described in Executive Order No. 2335 of March 6, 1916;

5. Thence along same on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being 104°33' 70.67 feet;

6. 239°35' 99.94 feet along the present southeast side of Alakea Street to the point of beginning. Area 12,025 square feet.

The aggregate area of the two parcels is 45,118 square feet or 1.036 acres, more or less.

For the purpose of utilizing the above-described parcels of land for road purposes, the Territory of Hawaii shall have the right to remove or destroy any buildings or other improvements or portions thereof located on the above lands: *Provided, however* That the Territory of Hawaii shall bear all expenses in connection therewith; shall repair, in a manner satisfactory to the Commanding Officer of the Fort Armstrong Military Reservation any buildings or other improvements located on adjoining lands of the United States damaged in connection with such removal or destruction; and shall pay to the United States the value of any buildings or other improvements removed or destroyed to such an extent as to be no longer capable of repair or rehabilitation, such value to be determined by an impartial appraisal made at the time of removal or destruction.

The said Executive Orders No. 2323 and No. 2335 are modified accordingly.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 31, 1947.

[F. R. Doc. 47-5292; Filed, June 2, 1947;
10:21 a. m.]

EXECUTIVE ORDER 9862

PROVIDING FOR THE TRANSFER OF PERSONNEL TO THE AMERICAN MISSION FOR AID TO GREECE AND THE AMERICAN MISSION FOR AID TO TURKEY

By virtue of the authority vested in me by the act of May 22, 1947, entitled "An Act to Provide for Assistance to Greece and Turkey," the Civil Service Act (22 Stat. 403) and section 1753 of the Revised Statutes, and as President of the United States, it is hereby ordered as follows:

1. Upon the request of the Secretary of State or his duly authorized representative, and with the consent of the employee and of the head of the department or agency concerned, any civilian employee of a department or agency in the Executive branch of the Federal Government who is serving under an appointment not limited to one year or less may be transferred to the American Mission for Aid to Greece or to the American Mission for Aid to Turkey.

2. The provisions of Executive Order No. 9721 of May 10, 1946, and regulations prescribed by the Civil Service Commission pursuant thereto, with respect to the transfer of personnel from the Executive branch of the Federal Government to public international or-

ganzations in which the United States Government participates, shall be applicable to the transfer of personnel under this order to the American Mission for Aid to Greece and the American Mission for Aid to Turkey.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 31, 1947.

[F. R. Doc 47-5286; Filed, June 2, 1947;
10:20 a. m.]

EXECUTIVE ORDER 9863

DESIGNATING PUBLIC INTERNATIONAL ORGANIZATIONS ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By virtue of the authority vested in me by section 1 of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669) and having found that the United States participates in the following-named international organizations pursuant to a treaty or under the authority of an act of Congress authorizing such participation or making an appropriation therefor, I hereby designate such organizations as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the said Act:

1. United Nations Educational, Scientific, and Cultural Organization
2. International Civil Aviation Organization
3. International Telecommunication Union

The designation of the above-named organizations as public international organizations within the meaning of the said International Organizations Immunities Act is not intended to abridge in any respect privileges and immunities which such organizations may have acquired or may acquire by treaty or Congressional action.

This order supplements Executive Orders No. 9698 of February 19, 1946, No. 9751 of July 11, 1946, and No. 9823 of January 24, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 31, 1947

[F. R. Doc. 47-5287; Filed, June 2, 1947;
10:20 a. m.]

EXECUTIVE ORDER 9864

REGULATIONS FOR CARRYING OUT THE PROVISIONS OF THE JOINT RESOLUTION ENTITLED "JOINT RESOLUTION PROVIDING FOR RELIEF ASSISTANCE TO THE PEOPLE OF COUNTRIES DEVASTATED BY WAR"

By virtue of the authority vested in me by the joint resolution of May 31, 1947, entitled "Joint Resolution Providing for Relief Assistance to the People of Countries Devastated by War," hereinafter referred to as the joint resolution, and section 202 of the Revised Statutes, and as President of the United States, I hereby prescribe the following regulations for carrying out the provisions of the joint resolution:

1. The Secretary of State is hereby authorized:

(a) To exercise the authority vested in the President by sections 2, 3, and 4 of the joint resolution, except with respect to the appointment of the field administrator pursuant to section 4.

(b) To take such other action, not inconsistent with the authority reserved to the President, as may be necessary for providing relief assistance in accordance with the terms of the joint resolution, including the making of such arrangements with the heads of other Executive departments, agencies, and independent establishments of the Government as may be necessary and proper for carrying out the provisions of the joint resolution.

(c) To exercise the authority vested in him by this order directly or through the field administrator appointed pursuant to section 4 of the joint resolution or through such officers and employees of the Department of State, including those of the Foreign Service, as he may designate to act on his behalf.

2. The field administrator shall act under the guidance and in accordance with the instructions of the Secretary of State.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 31, 1947

[F. R. Doc. 47-5288; Filed, June 2, 1947;
10:20 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 26—TRANSFER OF PERSONNEL TO PUBLIC INTERNATIONAL ORGANIZATIONS IN WHICH THE UNITED STATES GOVERNMENT PARTICIPATES

CROSS REFERENCE: The provisions of this part are made applicable to the transfer of personnel to the American Mission for Aid to Greece and the American Mission for Aid to Turkey by Executive Order 9862, which appears under Title 3, *supra*.

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

Correction

In Federal Register Document No. 47-4069 appearing at page 2679 of the issue for Saturday, April 26, 1947, "§ 11.932" should read "§ 11.392"

TITLE 7—AGRICULTURE

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

[Lemon Reg. 224]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.331 *Lemon Regulation 224—(a) Findings.* (1) Pursuant to the market-

ing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 1, 1947, and ending at 12:01 a. m., P. s. t., June 8, 1947, is hereby fixed at 600 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 223 (12 F. R. 3331) and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 29th day of May 1947.

[SEAL]

S. R. SMITH,
Director,

Fruit and Vegetable Branch.

[F. R. Doc. 47-5282; Filed, June 2, 1947;
8:53 a. m.]

[Orange Reg. 130]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.326 *Orange Regulation 130—(a) Findings.* (1) Pursuant to the provi-

RULES AND REGULATIONS

sions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 1, 1947, and ending at 12:01 a. m., F. s. t., June 8, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1100 carloads; and (c) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1, none; (b) Prorate District No. 2, unlimited movement; and (c) Prorate District No. 3, none.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order and "Prorate District No. 1" "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 29th day of May 1947.

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

PRORATE BASE SCHEDULE
[12:01 A. M. June 1, 1947 to 12:01 A. M.
June 8, 1947]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0654
A. F. G. Fullerton	.8600
A. F. G. Orange	.6197
A. F. G. Redlands	.2236
A. F. G. Riverside	.1552
A. F. G. San Juan Capistrano	.9055
A. F. G. Santa Paula	.3814
Corona Plantation Co.	.2574
Hazeltine Packing Co.	.3625
Signal Fruit Association	.0999
Azusa Citrus Association	.4797
Azusa Orange Co., Inc.	.1371
Damerel-Alhison Co.	.9282
Glendora Mutual Orange Association	.4046
Irwindale Citrus Association	.3690
Puente Mutual Citrus Association	.1946
Valencia Heights Orchards Association	.4138
Glendora Citrus Association	.3983
Glendora Heights Orange and Lemon Growers Association	.0937
Gold Buckle Association	.5591
La Verne Orange Association	.6700
Anaheim Citrus Fruit Association	1.2488
Anaheim Valencia Orange Association	1.2318
Eadlington Fruit Co.	1.8943
Fullerton Mutual Orange Association	1.3760
La Habra Citrus Association	1.1378
Orange County Valencia Association	.6141
Orangethorpe Citrus Association	.9952
Placentia Cooperative Orange Association	.6927
Yorba Linda Citrus Association, The	.5370
Alta Loma Heights Citrus Association	.1034
Citrus-Fruit Growers	.1878
Cucamonga Citrus Association	.1803
Etiwanda Citrus Fruit Association	.0415
Mountain View Fruit Association	.0122
Old Baldy Citrus Association	.1176
Rialto Heights Orange Growers	.0849
Upland Citrus Association	.4317
Upland Heights Orange Association	.1384
Consolidated Orange Growers	1.8508
Frances Citrus Association	1.1055
Garden Grove Citrus Association	1.3585
Goldenwest Citrus Association, The	1.3482
Irvine Valencia Growers	2.2970
Olive Heights Citrus Association	1.5919
Santa Ana-Tustin Mutual Citrus Association	.9460
Santiago Orange Growers Association	3.5308
Tustin Hills Citrus Association	1.8114
Villa Park Orchards Association, The	1.9180
Bradford Brothers, Incorporated	6105
Placentia Mutual Orange Association	1.8086
Placentia Orange Growers Association	2.1933
Call Ranch	0708
Corona Citrus Association	4666
Jameson Company	0400
Orange Heights Orange Association	4014
Break & Son, Allen	0602
Bryn Mawr Fruit Growers Association	.2753
Crafton Orange Growers Association	.3895
E. Highlands Citrus Association	.0847
Fontana Citrus Association	.1090
Highland Fruit Growers Association	.0500
Krindard Packing Company	.2774
Mission Citrus Association	.1411

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Redlands Cooperative Fruit Association	0.4030
Redlands Heights Groves	.2549
Redlands Orange Growers Association	.3302
Redlands Orangedale Association	.2449
Redlands Select Groves	.1872
Rialto Citrus Association	.1717
Rialto Orange Company	.1477
Southern Citrus Association	.2041
United Citrus Growers	.1513
Zilen Citrus Company	.1051
Arlington Heights Fruit Company	.1093
Brown Estate, L. V. W.	.1390
Gavilan Citrus Association	.1469
Hemet Mutual Groves	.1081
Highgrove Fruit Association	.0837
McDermont Fruit Company	.1752
Mentone Heights Association	.0613
Monte Vista Citrus Association	.2191
National Orange Co.	.0435
Riverside Heights Orange Growers Association	.0905
Sierra Vista Packing Association	.0608
Victoria Avenue Citrus Association	.1784
Claremont Citrus Association	.1593
College Heights Orange and Lemon Association	.2399
El Camino Citrus Association	.0807
Indian Hill Citrus Association	.2017
Pomona Fruit Growers Exchange	.4280
Walnut Fruit Growers Exchange	.4508
West Ontario Citrus Association	.3949
El Cajon Valley Citrus Association	.3478
Escondido Orange Association	2.5548
San Dimas Orange Growers Association	.4858
Covina Citrus Association	.0941
Covina Orange Growers Association	.3922
Duarte-Monrovia Fruit Exchange	.2457
Santa Barbara Orange Association	.0501
Ball & Tweedy Association	.6403
Canoga Citrus Association	.8496
North Whittier Heights Citrus Association	.9217
San Fernando Fruit Growers Association	.4277
San Fernando Heights Orange Association	.0238
Sierra Madre-Lamanda Citrus Association	.3916
Camarillo Citrus Association	1.4571
Fillmore Citrus Association	3.4696
Mupu Citrus Association	2.5859
Ojai-Orange Association	.9551
Piru Citrus Association	1.9534
Santa Paula Orange Association	1.0579
Tapo Citrus Association	1.0783
Limonera Co.	.3869
East Whittier Citrus Association	.3930
El Ranchito Citrus Association	1.2189
Murphy Ranch Co.	.3951
Rivera Citrus Association	.5317
Whittier Citrus Association	.6728
Whittier Select Citrus Association	.4418
Anaheim Cooperative Orange Association	1.1202
Bryn Mawr Mutual Orange Association	.0845
Chula Vista Mutual Lemon Association	.0894
Escondido Cooperative Citrus Association	.3263
Euclid Avenue Orange Association	.4304
Foothill Citrus Union, Inc.	.0324
Fullerton Cooperative Orange Association	.3400
Garden Grove Orange Cooperative, Inc.	7041
Glendora Cooperative Citrus Association	.0660
Golden-Orange Groves, Inc.	.2580
Highland Mutual Groves	.0869
Index Mutual Association	.2143

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
La Verne Cooperative Citrus Association	1.3735
Olive Hillside Groves	.7318
Orange Cooperative Citrus Association	1.0373
Redlands Foothill Groves	.4724
Redlands Mutual Orange Association	.1750
Riverside Citrus Association	.0705
Ventura County Orange & Lemon Association	.9119
Whittier Mutual Orange & Lemon Association	.1958
Babjuice Corporation of California	.4866
Banks Fruit Co.	.3184
Banks, L. M.	.5316
Borden Fruit Co.	.6003
California Fruit Distributors	.5146
Cherokee Citrus Co., Inc.	.1446
Chess Co., Meyer W.	.2973
Eld Modena Citrus, Inc.	.7850
Escondido Avocado Growers	.0538
Evans Brothers Packing Co.	.8164
Gold Banner Association	.2740
Granada Hills Packing Co.	.0612
Granada Packing House	2.9016
Hill, Fred A.	.0746
Inland Fruit Dealers	.0898
Mills, Edward	.1044
Orange Belt Fruit Distributors	1.8497
Panno Fruit Company, Carlo	.1614
Paramount Citrus Association	.3899
Placentia Orchard Co.	.3907
Placentia Pioneer Valley Growers Association	.6322
Riverside Growers, Inc.	.1403
San Antonio Orchards Co.	.5297
Santa Fe Groves Co.	.0494
Snyder & Sons Co., W. A.	1.2011
Stephens, T. F.	.0351
Sunny Hills Ranch, Inc.	.2425
Verity & Sons Co., R. H.	.0325
Wall, E. T.	.1150
Webb Packing Co.	.2706
Western Fruit Growers, Inc., Ana.	.0797
Western Fruit Growers, Inc., Reds.	.6991
Yorba Orange Growers Association	.6118

[F. R. Doc. 47-5283; Filed, June 2, 1947; 8:58 a. m.]

Chapter XXI—Organization, Functions, and Procedures

Subchapter C—Production and Marketing Administration

PART 2303—DAIRY BRANCH

FIELD OFFICES

The provisions in paragraph (a) of § 2303.2 *Field Offices* (11 F. R. 177A-265) are hereby deleted and the following substituted therefor:

§ 2303.2 *Field Offices*—(a) *Dairy and Poultry Grading and Inspection; Field Offices.* Offices are located in Little Rock, Arkansas, Los Angeles, California, San Francisco, California, Chicago, Illinois, Des Moines, Iowa, Topeka, Kansas, Baton Rouge, Louisiana, Boston, Massachusetts, Lansing, Michigan, Minneapolis, Minnesota, Kansas City, Missouri, St. Louis, Missouri, Omaha, Nebraska, New York, New York, Columbus, Ohio, Oklahoma City, Oklahoma, Portland, Oregon, Philadelphia, Pennsylvania, Aberdeen,

South Dakota, Dallas, Texas, Houston, Texas, Seattle, Washington, and Milwaukee, Wisconsin. Under the immediate supervision of the Grading and Inspection Division, these offices provide inspection and grading services, including laboratory analysis of dairy and poultry products. Laboratory facilities are maintained in San Francisco, California and Chicago, Illinois. Regional supervisors are located as follows:

(1) Dairy products—San Francisco, California, Chicago, Illinois, and New York, New York.

(2) Poultry products—San Francisco, California, Chicago, Illinois, Des Moines, Iowa, New York, New York, and Dallas, Texas.

(3) Poultry Inspection Service—Sacramento, California, Chicago, Illinois, Omaha, Nebraska, and Philadelphia, Pennsylvania.

The addresses of these officers may be ascertained by inquiry of the Chief, Dairy and Poultry Grading and Inspection Division, South Agriculture Building, Washington, D. C.

(R. S. 161, secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244; 5 U. S. C. 22)

Issued this 28th day of May 1947.

[S.F.A.I.] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-5216; Filed, June 2, 1947; 8:48 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

DESIGNATION OF BOUNDARY, ALASKA, AS CLASS A PORT OF ENTRY

MAY 9, 1947.

Section 110.1 *Ports of entry for aliens*, Chapter I, Title 8, Code of Federal Regulations is amended by inserting "Boundary, Alaska" before "Eagle, Alaska" in the list of Class A ports of entry in District No. 12.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The publication of notice, the public procedure, and the delayed effective date prescribed by section 4 of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 238) are found unnecessary and contrary to the public interest for the reasons that (1) interested persons have recently made representations as to the need for a port of entry at Boundary, Alaska; (2) customs facilities have already been established at Boundary, Alaska; and (3) it is found that commerce between Canada and the United States would be hindered by a delay in the opening of that port.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a) 54 Stat. 675; 8 U. S. C. 102,

222, 453; sec 1, Reorg. Plan No. V, 3 CFR, Cum. Supp., Ch. IV, 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,
Commissioner of

Immigration and Naturalization.

Approved: May 22, 1947.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 47-5203; Filed, June 2, 1947; 8:46 a. m.]

TITLE 10—ARMY—WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS, AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

CROSS REFERENCE: For orders affecting the tabulation contained in § 501.1, see Executive Orders 9860 and 9861 under Title 3, *supra*, removing certain lands in Hawaii from the control of the War Department and restoring them to the jurisdiction of the Territory of Hawaii.

TITLE 15—COMMERCE

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

PART 320—GENERAL ORGANIZATION AND FUNCTIONS

PART 321—FUNCTIONS OF DIVISIONS

OFFICE OF BUSINESS ECONOMICS

Parts 320 and 321 (11 F. R. 177A-306, 307) are amended as follows:

1. Section 320.3 *Organization* is amended by deleting "Regional Economics Division" and substituting therefor the "National Economics Division."

2. Section 321.3 *Current Business Analysis Division* is amended to read as follows:

§ 321.3 *Current Business Analysis Division.* The Current Business Analysis Division is responsible for preparing current analyses of business conditions and for developing basic economic indicators for business and Government. It conducts a continuing study of business activity; prepares analyses of current economic developments and trends and of the forces influencing and contributing to such movements; develops quantitative indexes and basic measures of changes in the economy; analyzes basic regional development in terms of markets, market potentialities, resource use, and methods of promoting regional economic progress so as to foster the expansion of the national economy; develops basic measures required for evaluation of the position of these regions, and analyzes the effects of regional differences upon the national economy; and prepares reports on regional business conditions and trends consistent with the national economic analyses and integrates these reports in a manner which will provide

comprehensive analyses of wide regional application by business.

3. The Regional Economics Division has been abolished and its functions transferred to the Current Business Analysis Division (see § 321.3). Therefore, § 321.4, *Regional Economics Division*, is deleted, and a new § 321.4 is added as follows:

§ 321.4 *National Economics Division*. The National Economics Division coordinates and analyzes data relating to Government fiscal and economic policies as they effect business conditions and prospects. It conducts research and prepares analyses of the major economic programs of the Government as they affect business; prepares data and develops their application to Government fiscal and other policies; analyzes the available basic data on overall economic activity, establishes and applies techniques for the development of economic series so as to provide quantitative extensions of the major economic measures, and consequently to establish a groundwork for qualitative evaluation of the major tendencies in the economy and to furnish basic guides to their effects upon Government programs and general business activity; assists in the formulation of policies and programs for coordinated Government action; and develops ways and means of effective cooperation with business and advises with business on the Government's objectives and methods.

4. Section 321.5 *Business Structure Division* is amended to read as follows:

§ 321.5 *Business Structure Division*. The Business Structure Division establishes functional relationships within and among major segments of the national economy and analyzes the nature of the prevailing organization and use of productive and distributive resources. It analyzes the effects of structural organization upon the economy and the volume of business operations; this embraces the organization and structure of production and distribution, including the influence of size or concentration, location, and markets, the structure of cost factors, the structure of the materials flow, and the institutional set-up as determined by market laws and regulations; compiles and maintains data on the size of the business population, mergers and life expectancy, prepares analyses of the significance of changes in the rate of movement and the reasons therefor; appraises the comparative operating patterns of business firms by industry and by type and size of establishment; establishes means and methods of analyzing the production and consumption requirements of the economy at various levels of economic activity or patterns of consumption, develops measures and initiates a basis for the study of fluctuations in plant and equipment expenditures by industry.

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

AMOS E. TAYLOR,
Director
Office of Business Economics.²

[F. R. Doc. 47-5225; Filed, June 2, 1947; 8:51 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter II—United States Tariff Commission

PART 200—ORGANIZATION AND FUNCTIONS

PART 201—RULES OF GENERAL APPLICATION

TERMINATION OF PUBLICATION OF NOTICES AND ANNOUNCEMENTS IN FOREIGN COMMERCE WEEKLY

The rules of practice and procedure of the Tariff Commission (11 F. R. 177A-741 et seq., 11 F. R. 10822; 12 F. R. 4) are hereby amended as follows:

1. Amend the second sentence of § 200.5 (c) to read as follows: "These appear generally in the various trade journals."

2. Delete the penultimate sentence of § 200.5 (d)

3. Substitute the word "and" for the comma after the word "Register" in § 201.8 (b) substitute a period for the comma after "Treasury Department," and delete "and in the Foreign Commerce Weekly of the Department of Commerce."

4. Substitute a period for the semicolon after the word "Register" in § 201.10, and delete "and by an announcement regarding the notice in Foreign Commerce Weekly."

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

[SEAL] LYNN R. EDMISTER,
Acting Chairman,
United States Tariff Commission.

[F. R. Doc. 47-5226; Filed, June 2, 1947; 8:48 a. m.]

TITLE 25—INDIANS

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

PART 01—ORGANIZATION AND PROCEDURE DELEGATION OF AUTHORITY

CROSS REFERENCE: For an addition to the list of delegations of authority contained in §§ 01.100 to 01.145, inclusive, see F. R. Doc. 47-5195 under Title 43, Part 4, *infra*, delegating to the Commissioner of Indian Affairs certain functions relating to tribal ordinances and resolutions.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter A—Bureau of Accounts

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

MISCELLANEOUS AMENDMENTS

MAY 27, 1947.

Part 203 (appearing also as Treasury Department Circular No. 92, Revised (31 CFR, 1943 Supp.)) is hereby amended as follows:

1. Section 203.0 is hereby amended by deleting the final sentence thereof which reads as follows:

§ 203.0 *Introductory*. * * * Pursuant to recent amendments to the Federal Reserve Act, these deposit accounts will, for the duration of the war and for six months after the cessation of hostilities, be exempt from insurance assessments of the Federal Deposit Insurance Corporation and from the reserve requirements of the Federal Reserve System.

2. Section 203.16 and the caption preceding that section entitled "Exemption from Insurance Assessments and Reserve Requirements" are hereby deleted and the following § 203.16 and caption substituted in lieu thereof:

INSURANCE ASSESSMENTS AND RESERVE REQUIREMENTS

§ 203.16 *Deposits subject to insurance assessments and reserve requirements*. By virtue of the expiration of the period of exemption provided by the act of April 13, 1943, of "War Loan Deposits" from insurance assessments and reserve requirements, these deposits will, on and after July 1, 1947, be subject to the normal assessments for insurance by the Federal Deposit Insurance Corporation and to reserve requirements of member banks of the Federal Reserve System.

(40 Stat. 291, 504, 48 Stat. 343; 31 U. S. C. 771)

[SEAL] A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 47-5224; Filed, June 2, 1947; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture

[3d Rev. RO 3, Amdt. 50]

PART 707—RATIONING OF SUGAR SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respects:

1. The second sentence of section 2.2 (b) is amended to read as follows: "The application must be made on or after the first day of the month preceding the beginning of the allotment period but not more than 5 days after the beginning of the allotment period."

2. Section 2.13 is revoked.

This amendment shall become effective June 1, 1947.

Issued this 28th day of May 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

Rationale Accompanying Amendment No. 50 to Third Revised Ration Order 3

The present regulations provide that the application for an allotment by an industrial user must be made on or after

¹ 11 F. R. 177, 14281.

the 10th day of the month preceding the beginning of the allotment period but not more than 5 days after the beginning of the allotment period and impose a general limitation on the acquisition of sugar by an industrial user when he has on hand an amount of sugar equal to or more than one-third of his allotment.

This amendment advances the application date from the 10th to the first day of the month preceding the beginning of the allotment period and removes the general limitation on the acquisition of sugar by industrial users.

Advancing the regular application date will result in earlier issuance of allotments to industrial users, thus permitting them to buy sugar in advance of the customary time. Due to the continued depletion of box-car facilities and in anticipation that this year's expected record grain crop will add to the transportation problems just at the time when the heaviest sugar movement generally occurs, it is considered desirable to encourage industrial users to draw upon the existing stocks of their sugar suppliers earlier than would otherwise be possible. Increasing the flow of sugar from warehouses into industrial users' inventories will also release needed warehousing facilities for the incoming sugar crop.

The general limitation on the acquisition of sugar by industrial users is re-

moved in order to enable them to purchase their entire allotment as soon as it is granted.

[F. R. Doc. 47-5310; Filed, June 2, 1947; 12:19 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service, Department of the Interior

**PART 01—ORGANIZATION AND PROCEDURE
FORMS OF APPLICATION FOR USE BY PUBLIC**

Subpart B, Part 01, is amended by adding a new § 01.103, reading as follows:

§ 01.103 *Forms of application for use by the public.* The following application forms are required by the National Park Service for use by the public in securing permission to exercise certain privileges in the areas of the National Park System. Except for the forms listed below, application for desired privileges in areas administered by the National Park Service may be made by letter or personal interview in accordance with the foregoing section. Application forms listed in this section may be obtained from the offices and areas indicated opposite each form as follows:

Description of form	Form No.	Where obtained
Application for baths, free bathhouses.....	10-31.....	Hot Springs National Park.
Application for seasonal camping permit, recreational demonstration areas.....	10-347.....	Recreational Demonstration Areas.
Application for registration of physicians.....	10-681.....	Hot Springs National Park.
Application for permission to collect specimens of invertebrate animals, rocks, and minerals.....	10-741.....	All areas, Director's Office, and Washington Liaison Office.
Application for private boat permit.....	10-752.....	Shasta and Millerton Lakes Recreational Areas.
Application for permission to take a motion or a motion and sound picture.....	10-753.....	Grand Canyon National Park.
Application and permit for burial.....	10-754.....	Shenandoah National Park.
Application for special privileges.....	10-755.....	Natchez Trace Parkway.
Application to rent residence.....	10-756.....	Natchez Trace Parkway.
Application for special use permit.....	10-757.....	Blue Ridge Parkway.
Application for water service.....	10-758.....	Colonial National Historical Park.
Application for grazing permit.....	10-759.....	Grand Teton National Park.
Application for admittance of motor-tour.....	10-760.....	Zion and Bryce Canyon National Parks.
Application for grazing permit.....	10-761.....	Zion and Bryce Canyon National Parks.
Application for permit to launch and operate private boat on Lake Mead.....	10-762.....	Boulder Dam Recreational Area.
Application for permit to operate livery stock in Rocky Mountain National Park.....	10-763.....	Rocky Mountain National Park.
Application for motorway use permit.....	10-764.....	Crater Lake National Park.
Application for free automobile admittance to Crater Lake National Park.....	10-765.....	Crater Lake National Park.
Application to operate commercial passenger-carrying vehicle on the Colonial Parkway.....	10-769.....	Colonial National Historical Park.

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

Issued this 21st day of May 1947.

[SEAL] C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 41-5192; Filed, June 2, 1947; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

**PART 21—INTERNATIONAL POSTAL SERVICE
SERVICE TO CERTAIN FOREIGN COUNTRIES**

In Subpart B of Part 21 (39 CFR) make the following changes:

1. The regulations under the country "Union of Soviet Socialist Republics" are amended to read as follows:

UNION OF SOVIET SOCIALIST REPUBLICS

Regular mails. See Table No. 1, § 21.116 (39 CFR, Part 21) for classifications, rates, weight limits and dimensions: Small packets not accepted.

Indemnity. Not exceeding \$16.33 for Postal Union Registered articles.

Special delivery. No service.

Money-order service. No provision.

Air mail service. Postage rate, 15 cents one-half ounce.

Observations. The postal administration of the Union of Soviet Socialist Republics has advised that a large number of newspapers from abroad arrive in that country without address, due to the fact that the wrappers are generally made of paper not strong enough to withstand the long voyage and repeated handlings, and must therefore be sent to the dead letter office by that service; and has requested that publishers use only very strong paper for making address wrappers and that the address be reproduced on the article itself, in order to insure its delivery in case the wrapper is torn off en route.

The following regulations govern the admission of "prints" containing literary publications and fashion journals addressed to private individuals:

Fashion journals sent singly to state enterprises engaged in garment making or the sale of clothing, or to private individuals, are admitted without hindrance: *Provided*, That the regulations in force relative to printed matter are observed.

Printed articles containing fashion journals addressed to private persons are to be delivered to the addressees only if the respective licenses are presented, regardless of the sender (private person or firm). If such licenses are not submitted, the articles in question will be returned to origin.

Articles of printed matter and any other articles containing periodical or nonperiodical literature, sent by bookstores or other firms to individuals are admitted without a license only if they contain a single copy of each publication (book, magazine, or newspaper).

Packages containing seeds, plants, and parts of plants intended for propagation are subject, after their arrival in the Union of Soviet Socialist Republics, to an examination by the Quarantine Inspection Service which shall decide whether or not such shipments are admissible. Shipments which do not conform to the regulations will either be returned to the country of origin or destroyed.

Prohibitions. Dutiable articles (merchandise) in letters and packages prepaid at letter rate.

Values payable to the bearer, coins, manufactured or unmanufactured platinum, gold or silver, precious stones, jewelry and other precious articles.

The importation by mail in the Union of Soviet Socialist Republics of State bank notes of the country named, of Treasury notes and specie of that country, is prohibited.

It is also forbidden to import means of payment (drafts, etc.) made up in money of the Union of Soviet Socialist Republics, with the exception of checks and other remittances made up in money of the Union of Soviet Socialist Republics to the open accounts current in the credit establishments of the Union of Soviet Socialist Republics expressly for accounts relative to foreign commerce; checks and other remittances to the accounts of foreign correspondents in the credit establishments of the Union of Soviet Socialist Republics ("Loro" accounts), as well as travelers' checks of the State Bank of the Union of Soviet Socialist Republics.

The importation by mail of foreign obligations of public loans, as well as of stocks and obligations of foreign State establishments and enterprises, public and private; and of coupons, is admitted if a permit is presented from the Values Section of the People's Commissariat for Finance of the Union of Soviet Socialist Republics at Moscow.

The prohibition against importing Soviet State bank notes and Soviet treasury notes and specie, as well as means of payment (drafts, etc.) in Soviet money, does not extend to those which were exported from the Union of Soviet Socialist Republics up until August 1, 1926.

Anyone desiring to send such values by mail is bound to present in advance to the administration of values of the People's Commissariat for Finance of the Union of Soviet Socialist Republics the respective proofs as to the date of exportation of the said values, and must obtain the opinion of the said administration that the proofs are sufficient.

The importation by mail of sight drafts drawn in money of the Union of Soviet Socialist Republics and exported with the permission of the Values Section of the People's Commissariat for Values is admitted without restriction as to the amounts, and independently of the date of their exportation abroad.

Void paper values, obligations issued by private persons, companies, and cities.

RULES AND REGULATIONS

Mall articles of all kinds destined for the Union of Soviet Socialist Republics, in which the inclusion of various values and securities has been effected without observing the above conditions, will be confiscated.

The importation from foreign countries of bank notes of the former Polish Bank, as well as bills of the state treasury and coins of the former Government of Poland, is prohibited.

Documents, prints, engravings, photographs, films, manuscripts, drawings, and designs, which may injure the Union of Soviet Socialist Republics politically or economically.

Prints, engravings, photographs, films, manuscripts, drawings, designs, photographs, printing plates, phonograph records, and materials for their manufacture, may be admitted, provided they have been previously authorized by the Soviet Government.

On imported prints it is also temporarily prohibited to correct mistake in printing, or to bring out, by means of point or dashes, traced by hand or machinery, and isolated words or sentences.

Postage stamps, cancelled or not, philatelic collections, bonds, and bills of exchange, no longer valid, when sent by mail to private individuals.

Articles containing match-box labels for collectors may be imported without special license only when they contain but a single specimen of each kind. If more than one specimen of a kind is inclosed, a special permit must be obtained from the People's Commissariat for Foreign Commerce.

The articles prohibited importation are also prohibited transmission through the country.

Also all articles prohibited in the form of parcel post.

Parcel post. (Union of Soviet Socialist Republics.)

[Rates include transit charges]

UNION OF SOVIET SOCIALIST REPUBLICS IN EUROPE

Pounds:	Rate	Pounds:	Rate
1.....	\$0.59	12.....	\$2.34
2.....	.73	13.....	2.48
3.....	.81	14.....	2.62
4.....	.95	15.....	2.76
5.....	1.09	16.....	2.90
6.....	1.23	17.....	3.04
7.....	1.37	18.....	3.18
8.....	1.44	19.....	3.32
9.....	1.58	20.....	3.46
10.....	1.72	21.....	3.60
11.....	1.86	22.....	3.74

UNION OF SOVIET SOCIALIST REPUBLICS IN ASIA

Pounds:	Rate	Pounds:	Rate
1.....	\$1.25	12.....	\$3.64
2.....	1.39	13.....	3.78
3.....	1.47	14.....	3.92
4.....	1.61	15.....	4.06
5.....	1.75	16.....	4.20
6.....	1.89	17.....	4.34
7.....	2.03	18.....	4.48
8.....	2.10	19.....	4.62
9.....	2.24	20.....	4.76
10.....	2.38	21.....	4.90
11.....	2.52	22.....	5.04

Weight limit: 22 pounds.

Customs declarations: 3 Form 2966.

Dispatch note: 1 Form 2972.

Parcel-post sticker: 1 Form 2922.

Sealing: Compulsory.

Group shipments: No.

Registration: No.

Insurance: No.

C. o. d.. No.

Exchange office: New York.

Storage charges. See § 21.98 (39 CFR, Part 21) relative to storage charges on returned parcels.

Indemnity. No provision.

Dimensions. Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42

and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

Observations. Parcels containing used clothing and used shoes are admitted only on the condition that the articles are fit for use and are accompanied by certificates from a commercial firm attesting that the said articles have been subjected to disinfection. The certificates must be dated and the relative articles should be mailed as soon after such date as possible. The wrapper of each such parcel must be endorsed to indicate that the certificate of disinfection is enclosed. Parcels not accompanied with disinfection certificates will be returned to origin.

Parcels, even though containing used clothing, are delivered to the addressee only upon the payment of the customs duties levied thereon.

The customs declaration accompanying a parcel for personal use shall contain besides the usual information, a note indicating that the parcel is absolutely intended for the personal use of the addressee and has no commercial value for the sender.

In case of discovery, in parcels for personal use and parcels of merchandise, or articles concealed against customs inspection or not indicated in the customs declarations, not only the said articles, but the entire parcel in which they are found, will be confiscated. Prohibited articles listed on the customs declaration are returned to origin; those not listed are confiscated.

Prohibitions. All parcel-post packages, regardless of weight, if they contain articles with a mercantile value, are delivered to the addressee only upon the presentation of permits issued by a Commissariat of Foreign Trade or its branches.

Parcel-post packages not forwarded for commercial purposes, and containing only such articles as shown in the following list in quantities not exceeding those indicated therein, are admitted importation without production of a permit from the People's Commissariat for Commerce.

LIST OF ARTICLES ALLOWED TO ENTER WITHOUT A PERMIT WHEN INTENDED FOR PERSONAL USE:

List of Articles and Gross Weight Limit or Total Number of Articles Per Year

Absorbent and antiseptic cotton: 2 pounds.
Articles of gold, silver, and platinum: 22 pounds.

Bags, reticules, purses, and brief cases: 1 piece of each kind.

Books, pictures, maps, sheet music, and other prints, with the exception of fashion magazines: 2 copies of each title.

Capers: 2 pounds.

Cheese, margarine: 6 pounds.

Cod-liver oil, transparent (Medicinal) 4 pounds.

Colors in the form of tablets or powder, in boxes, cups, tubes, or capsules, mixed India ink: 7 ounces of each color.

Compound pharmaceutical products, medicines and medicinal preparations, in doses or quantities in doctors' prescriptions: 2 pounds.

Confectionery, pastry, biscuits, spiced rolls, aromatic pellets for chewing, condensed and preserved milk and cream: 11 pounds.

Cooking or table salt: 11 pounds.

Cosmetics and perfumes: 1 piece of each kind, 1 pound in all.

Cut tobacco and its products: 2 pounds.

Dried or ground mustard: 4 pounds.

Dried vegetables: 11 pounds.

Eyeglasses: 1 pair.

Fish and caviar: 11 pounds.

Flints for lighters: 1 ounce.

Flour and gruel for infants of the Nestle, Kufke, and Hercules types: 11 pounds.

Foodstuffs hermetically sealed (conserved), prepared mustard, soya and other condi-

ments, pastes packed in any manner: 2 boxes of each kind, 11 pounds in all.

Footwear: 1 pair.

Fruits and berries dried, 11 pounds.

Fruits and berries in oil or vinegar: 2 boxes of each kind, 11 pounds in all.

Gloves: 3 pairs.

'Ground chicory' 4 pounds.

'Ground cocoa' 2 pounds.

Häberdashery and toilet articles, i. e. cigarette holders, pipes, cigar holders, ash trays, lighters, match boxes, boxes, fans, bracelets, earrings, rings, watch chains, soap boxes, shaving brushes, hair brushes, combs (large and fine toothed) 1 article of each kind.

Hats, bonnets, and caps, prepared and made up: 2 pieces.

Honey, maltose and malt extracts, potato molasses, refined sugar molasses, grape sugar or starch sugar, sugar syrups: 11 pounds.

Knitted goods: 1 knitted suit; other articles, 1 piece or 1 pair of each kind.

Linen (body, table, and bed), made-up clothing, and pillow cases: 1 suit (man's suit may have 2 pairs of pants); body linen, 6 suits; bed linen, 2 pieces each kind; table linen, 1 set (6 napkins, 1 tablecloth); 1 pair suspenders; 3 neckties; 2 pillowcases.

Live plants, flower bulbs, rhizomes, and roots of decorative and floral plants; flowers, leaves, and other parts cut from plants used for decoration: 11 pounds.

Malt: 11 pounds.

Meat extracts (condensed bouillon) 11 pounds.

Mineral waters, natural and artificial: 11 pounds.

Mushrooms: 11 pounds.

Needles of all kinds: 1 ounce.

Office, drawing, and painting supplies: 1 dozen pencils.

Optical, physical, and medical instruments for sick persons (protheses, artificial eyes, surgical corsets, apparatus for the deaf, etc.), on prescription of Soviet doctors: 1 article or 1 set.

Razor blades: 1 dozen.

Razors of all kinds; hair clippers: 1 piece of each kind.

Roasted and ground coffee: 2 pounds.

Samples of products and materials not having a salable value addressed to State and cooperative institutions, or to representatives of foreign firms: 22 pounds.

Seeds of all kinds, with the exception of cottonseed: 1 pound.

Spectacles and nose glasses: 1 pair of either kind.

Spices; vanilla, saffron, pepper, cinnamon, cloves, etc.: 1¼ ounces of each kind.

Starch, dextrine, and leicome: 11 pounds.

Tableware; crockery, porcelain, and glass: 11 pounds.

Toys: 2 pieces or 2 complete sets or games.

Umbrellas and umbrella canes: 1 piece.

Vermicelli and macaroni: 4 pounds.

Vinegars of all kinds, with the exception of vinegar for toilet purposes: 11 pounds.

Parcels not coming within the exemptions above referred to will be admitted only upon production of the permit of importation delivered by the People's Commissariat for Commerce, or for want thereof, they will be returned to their origin.

The Postal Administration of the Union of Soviet Socialist Republics has advised that in addition to the articles listed above, it is permissible to send, until the end of 1947, the following foodstuffs:

List of Articles and Gross Weight Limit or Total Number of Articles per Year

Flour: No limit.

Gruel (cereals to be cooked, such as oatmeal, rice, cream of wheat, etc.) No limit.

Fatty substances: No limit.

Sweets (candy, sugar, chocolate, etc.) No limit.

Parcel-post packages meeting the provisions above mentioned are delivered to the addressee upon payment of the customs duties. Each parcel containing such articles

in quantities exceeding those specified, is also admitted but charges with five times the amount of duties for the excess besides the ordinary customs charges.

If the addressee abuses the facilities granted to receive parcels for personal use by receiving parcels of commercial value, he will be prosecuted by the civil courts.

Articles considered as parcels intended for commercial use are:

- (a) Those sent by a commercial firm to another commercial firm.
- (b) Those sent by an individual to a commercial firm.
- (c) Those sent by a commercial firm to an individual.
- (d) Parcels having the character of a collective shipment even when intended for several persons when each of these addressees, taken as an individual, is not to receive articles in excess of those provided for above for his or her personal use.

Parcels addressed to State institutions or cooperative associations are admitted without the presentation of an importation permit delivered by the People's Commissariat for Commerce or by its offices, only in case they contain samples without commercial value. No such permit delivered by the People's Commissariat, or its offices is required for parcels addressed to universities (clinics, scientific studies, and laboratories) and other scientific institutions of higher learning as well as to their laboratories and to their scientific studies, and containing books or apparatus and instruments necessary to instruction and study.

Arms, parts of military equipment (including field glasses), parts of airships, portions of machine guns, etc.; playing cards of all kinds; anamirra fish berries (*Baccae cocculi* indic); double-bottomed containers and other receptacles with secret compartments; labels and all sorts of envelopes and packing materials, such as bottles, etc., bearing foreign trade-marks, sent apart from the goods for which intended; blue vitriol of all kinds.

The following articles may be dispatched in the parcel-post mails under the following conditions:

Hunting arms are admitted upon official permit from the Soviet Government.

Medicines addressed to private persons are admitted only under orders by doctors of the public health commissariat.

Live plants or their parts, such as roots, cuttings, branches, or even leaves, must be accompanied by the following documents, to be attached to the customs declarations:

- (1) A special declaration signed by the sender (a) certifying that the contents of the parcel actually come from his establishment; (b) indicating the place of destination and the address of the addressee; (c) certifying that the parcel contains no grapevines; (d) certifying that the plants sent do not contain any harmful insects and are not affected by diseases; (e) indicating that the parcel does not contain any plants with clods of earth; (2) a phylloxera certificate attesting (a) that the plant sent comes from a place situated at least 20 meters from any grapevine or separated from it by some obstacle preventing the extension of the roots; (b) that there are no grapevines in the establishment in question; (c) that no grapevines are stored therein; (d) that, if stocks infected by phylloxera were formerly found in the said establishment, experience for 3 years after pulling up all the roots and poisoning the ground has shown the complete destruction of the phylloxera; (e) that the plants imported do not contain any harmful insects and are not infected with diseases.

Parcels containing seeds, plants, and parts of plants destined for planting are subject on arrival in the U. S. S. R. to expert inspection by the Quarantine Inspection Service, which decides whether or not they will be admitted. Accordingly, the seeds, plants, and parts of plants in question may be returned to origin, or even destroyed if necessary.

Cotton may not be addressed to the cotton districts unless a certificate is presented attesting that it is not infested by harmful insects. These certificates are delivered to the senders when previously requested of the competent authorities.

By the word "cotton" is meant: All raw cotton, unmanufactured cotton wool, as well as cotton waste obtained at the time of spinning, and other waste of any kind known under any commercial name.

Cottonseed, bolls, and plants must be disinfected at the expense of the addressee.

In case that the addressee refuses to pay for disinfection, the parcel, at the expiration of the period fixed, is returned to origin.

All parcels containing meat and any meat products, as well as smoked meat, sausages, and other mixtures of meat prepared by means of heat, are subject to veterinary sanitary inspection.

In accordance with this provision, each parcel whose contents consist wholly or partially of the products mentioned in the preceding paragraph must be accompanied by a veterinary certificate containing the following information:

- (a) Nature of contents.
- (b) Weight.
- (c) Names and addresses of sender and addressee.
- (d) A statement that the contents comes from animals subjected to veterinary inspection and which were healthy at the time of butchering; that they contain no antiseptic substance; and that they are prepared and shipped in accordance with the requirements of alimentary hygiene.
- (e) Signature of official veterinarian, confirmed by an official seal.

Note: Parcels received without veterinary certificates may be destroyed.

Those articles which are prohibited or admitted conditionally in the regular mails are likewise prohibited or admitted conditionally when sent in the parcel-post mails.

2. The regulations under the country "Estonia" are amended to read as follows:

ESTONIA

Note: The regulations mentioned below are as prescribed by the Soviet authorities who are, as a practical matter, in a position to refuse the entry into Estonia of mail unless such mail complies with the Soviet postal regulations.

Regular mails. See Table No. 1, § 21.116 (39 CFR, Part 21) for classifications, rates, weight limits, and dimensions. Small packets not accepted.

Indemnity. Indemnity not exceeding \$16.33 for Postal Union Registered Articles.

Special delivery. No service.

Air mail service. Postage rate, 15 cents one-half ounce.

Money-order service. No provision.

Observations. Same as those governing mail service with the Union of Soviet Socialist Republics. To facilitate distribution and delivery, "Union of Soviet Socialist Republics" or "U. S. S. R." should be included as part of the address of mail articles.

Prohibitions. Same as those governing mail service with the Union of Soviet Socialist Republics.

Parcel Post. (Estonia.)

[Rates include transit charges]

Pounds:	Rate	Pounds:	Rate
1.....	\$0.59	12.....	\$2.34
2.....	.73	13.....	2.48
3.....	.81	14.....	2.62
4.....	.95	15.....	2.76
5.....	1.09	16.....	2.90
6.....	1.23	17.....	3.04
7.....	1.37	18.....	3.18
8.....	1.44	19.....	3.32
9.....	1.58	20.....	3.46
10.....	1.72	21.....	3.60
11.....	1.86	22.....	3.74

Weight limit: 22 pounds.
 Customs declarations: 3 Form 2366.
 Dispatch note: 1 Form 2372.
 Parcel-post sticker: 1 Form 2322.
 Sealing: Compulsory.
 Group shipments: No.
 Registration: No.
 Insurance: No.
 C. O. D.: No.
 Exchange office: New York.

Indemnity. No provisions.
Storage charges. See § 21.93 (39 CFR, Part 21) relative to storage charges on returned parcels.

Dimensions. Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

Observations. Same as those governing parcel post service with the Union of Soviet Socialist Republics. To facilitate distribution and delivery, "Union of Soviet Socialist Republics" or "U. S. S. R." should be included as part of the address of parcels.

Prohibition. Same as those governing parcel post service with the Union of Soviet Socialist Republics.

3. The regulations under the country "Latvia" are amended to read as follows:

LATVIA

Note: The regulations mentioned below are as prescribed by the Soviet authorities who are, as a practical matter, in a position to refuse the entry into Latvia of mail unless such mail complies with the Soviet postal regulations.

Regular Mails. See Table No. 1, § 21.116 (39 CFR, Part 21) for classifications, rates, weight limits, and dimensions. Small packets not accepted.

Indemnity. Not exceeding \$16.33 for Postal Union Registered Articles.

Air mail service. Postage rate, 15 cents one-half ounce.

Special delivery. No service.

Money-order service. No provision.

Observations. Same as those governing mail service with the Union of Soviet Socialist Republics. To facilitate distribution and delivery, "Union of Soviet Socialist Republics" or "U. S. S. R." should be included as part of the address of mail articles.

Prohibitions. Same as those governing mail service with the Union of Soviet Socialist Republics.

Parcel Post. (Latvia.)

[Rates include transit charges]

Pound:	Rate	Pound:	Rate
1.....	\$0.59	12.....	\$2.34
2.....	.73	13.....	2.48
3.....	.81	14.....	2.62
4.....	.95	15.....	2.76
5.....	1.09	16.....	2.90
6.....	1.23	17.....	3.04
7.....	1.37	18.....	3.18
8.....	1.44	19.....	3.32
9.....	1.58	20.....	3.46
10.....	1.72	21.....	3.60
11.....	1.86	22.....	3.74

Weight limit: 22 pounds.
 Customs declarations: 3 Form 2366.
 Dispatch note: 1 Form 2372.
 Parcel-post sticker: 1 Form 2322.
 Sealing: Compulsory.
 Group shipments: No.
 Registration: No.
 Insurance: No.
 C. O. D.: No.
 Exchange office: New York.

Indemnity. No provisions.
Storage charges. See § 21.93 (39 CFR, Part 21) relative to storage charges on returned parcels.

Dimensions. Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

Observations. Same as those governing parcel post service with the Union of Soviet Socialist Republics. To facilitate distribution and delivery, "Union of Soviet Socialist Republics" or "U. S. S. R." should be included as part of the address of parcels.

Prohibitions. Same as those governing parcel post service with the Union of Soviet Socialist Republics.

4. The regulations under the country "Lithuania" are amended to read as follows:

LITHUANIA

NOTE: The regulations mentioned below are as prescribed by the Soviet authorities who are, as a practical matter, in a position to refuse the entry into Lithuania of mail unless such mail complies with the Soviet postal regulations.

Regular mails. See Table No. 1, § 21.116 (39 CFR, Part 21) for classifications, rates, weight limits, and dimensions. Small packets not accepted.

Indemnity. Not exceeding \$16.33 for Postal Union Registered Mail.

Air mail service. Postage rate, 15 cents one-half ounce.

Special delivery. No service.

Money-order service. No provision.

Observations. Same as those governing mail service with the Union of Soviet Socialist Republics. To facilitate distribution and delivery, "Union of Soviet Socialist Republics" or "U. S. S. R." should be included as part of the address of mail articles.

Prohibitions. Same as those governing mail service with the Union of Soviet Socialist Republics.

Parcel Post. (Lithuania)

[Rates include transit charges]

Pounds:	Rate	Pounds:	Rate
1.....	\$0.59	12.....	\$2.34
2.....	73	13.....	2.48
3.....	.81	14.....	2.62
4.....	.95	15.....	2.76
5.....	1.09	16.....	2.90
6.....	1.23	17.....	3.04
7.....	1.37	18.....	3.18
8.....	1.44	19.....	3.32
9.....	1.58	20.....	3.46
10.....	1.72	21.....	3.60
11.....	1.86	22.....	3.74

Weight limit: 22 pounds.

Customs declarations: 3 Form 2966.

Dispatch note: 1 Form 2972.

Parcel-post sticker: 1 Form 2922.

Sealing: Compulsory.

Group shipments: No.

Registration: No.

Insurance: No.

C. O. D.: No.

Exchange office: New York.

Storage charges. See § 21.98 (39 CFR, Part 21) relative to storage charges on returned parcels.

Indemnity. No provisions.

Dimensions. Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

Observations. Same as those governing parcel post service with the Union of Soviet

Socialist Republics. To facilitate distribution and delivery, "Union of Soviet Socialist Republics" or "U. S. S. R." should be included as part of the address of parcels.

Prohibitions. Same as those governing parcel post service with the Union of Soviet Socialist Republics.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL]

J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 47-5191; Filed, June 2, 1947;
8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2325]

PART 4—DELEGATIONS OF AUTHORITY

BUREAU OF LAND MANAGEMENT; DELEGATIONS TO DIRECTOR IN SPECIFIED MATTERS

1. The introductory portion of paragraph (a) of § 4.275 (see Order No. 2238, 11 F. R. 9080) and subparagraphs (12) (27), (36) (37) and (39) of that paragraph are amended, and new subparagraphs numbered from (46) to (57) inclusive, are added to paragraph (a) all to read as follows:

§ 4.275 *Functions with respect to various statutes.* (a) The Director of the Bureau of Land Management, and the several regional administrators and district managers of that bureau when authorized to do so by an order of the Director published in the FEDERAL REGISTER, may act in relation to the following classes of matters without obtaining Secretarial approval, unless the Secretary in any particular determines otherwise, and subject in any event to an appeal to the Secretary according to the rules of practice (43 CFR, Part 221)

(12) Applications for selections of land by States under 43 CFR, Parts 270 and 271, including the approval of clear lists under those regulations and section 2449 of the Revised Statutes (43 U. S. C. 859)

(27) Execution of agreements for payment, because of drainage, of compensatory royalties.

(36) Sales of isolated or rough and mountainous tracts under section 2455 of the Revised Statutes, as amended (48 Stat. 1269, 1274; 43 U. S. C. 1171) in accordance with existing policies.

(37) Applications for exchanges under 43 CFR, Parts 146, 147, and 149 to 152, inclusive, and the approval of such applications.

(39) Applications for permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR, Part 5.

(46) Applications for the lease or sale of lands in the Matanuska Valley, Alaska,

under the act of October 17, 1940 (54 Stat. 1191, 48 U. S. C. 353 note), including the approval of such applications, and the issuance, assignment, modification or cancellation of such leases.

(47) Applications for the exchange of reclamation lands under the act of March 4, 1915 (38 Stat. 1215, 43 U. S. C. 447) and under section 44 of the act of May 25, 1926 (44 Stat. 648; 43 U. S. C. 423c) including their approval.

(48) Applications and permits for the development of underground water in Nevada under 43 CFR, Part 234.

(49) Applications for selections of lands by the States of Utah and Arizona for miners' hospitals under the act of February 20, 1929 (45 Stat. 1252), including the approval of clear lists.

(50) The modification or revocation of Departmental orders as to the application to particular lands of the Executive order of April 17, 1926, creating Public Water Reserve No. 107.

(51) Applications for preference right leases to entrymen, or patentees or assigns where the lands are on a producing structure, under section 20 of the act of February 25, 1920 (41 Stat. 437, 445; 30 U. S. C. 229) the issuance of such leases, and consolidations, modifications, revocations and cancellations relating thereto.

(52) Applications for coal leases under sections 2 to 8, inclusive, of the act of February 25, 1920 (41 Stat. 438; 30 U. S. C. 201, 202-208) the issuance and renewal of such leases, and consolidations, modifications, revocations and cancellations relating thereto.

(53) Applications for coal permits in Alaska under the act of March 4, 1921 (41 Stat. 1363; 48 U. S. C. 444) and applications for coal leases in Alaska under the act of October 20, 1914 (38 Stat. 741, 48 U. S. C. 432 to 445, 446 to 452), the issuance of such permits and leases, the award and renewal of leases, and consolidations, modifications, revocations and cancellations relating thereto.

(54) Applications for oil and gas non-competitive leases and the offering of units and the acceptance of bids for competitive oil and gas mineral leasing in acquired lands transferred to the Department of the Interior from the Department of Agriculture by the President's Reorganization Plan No. 3 of 1946 and in acquired lands under the jurisdiction of the bureaus and other agencies of the Department of the Interior, except Indian lands; the issuance of such leases and the approval of assignments or royalty interests therein, operating agreements and assignments of such agreements, and subleases; the execution of agreements for payment, because of drainage, of compensatory royalties; the acceptance of surrenders of parts or all of such leases and the cancellation of such leases; and the approval of all bonds filed in connection with leases of this kind.

(55) Applications for water well leases pursuant to section 40 of the Mineral Leasing Act (48 Stat. 977; 30 U. S. C. 229a), and 30 CFR 241.6, and the issuance, assignment, modification or cancellation of such leases.

(56) Waiver of the 160-rod restriction as to length of claims or restoration to

entry and disposition of the reserved shore spaces in Alaska, under the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372)

(57) The execution, modification, rescinding, terminating and extending of contracts for the protection of the public domain, including the Oregon revested and reconveyed lands from fire.

2. Paragraph (b) of § 4.275 is relettered (c) and a new paragraph (b) reading as follows is added to the section:

(b) The Director of the Bureau of Land Management, and the several regional administrators and district managers of that bureau when authorized to do so by an order of the Director published in the FEDERAL REGISTER, may classify under section 7 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269, 1272) as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315f) or pursuant to other laws, land as being suitable for the following types of disposition, without obtaining Secretarial approval, unless the Secretary in any particular matter determines otherwise, and subject in any event to an appeal to the Secretary according to the rules of practice (43 CFR, Part 221)

(1) Under the homestead laws or the desert land laws.

(2) As an isolated or rough and mountainous tract under section 2455 of the Revised Statutes as amended (48 Stat. 1269, 1274; 43 U. S. C. 1171)

(3) Under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 632a).

(4) Exchanges under 43 CFR, Parts 146, 147 and 149 to 152, inclusive.

(5) Indian allotments, with the concurrence of the Commissioner or Assistant Commissioner of Indian Affairs.

(6) Leasing for public airport purposes under the act of May 29, 1928 (45 Stat. 728; 49 U. S. C. 211) as amended.

(7) Under 43 CFR, Part 234, relating to the development of underground water in Nevada.

(8) Under the act of February 20, 1929 (45 Stat. 1252) providing for selections by the States of Utah and Arizona for miners' hospitals.

(9) Under 43 CFR, Part 270, relating to selections by States under grants for educational, institutional, and park purposes.

(10) Lands in abandoned military reservations, either under section 2 of the act of July 5, 1834 (23 Stat. 103; 43 U. S.

C. 1072), or under section 2455 of the Revised Statutes, as amended (48 Stat. 1269, 1274; 43 U. S. C. 1171).

(11) Under 43 CFR, Parts 130 to 133, inclusive, relating to certificates or scrip.

(12) Under 43 CFR, Parts 253 and 254, relating to parks, cemetery, or recreational sites.

3. Section 4.279 relating to fire protection contracts, contained in Order No. 2254 of September 19, 1946 (11 F. R. 10770), is revoked.

(R. S. 161, 453, 2478; 5 U. S. C. 22, 43 U. S. C. 2, 1201; Reorg. Plan No. 3, 1946, 11 F. R. 7875)

J. A. KNUG,
Secretary of the Interior

MAY 24, 1947.

[F. R. Doc. 47-5193; Filed, June 2, 1947; 8:45 a. m.]

[Order 2326]

PART 4—DELEGATION OF AUTHORITY

BUREAU OF INDIAN AFFAIRS, FUNCTIONS RELATING TO TRIBAL ORDINANCES AND RESOLUTIONS

The following section is added to Part 4:

§ 4.716 *Functions relating to tribal ordinances and resolutions.* (a) To the extent indicated in this section, the Commissioner of Indian Affairs is authorized to exercise the powers and to perform the duties of the Secretary of the Interior with respect to passing upon tribal ordinances or resolutions adopted, subject to Secretarial review or approval, pursuant to constitutions approved or charters issued under section 16 or section 17 of the act of June 18, 1934, as amended (25 U. S. C. 476, 477)

(b) The Commissioner of Indian Affairs may approve any such ordinance or resolution which in his judgment, is not inconsistent with the provisions of any act of Congress or of any treaty or of the tribal constitution or charter under which the ordinance or resolution was adopted, and such approval shall have the same force and effect as if given by the Secretary of the Interior. As used in this paragraph, the word "approve" includes, but is not limited to, the confirmation of an approval given by a subordinate official and the rescission of a

disapproval given by a subordinate official.

(c) The Commissioner of Indian Affairs shall forward to the Secretary of the Interior, with his recommendation, any such ordinance or resolution which he believes to be inconsistent with an act of Congress or with a treaty or with the tribal constitution or charter under which the ordinance or resolution was adopted, or which, in his opinion, should be disapproved or rescinded for any other reason.

(d) In subdelegating, pursuant to § 4.725, the powers and duties vested in him by this section, the Commissioner of Indian Affairs shall not, where a tribal constitution or charter provides for the consideration of ordinances or resolutions by the local superintendent or other specified official of the Bureau of Indian Affairs, subject to Secretarial review, delegate power with respect to such ordinances or resolutions to the official originally passing upon such ordinances or resolutions.

(e) The authority delegated to the Commissioner of Indian Affairs in this section is in addition to, and not a limitation upon, other delegations of authority made to the Commissioner. (R. S. 161, 463; Pub. Law 687, 79th Cong., 5 U. S. C. 22, 25 U. S. C. 2)

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

MAY 26, 1947.

[F. R. Doc. 47-5195; Filed, June 2, 1947; 8:46 a. m.]

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

PART 50—ORGANIZATION AND PROCEDURE
DELEGATIONS OF AUTHORITY

CROSS REFERENCE: For amendments of the list of delegations of authority contained in §§ 50.75 to 50.81, inclusive, see F. R. Doc. 47-5193 under Part 4 of this title, *supra*, delegating to the Director, regional administrators, and district managers of the Bureau of Land Management certain functions with respect to various statutes, and revoking certain provisions concerning fire protection contracts.

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 41 and 61]

AIR CARRIER FLIGHT ENGINEERS

MINIMUM RECENT EXPERIENCE REQUIREMENTS

MAY 28, 1947.

The Safety Bureau of the Civil Aeronautics Board is presenting proposed amendments to Parts 41 and 61 of the Civil Air Regulations specifying the minimum recent experience a flight engineer

is required to have before he may serve in air carrier operation.

The proposed amendments have not been considered by the Board and are being published to provide an opportunity for those interested to submit any comments, suggestions, or changes which they believe desirable. The Safety Bureau will give careful consideration to all replies received and, after making any changes which appear to be appropriate, will present the proposed amendments to the Board for adoption. Any substantial

objections to this proposal will be brought to the attention of the Board.

These amendments, in addition to supplying the requirements specified by ICAO, furnish a means to insure continued competency, and provide the requirements for checkout in a new make or model of aircraft.

The proposed amendments are as follows:

§§ 41.322 and 61.561 *Qualification for duty.* An airman shall not serve as a flight engineer unless he has:

(a) Within the preceding 12-month period had at least 50 hours of experience as a flight engineer on the make and model aircraft on which he is to serve, or

(b) Familiarized himself with all current information and operating procedures relating to the make and model aircraft to which he is to be assigned and has demonstrated his competency on

such aircraft to an authorized representative of the Administrator.

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

It is the desire of the Bureau that those interested offer suggestions and comments regarding the proposed amendments. Comments in writing should be addressed to the Safety Bureau, Civil

Aeronautics Board, Washington 25, D. C., for receipt within 30 days from the date of this public notice. (52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Safety Bureau.

[SEAL]

W S. DAWSON,
Director

[F. R. Doc. 47-5227; Filed, June 2, 1947;
8:49 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. G-606]

TENNESSEE GAS AND TRANSMISSION CO.
AND CHICAGO CORP.

NOTICE OF OPINION AND ORDER DISMISSING,
IN PART, PROCEEDING FOR WANT OF
JURISDICTION

MAY 28, 1947.

Notice is hereby given that, on May 28, 1947, the Federal Power Commission issued its Opinion No. 150 and order entered May 27, 1947, dismissing, in part, proceeding for want of jurisdiction in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5222; Filed, June 2, 1947;
8:49 a. m.]

[Docket No. IT-6060]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF
SECURITIES

MAY 28, 1947.

Notice is hereby given that, on May 22, 1947, the Federal Power Commission issued its order entered May 22, 1947, authorizing issuance of securities in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5220; Filed, June 2, 1947;
8:48 a. m.]

[Project No. 1888]

METROPOLITAN EDISON CO.

ORDER ENLARGING ISSUES

Upon consideration of an application filed December 6, 1944, by Metropolitan Edison Company for a rehearing on the Commission's order of November 7, 1944 authorizing the issuance of a license for a constructed power project on the Susquehanna River near York Haven, Pennsylvania, Project No. 1888;

It appearing that:

(a) Among other items applicant objected to the requirement prescribed in paragraph (B) of said order that amortization reserves created pursuant to section 10 (d) of the Federal Power Act

should be set aside from earnings "received in any calendar year," whereas applicant says that such reserves should be set aside only from "accumulated" earnings or earnings averaged over a reasonable period;

(b) The amortization reserve is only one of several reserves which are to be deducted from the actual legitimate original cost of a licensed project when the net investment is determined under section 3 (13) of the act and such deductions from cost are to be made if and to the extent that they have been accumulated during the period of the license from earnings in excess of a fair return on the investment in the property.

(c) Consideration should be given to the inclusion of the following special condition in the license for Project No. 1888:

During the entire period of the license, all project earnings in excess of a fair return upon the net investment in said project and which have not been appropriated to amortization, sinking fund, or similar reserves, shall be appropriated annually to a special reserve under Account 258.1, Amortization Reserve—Federal, the credit balance in such special reserve to be applied annually as a deduction from actual legitimate original cost in determining net investment in accordance with section 3 (13) of the act.

The Commission finds that:

The rehearing upon the license for Project No. 1888 should be reopened for the presentation of evidence and arguments with respect to the inclusion in the license of the special condition set forth in paragraph (c) above.

Upon its own motion the Commission orders that:

A public hearing on inclusion of the special condition set forth in paragraph (c) above be held in the Commission's Hearing Room on the 12th Floor of the Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., beginning at 10 o'clock a. m. (e. d. s. t.) on July 28, 1947.

Date of issuance: May 28, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5221; Filed, June 2, 1947;
8:48 a. m.]

[Docket No. IT-6056]

SOUTHWESTERN POWER ADMINISTRATION

NOTICE OF REQUEST FOR APPROVAL OF RATES
AND CHARGES FOR SALE OF POWER

MAY 26, 1947.

Notice is hereby given that pursuant to the provisions of the Flood Control Act of 1944 (58 Stat. 830) the Administrator of the Southwestern Power Administration filed with the Federal Power Commission, for approval, certain rates and charges for the sale of electric energy generated at the Denison Dam Project on the Red River between the States of Oklahoma and Texas, as set forth in a proposed agreement between Southwestern Power Administration, an agency of the Department of Interior, and Texas Power & Light Company.

The proposed agreement contains in its preamble the following paragraphs, among others:

Whereas, there is now allocated at the Denison Dam Project reservoir storage between elevation 690 feet and 617 feet for power production, and

Whereas, competent engineering studies, based upon the best available records of river flow, indicate that with one generating unit and the utilization of the reservoir capacity now allocated to power there can be produced at the Denison Dam Project 140,000,000 kwh of primary and an average of 78,000,000 kwh of secondary energy per year, with a second generating unit installed there can be produced the same amount of primary and an average of 127,000,000 kwh of secondary energy per year and with a third generating unit installed there can be produced the same amount of primary and an average of 156,000,000 kwh of secondary energy per year, and

Whereas, present estimates of primary and secondary energy that can be produced by the Denison Dam Project will probably be increased through the effects of integrated operation, and

Whereas, the amounts of the primary and secondary energy that can be produced by the Denison Dam Project might be changed by (a) a revision in the operating policy of the War Department, (b) the possible future construction of additional reservoir storage on the Red River above the Denison reservoir or (c) other factors entering into their destination. * * *

The agreement provides that the Government shall furnish the following services, among others, to the Company:

(a) Until the completion of the second generating unit at the Denison Dam, the continuation of the present delivery of 120,000,000 kwh primary energy per year taken at a rate not to exceed the capacity of the unit minus 5,000 kw plus such sec-

ondary energy as the Government elects to deliver to the Company.

(b) After the completion of the second generating unit, the delivery of 70,000,000 kwh of primary energy per year taken at a rate not to exceed the capacity of one unit plus half the secondary energy of the project, provided that when the reservoir level is below the top of the power storage allocation, the Company may schedule its receipt of secondary energy but it shall assume the responsibility for any loss by the Company of secondary energy by reason of the discharge of the water representing such stored energy in order to meet the requirements of flood control.

(c) After the completion of the third generating unit, the Government shall make half the capacity of such unit available to the Company except when such unit is required as reserve capacity for the other two units; in addition, the Government shall make the other half available except when needed for service to the Government's other customers, all of which is in addition to the capacity and energy covered by item (b) above.

The proposed agreement further provides that the Government shall have the right to take out of the Company's system, at any points designated by the Government, power and energy in wholesale quantities to serve its own customers, as authorized under section 5 of the Flood Control Act of 1944, subject to the following conditions:

(a) The parties agree that the right of the Government created by the contract to take power and energy out of the Company's system is primarily for the purpose of serving public bodies and cooperatives which have preference as to service under the Flood Control Act of 1944. The Government agrees that it will not dispose of any such power and energy to any customer outside such preferred class until after the expiration of 18 months from the date on which service begins. Should the Government thereafter dispose of such power and energy to a customer outside the preferred class, the Company may at its election terminate the agreement by three years' written notice.

(b) The maximum demand of the Government shall not exceed 20,000 kw until the third generating unit at the Denison Dam is installed and ready for commercial operation and 25,000 kw thereafter.

(c) The Government shall give the Company 30 days' written notice of its intention to take out of the Company's system power and energy and of the date on which such withdrawal shall begin.

(d) The Company shall not be required to deliver power and energy to the Government requiring the installation of new facilities until the Company shall have had reasonable time in which to install such facilities.

(e) The Company shall not be required to deliver power and energy to the Government or its customers for service in any town or municipality in which the Company is now serving or may hereafter serve customers at retail: *Provided*, That the Company may be required to deliver power and energy from the Com-

pany's 138-KV bus at its Payne Substation for delivery by the Government over the Government's own lines to such towns or municipalities now owning and operating their own electric distribution systems, subject to the provisions in the next paragraph.

(f) If the Government serves customers now or hereafter supplied by the Company excluding establishments operated by or for the account of the Government or rural electric cooperatives incorporated under the Texas Electric Cooperative Corporation Act and serving only customers authorized to be served under said act, the Government shall deduct from the Company's monthly payment a credit equal to the difference between the cost of such power and energy computed at the lowest then effective rate of the Government and the cost of such power and energy computed at the lowest then effective rate of the Company applicable to the service to such customers.

(g) The Company shall not be required to deliver power and energy to the Government or its customers for delivery to any customer of any other privately owned utility company having electric facilities directly interconnected with the transmission lines of the Company and purchasing power and energy from, or interchanging the same with, the Company.

The agreement further provides that the Government shall not at any time enter into contracts with customers or render service to its customers to an extent which will result in the maximum demand of the Government exceeding 20,000 kw until the third generating unit is ready for commercial operation, and 25,000 kw thereafter. The Company shall not be obligated to extend its facilities to or establish service to any additional customers or at any additional delivery points if this would result in the maximum demand of the Government exceeding the number of kilowatts specified above. In the event the maximum demand of the Government during any month shall exceed the specified number of kilowatts, the Company shall promptly notify the Government, and the Government shall within 30 days after receipt of such notice direct the Company to discontinue service to specified customers to the extent necessary to reduce the maximum demand of the Government to its specified number of kilowatts. In the event the Government does not so direct the Company within such period, the Company shall have the right to disconnect the necessary number of customers of the Government, and shall disconnect them in the reverse order of the dates of their existing contracts with the Government.

The proposed agreement further provides that the Government, upon request of the Company, shall operate any of the generating units at no load as condensers to the extent that such operation does not unreasonably interfere with the Government's commitments and operating practices.

The agreement further provides that the Company shall pay the Government for power and energy delivered into the Company's system \$59,000 per month

with one unit in operation and \$52,000 per month with two units in operation, less \$1.55 per kilowatt per month of the maximum demand of the Government for such month and less 4 mills per kilowatt for all the kilowatt hours of energy taken out of the Company's system by the Government in excess of 250 kilowatt hours per kilowatt of maximum demand of the Government for such month. "Maximum demand of the Government" for any month shall mean the total of the 30-minute demands of individual customers during the past 12 months' period adjusted for a power factor below 85 percent. The Company shall pay to the Government, moreover, for the period after all three generating units are available for commercial operation an additional sum of \$6,000 per month. If all three generating units are not available for commercial operation during any month (excluding periods for inspection, maintenance and repairs scheduled in advance by mutual agreement of the parties) the \$6,000 payment shall be ratably reduced.

The agreement further provides that in the event the amounts of the various classifications of energy presently determined by the Government to be available from the Denison Dam Project are changed at any time through the integration of the Denison Dam Project with other hydro-electric projects in the area, change in War Department policy in operation of the Denison reservoir, the construction of additional reserve storage in the Red River Basin above the Denison reservoir, or other factors affecting such amounts, the Government shall, not oftener than one a year excepting on its own volition, make a proper redetermination of such amounts and notify the Company promptly of the results thereof. If, after such redetermination, the Government notifies the Company that the primary energy available from the Denison Dam Project has been increased, the commitment of the parties for delivery and receipt of primary energy shall be increased by an amount equivalent to half this increase. Furthermore, if the Government finds that it has additional primary energy available for sale in Texas from the Denison Dam Project it may, at its election, increase the commitment of the parties for the delivery and receipt of primary energy as it may specify to the Company in writing; *Provided*, That the total of all increases in primary energy shall not exceed 30,000,000 kwh per year without the consent of the Company. In the event the amount of primary energy delivered to the Company is increased, as described above, or 70,000,000 kilowatt hours of primary energy per year are not available from the Denison Dam Project for sale in Texas, the Company's payment to the Government for power and energy shall be adjusted appropriately by 4 mills for each kilowatt hour that the primary energy delivered under this agreement differs from 70,000,000 kilowatt hours.

The agreement further provides that the Company shall take power and energy from the Government at the Company's Payne Substation at such power factor as will best serve the Company's

system; *Provided*, That the Company shall not intentionally impose any power factor on the Government's system which would overload or impair the Government facilities or unreasonably interfere with the Government's commitments. The Government, on the other hand, shall take power and energy from the Company at the power factor which the loads of the Government's customers impose on the Company's system.

The power and energy delivered by the Government into the Company's system shall be delivered as three phase alternating current at 60 cycles at 138-kv to the Company's Payne Substation. The Company shall deliver power and energy to the Government at such points on the Company's system which shall accord with the Company's usual wholesale practice.

The agreement further provides that in the event the Company disposes of any substantial part of its facilities it shall make adequate provision for delivery to the Government and its customers of so much of the power and energy as may be necessary to supply the requirements of the Government and its customers in the area served by these facilities. The Company shall not be obligated to install or construct new transmission or related facilities solely for the purpose of delivering power and energy to the Government or its customers, the cost of which would, in the opinion of the Company, result in an excessive financial burden to the Company and the Company shall not be required to furnish any transmission or related facilities which the Government could not construct or acquire under the authorization of the Flood Control Act of 1944 if funds therefor were provided by the Congress.

The agreement further provides for proper meter readings and adjustments.

The agreement further provides that the power and energy delivered by the Government to the Company's system and the power and energy delivered to the Government for its customers shall be made available continuously except for interruptions due to uncontrollable forces, or for temporary interruptions which in the opinion of the party owning the facilities in which such interruptions occur, may be necessary or desirable for purposes of maintenance, repairs, replacements, installation of equipment, investigations and inspections.

The agreement further provides that the existing contract between the parties dated May 3, 1944, as amended and modified, for the sale of power and energy shall terminate instantaneously with the beginning of service under this agreement.

The agreement further provides that the Company shall terminate any contract it has with any customer entitled to receive service from the Government under this agreement if requested to do so by such customer who has entered into a contract with the Government for the service covered by the Company's contract, but service shall continue under the terms of the Company's contract until service begins under the Government contract.

The agreement further provides that the failure of either party to pay to the

other any amount due under this agreement shall entitle such other party to discontinue the delivery of power or energy upon giving 20 days' prior written notice to the defaulting party, unless such payment is made before the discontinuance of such delivery.

The agreement further provides that the performance of the Government's obligations hereunder is contingent upon the Congress making the necessary appropriations for the expenditures incident to the performance of this agreement.

The agreement further provides that it is the purpose of the parties that their system shall be so operated that power and energy shall not flow from the Company's system to points outside the State of Texas or from points outside the State of Texas into the Company's system.

The agreement further provides that it shall become effective upon the date of its execution, and service shall begin on the first day of the month following the date of the confirmation and approval of rates by the Federal Power Commission and shall remain in force and effect for a period of 20 years unless sooner terminated. Either party may terminate this agreement at any time by giving 6 years' written notice to the other party in advance of the effective date of termination thereof.

The agreement further provides that before the Government shall sell for use in the State of Texas, to any party other than the Company, any of the power and energy generated at the Denison Dam Power Plant, other than that delivered to the Company under this agreement, the Company shall have the opportunity to purchase such power and energy under terms and conditions similar to those provided in this agreement.

Any person desiring to make comments or suggestions for Commission consideration with respect to the proposed rates and charges set forth in the contract, the main provisions of which have been set out above, shall on or before June 18, 1947, submit such comments or suggestions in writing to the Federal Power Commission, Washington 25, D. C. The proposed contract agreement in its entirety is on file with the Commission and available for inspection.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-5223; Filed, June 2, 1947;
8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 197]

RECONSIGNMENT OF ONIONS AT PHILADELPHIA, PA.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Pa., May 24, 1947, by I. Meltzer &

Son, of cars MDT 45999 and RD 24594, onions, now on the PRR to Joe Fierman, New York, N. Y.

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 26th day of May 1947.

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

[F. R. Doc. 47-5212; Filed, June 2, 1947;
8:48 a. m.]

[S. O. 396, Special Permit 198]

RECONSIGNMENT OF CARROTS AT BALTIMORE, Md.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Baltimore, Md., May 26, 1947, by H. Rothstein, of car PFE 63163, carrots, now on the PRR to New York, N. Y. (PRR)

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 26th day of May 1947.

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

[F. R. Doc. 47-5213; Filed, June 2, 1947;
8:48 a. m.]

[S. O. 396, Special Permit 199]

RECONSIGNMENT OF ORANGES AT BUFFALO, N. Y.

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

To disregard entirely the provisions of paragraph (j) of Service Order No. 396 insofar as it applies to the reconsignment at Buffalo, N. Y., May 26, 1947, by Florida Citrus Exchange, of car MDT 3350, oranges, now on the N. Y., C. & St. L. R.R., to Florida Citrus Exchange, Cleveland, Ohio (NEK)

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 26th day of May 1947.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 47-5214; Filed, June 2, 1947; 8:48 a. m.]

[S. O. 396, Special Permit 200]

RECONSIGNMENT OF APPLES AT MINNEAPOLIS, MINN.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Minneapolis, Minn., May 26, 1947, of car FGE 43754, apples, now on the Great North-

ern Ry., to Auster Co., Milwaukee, Wis. (C. & N. W.).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 26th day of May 1947.

V. C. CLINGER,
Director
Bureau of Service.

[F. R. Doc. 47-5215; Filed, June 2, 1947; 8:48 a. m.]

[S. O. 745]

UNLOADING OF CARS AT WEEHAWKEN, N. J.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of May A. D. 1947.

It appearing, that 8 cars containing various commodities, at Weehawken, New Jersey, on the Erie Railroad Company, have been on hand for unreasonable lengths of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Cars at Weehawken, N. J., on Erie R.R., be unloaded.* The Erie Railroad Company, its agents or employees, shall unload immediately the following cars, containing various commodities, on hand at Weehawken, N. J..

Car initial and No.	Contents	Consignee
NYC 604473	Steel pipe	Asiatic Petroleum Co.
ATSF 174931	do	Do.
B&M 92413	do	Do.
NYC 637911	do	Do.
RI 80353	Freight bodies	Kramer Body & Equipment Co.
PBR 278009	do	Do.
DRGW 22159	Power shovel	Knickertreiber Export Co.
PR R335003	Freight bodies	Kramer Body & Equipment Co.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 29, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17) 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 47-5209; Filed, June 2, 1947; 8:46 a. m.]

[S. O. 746]

UNLOADING OF AUTO PARTS AT JERSEY CITY, N. J.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of May A. D. 1947.

It appearing, that car FMCKY 91908 containing auto parts at Jersey City, New Jersey, on the Baltimore and Ohio Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Auto parts at Jersey City, N. J., be unloaded.* The Baltimore and Ohio Railroad Company, its agents or employees, shall unload immediately car FMCKY 91908, containing auto chassis and parts, now on hand at Jersey City Terminal, Jersey City, New Jersey, consigned D. C. Andrews Company.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 29, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17) 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 47-5210; Filed, June 2, 1947; 8:46 a. m.]

[S. O. 747]

UNLOADING OF LUMBER AT RICHMOND, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its

PROPOSED RULE MAKING

office in Washington, D. C., on the 27th day of May A. D. 1947.

It appearing, that 5 cars containing lumber at Richmond, California, on the Southern Pacific Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Lumber at Richmond, Calif., be unloaded.* The Southern Pacific Company, its agents or employees, shall unload immediately cars Milw 66061, RI 90842, CB&Q 98084, CB&Q 91514 and NP 61386, on hand at Richmond, California, consigned G. C. Lumber Company, in care of Richmond Lumber Company.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 30, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice to this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 47-5211; Filed, June 2, 1947;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2687]

TEXAS HYDRO-ELECTRIC CORP.

ORDER GRANTING APPLICATION TO WITHDRAW
FROM LISTING AND REGISTRATION

At a regular session of the Securities
and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 23d day of May A. D. 1947.

Texas Hydro-Electric Corporation having filed an application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 thereunder, to withdraw its \$3.50 Cumulative Preferred Stock, No Par Value, from listing and registration on the Chicago Board of Trade;

A hearing having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion and pursuant to section 12 (d) of said act;

It is ordered, That the application be, and hereby is, granted; *Provided*, That the withdrawal of this security from listing and registration shall not become effective until sixty days from the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-5201; Filed, June 2, 1947;
8:47 a. m.]

[File No. 55-93]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM 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 Philadelphia, Pa., on the 26th day of May A. D. 1947.

Notice is hereby given that various persons have filed applications with this Commission, pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 and Rule U-63 promulgated thereunder, for approval of the maximum amounts for which they may apply to the District Court of the United States for the District of Massachusetts, for fees and reimbursement of expenditures in connection with the prosecution of the claim of International Hydro-Electric System, a registered holding company, against International Paper Company, and the settlement thereof. Proceedings with respect to said International Hydro-Electric System, pursuant to section 11 (d) of said act, are now pending in said District Court.

All interested persons are referred to said applications, which are on file in the office of the Commission for a full statement of the claims for fees or for reimbursement of expenditures, which may be summarized as follows:

1. Bartholomew A. Brickley, Trustee of International Hydro-Electric System, together with Edward R. Langenbach and Samuel Hoar, his counsel—for fees, \$500,000 less \$70,000 already received, or \$430,000; for disbursements, \$2,691.34, or a total of \$432,691.34.

2. Paul H. Todd, a holder of the Class A stock of International Hydro-Electric System, and Howell Van Auken, his counsel, for fees of Van Auken—\$250,000 less \$8,000 received on account, or \$242,000; for disbursements of Todd, \$21,611.14, or a total of \$263,611.14.

3. Joseph Nemerov, representing Ethel Kresberg, Samuel Kresberg and other

debenture holders—for fees, \$150,000; for disbursements, \$1,200, or a total of \$151,200.

4. Hugh F. O'Donnell, Alexander Whiteside, and Warren, Garfield, Whiteside & Lamson, representing Paul H. Todd, Janet M. Condon and Osmond Y. Ladd, holders of the Class A stock of International Hydro-Electric System—for fees, \$125,000.

5. Richard A. Sullivan, employed by Paul E. Todd and Howell Van Auken to make certain studies of the properties of International Hydro-Electric System—for fees \$47,500; for disbursements, \$590.14 or a total of \$48,090.14.

6. Archibald Palmer, Friedman, Atherton, King & Turner, and Bennett E. Aron, representing Mildred Howard, a holder of the preferred stock of International Hydro-Electric System—for fees, \$25,000; for disbursements, \$169.27, or a total of \$25,169.27.

7. Erwin N. Griswold, tax counsel to Bartholomew A. Brickley, Trustee—for fees, \$15,000.

8. Paul A. Dever, Steinberg & Spel-fogel, and Weinstein & Levinson, representing certain debenture holders—for fees, \$6,000; and

The Commission deeming it appropriate in the public interest and in the interest of investors that a hearing be held with respect to said applications:

It is ordered, Pursuant to sections 11 (f) and 18 of said act that a hearing be held on said applications on June 10, 1947, at 10 a. m. (e. d. s. t.) at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, and on such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

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

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

1. Whether the services and disbursements for which remuneration is asked are compensable.

2. Whether the maximum amounts, the approval of which are requested, are fair and reasonable, and if not, what maximum amounts should be fixed by the Commission.

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

It is further ordered, That any person desiring to be heard in connection with this proceeding, or proposing to intervene herein, shall file with the Secretary of the Commission on or before June 9, 1947 his request or application there-

for as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to the applicants herein, and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Bartholomew A. Brickley, as Trustee, give further notice of this hearing by publishing a copy of this order not later than May 29, 1947, in two daily newspapers of general circulation, one published in Boston, Massachusetts, and one in New York, N. Y.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5200; Filed, June 2, 1947;
8:47 a. m.]

[File No. 68-85]

PHILADELPHIA CO.

ORDER ACCELERATING EFFECTIVENESS OF DECLARATION AND GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1947.

In the matter of Roman Olesnicki, Frederick Pearce, Jr., and William A. McCormick, Jr., Protective Committee of Public Holders of no par Common Stock of Philadelphia Company, File No. 68-85.

A declaration and amendments thereto with respect to the solicitation of the holders of the publicly held no par value common stock of Philadelphia Company pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935 ("Act") and an application for an exemption pursuant to Rule U-100 promulgated under the act having been filed by Roman Olesnicki, Frederick Pearce, Jr., and William A. McCormick, Jr., members of a Protective Committee of Public Holders of no par value Common Stock of Philadelphia Company, a registered holding company and a subsidiary of Standard Gas and Electric Company, also a registered holding company and

Said application for exemption pursuant to Rule U-100 reciting that certain partners of the firm of White & Williams of which James E. Riely, Esquire, and Thomas Raeburn White, Jr., Esquire, counsel for declarants, are members, serve as directors or trustees of and counsel for various financial, educational, charitable or similar institutions which either presently own or may hereafter desire to buy or sell stock or securities issued by Philadelphia Company, its parent, Standard Gas and Electric Company, or affiliated or associated companies; and

Said application further reciting that the partners of said firm of White & Williams have agreed that during the period of the proceedings with respect to Philadelphia Company, et al. (File Nos. 59-88 and 59-9) to refrain from the purchase or sale of securities issued by

Philadelphia Company, its parent, Standard Gas and Electric Company, or its affiliated or associated companies and that the partners of said law firm who serve as directors have also agreed not to participate in any discussions of committees or boards of directors or trustees of such institutions with respect to the securities of Philadelphia Company, its parent, Standard Gas and Electric Company, or affiliated or associated companies; and

Said applicants-declarants having requested that the financial, educational, charitable or similar institutions as aforesaid be exempt from the application of subdivision g (2) of Rule U-62 promulgated under the act, with respect to the purchase or sale of securities issued by Philadelphia Company, its parent, Standard Gas and Electric Company, or affiliated or associated companies; and

The applicants-declarants herein having requested that the declaration, as amended, for the solicitation of the holders of the no par value common stock of Philadelphia Company be permitted to become effective prior to the effective date as provided for by the provisions of Rule U-62 (d), and

It appearing to the Commission that it is appropriate to accelerate the effectiveness of the declaration and application, as amended, filed pursuant to Rule U-62 and that the requirements of subdivision g (2) of Rule U-62, as applied to the aforesaid institutions are not necessary or appropriate in the public interest or for the protection of investors and consumers;

It is ordered, Pursuant to subdivision d (2) of Rule U-62 that said declaration, as amended, for the solicitation of the holders of the publicly held no par value common stock of Philadelphia Company, be, and the same hereby is, permitted to become effective forthwith; and

It is further ordered, Pursuant to Rule U-100 (a) that said application for the exemption of the financial, educational, charitable or similar institutions as aforesaid from the provisions of subdivision g (2) of Rule U-62 with respect to the purchase or sale of securities issued by Philadelphia Company, its parent, Standard Gas and Electric Company, or its affiliated or associated companies be, and the same hereby is, granted subject to the conditions contained in said application and declaration, as amended, and referred to above.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5197; Filed, June 2, 1947;
8:45 a. m.]

[File No. 68-87]

PHILADELPHIA CO.

ORDER ACCELERATING EFFECTIVENESS OF DECLARATION AND GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1947.

In the matter of Roderick G. Kelleff, George F. Tyler, Jr. and Robert S. Ingersoll, Jr., Philadelphia Company, Common Stockholders Protective Committee, File No. 68-87.

A declaration and amendment thereto with respect to the solicitation of the holders of the publicly held no par value common stock of Philadelphia Company pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935 ("Act") and an application for an exemption pursuant to Rule U-100 promulgated under the act having been filed by Roderick G. Kelleff, George F. Tyler, Jr., and Robert S. Ingersoll, Jr., members of a Common Stockholders Protective Committee of Philadelphia Company, a registered holding company, and subsidiary of Standard Gas and Electric Company, also a registered holding company and

Said application for exemption pursuant to Rule U-100 reciting that Charles I. Thompson, Esquire, counsel to said Committee, and certain of his partners in the law firm of Ballard, Spahr, Andrews & Ingersoll of Philadelphia, Pennsylvania, serve as directors of certain trust companies, saving fund societies, life insurance companies, educational institutions and hospitals, some of which presently hold, or may hereafter desire to acquire or sell, in trust or corporate capacities, securities issued by Philadelphia Company, its parent, subsidiary and associated companies; and

Said application further reciting that the partners of said law firm of Ballard, Spahr, Andrews & Ingersoll are presently refraining from and, during the period of the proceedings with respect to Philadelphia Company, et al. (File Nos. 59-88 and 59-9) have agreed to refrain from the purchase or sale of securities of Philadelphia Company or its subsidiaries and that the partners of said law firm who serve as directors as aforesaid have agreed not to participate in any discussions of committees or boards of such institutions with respect to the securities of Philadelphia Company or its parent, subsidiary or associated companies; and

Said applicants-declarants having requested that the trust companies, saving fund societies, life insurance companies, educational institutions and hospitals as aforesaid be exempt from the application of subdivision g (2) of Rule U-62 promulgated under the act, with respect to the purchase or sales of securities issued by Philadelphia Company, its parent, subsidiary or associated companies; and

The applicants-declarants herein having requested that the declaration, as amended, for the solicitation of the holders of the no par value common stock of Philadelphia Company be permitted to become effective prior to the expiration of the 11 days from the filing of said declaration and the amendment thereto; and

It appearing to the Commission that it is appropriate to accelerate the effectiveness of the declaration, as amended, filed pursuant to Rule U-62 and that the requirements of subdivision g (2) of Rule U-62, as applied to the aforesaid institutions are not necessary or appropriate in the public interest or for the protection of investors and consumers;

NOTICES

It is ordered, Pursuant to subdivision (2) of Rule U-6 that said declaration, as amended, for the solicitation of the holders of the publicly held no par value common stock of Philadelphia Company, be, and the same hereby is, permitted to become effective forthwith; and

It is further ordered, Pursuant to Rule U-100 (a) that said application for the exemption of the trust companies, saving fund societies, life insurance companies, educational institutions, and hospitals as aforesaid from the provisions of subdivision g (2) of Rule U-62 with respect to the purchase or sales of securities issued by Philadelphia Company, its parent, Standard Gas and Electric Company, subsidiary or associated companies, be, and the same hereby is, granted subject to the conditions contained in said application and declaration, as amended, and referred to above.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5196; Filed, June 2, 1947; 8:45 a. m.]

[File No. 70-1504]

APPALACHIAN ELECTRIC POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of May A. D. 1947.

Appalachian Electric Power Company ("Appalachian") an electric utility subsidiary of American Gas and Electric Company ("American Gas"), a registered holding company, having filed an application-declaration and amendments thereto pursuant to sections 6 (b) and 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Appalachian has entered into a credit agreement whereby the banks named below will make loans to Appalachian in the amounts shown during the period from the effective date of the agreement to July 1, 1950. Of the aggregate amount of \$12,600,000 which the banks are obligated to lend, \$5,000,000 will be borrowed and notes will be issued therefor within 10 days after the effective date of the agreement in the amounts shown below:

Name of bank	Amount of commitment	Amount of immediate loan
Guaranty Trust Co. of New York	\$2,520,000	\$1,000,000
Irving Trust Co.	2,520,000	1,000,000
Mellon Bank & Trust Co.	1,800,000	750,000
Bankers Trust Co.	1,800,000	750,000
Central Hanover Bank & Trust Co.	1,260,000	500,000
Chemical Bank & Trust Co.	1,260,000	500,000
The Philadelphia National Bank.	1,260,000	500,000

The proposed loans will be evidenced by promissory notes maturing December 31, 1950, and are to bear interest from their respective issue dates at the rate of 1½% per annum for a period from the effective date of the agreement to a date two years from such effective

date, and at the rate of 1¾% per annum during the period commencing two years from the effective date to maturity. Appalachian will pay to each bank a commitment fee of ¼ of 1% per annum until June 30, 1950 on the daily average unused amount which such bank is obligated to lend. Loans shall be made simultaneously from the banks on 10 days' notice and may be prepaid on similar notice, such loans and prepayments to be borne or made ratably to all banks. Appalachian may, on 10 days' notice, terminate or reduce pro-rata in the aggregate amount of \$1,000,000 or multiples thereof, the obligations of the banks to make the loans provided for in the agreement.

The application-declaration, as amended, represents that Appalachian will increase its common stock equity by December 31, 1948 by the amount of \$5,000,000 over the amount shown on its books of account as of December 31, 1946, said increase in common stock equity to be achieved by either the sale of additional common stock or the retention of earnings. It is further represented that by December 31, 1950 the ratio of common stock equity to total capitalization will be increased to 25%. In the event that Appalachian's equity is not increased in the manner stated above by December 31, 1948, and/or the ratio of common stock equity to total capitalization will be less than 25% at December 31, 1950, a dividend restriction will become operative whereby not more than 75% of the earnings available to the common stock may be paid out as dividends on common stock when the ratio of common stock equity (including surplus) is between 20% and 25% of total capitalization, and not more than 50% of such earnings may be paid out as dividends when the ratio falls below 20%.

Appalachian states that the proposed loans are necessary to provide funds to enable it to proceed with its construction program, and that any plan for long-term financing will provide for payment of the then outstanding notes issued under the credit agreement.

The proposed transactions have been approved by the State Corporation Commission of the State of Virginia, the State in which Appalachian was organized and is doing business, and by the Railroad and Public Utilities Commission of the State of Tennessee, the State in which Appalachian also does business.

The application-declaration having been filed April 18, 1947, and amendments thereto having been filed on May 2, 1947 and May 7, 1947, and notice of said filing, as amended, 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, as amended, within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder 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 the said application-declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant the request of applicant-declarant that the order become effective at the earliest date possible;

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5206; Filed, June 2, 1947; 8:48 a. m.]

[File No. 70-1606]

KENTUCKY AND WEST VIRGINIA POWER CO. AND AMERICAN GAS AND ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of May A. D. 1947.

American Gas and Electric Company ("American Gas"), a registered holding company, and its wholly-owned utility subsidiary, Kentucky and West Virginia Power Company ("Kentucky"), having filed a joint application-declaration and amendment thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Kentucky has entered into a credit agreement whereby the banks named below will make loans to Kentucky in the aggregate amounts shown below during the period from the effective date of said agreement to July 1, 1950. Of the aggregate amount of \$7,500,000 which the banks are obligated to lend, \$1,500,000 will be borrowed and notes will be issued therefor within 10 days after the effective date of the agreement in the amounts shown below:

Name of bank	Amount of commitment	Amount of immediate loan
Guaranty Trust Co. of New York	\$1,500,000	\$300,000
Irving Trust Co.	1,500,000	300,000
Mellon Bank & Trust Co.	1,125,000	225,000
Bankers Trust Co.	1,125,000	225,000
Central Hanover Bank & Trust Co.	700,000	100,000
Chemical Bank & Trust Co.	700,000	100,000
The Philadelphia National Bank.	700,000	100,000

The proposed loans will be evidenced by promissory notes maturing December 31, 1950, and are to bear interest from their respective issue dates at the rate of 1½% per annum for a period from the effective date of the agreement to a date two years from such effective date, and at the rate of 1¾% per annum during the period commencing two years from the effective date to maturity. Ken-

tucky will pay to each bank a commitment fee of 1/4 of 1% per annum until June 30, 1950 on the daily average unused amount which such bank is obligated to lend. Loans shall be made simultaneously from the banks on 10 days' notice, and may be prepaid on similar notice, such loans and prepayments to be borne or made ratably to all banks. Kentucky may, on 10 days' notice, terminate or reduce pro rata in the aggregate amount of \$1,000,000 or multiples thereof, the obligations of the banks to make the loans provided for in the agreement.

Kentucky now has outstanding \$8,499,000 principal amount of First Mortgage Bonds 5% Series due 1956, all of which are owned by American Gas. In connection with the execution of the agreement, American Gas and Kentucky agree to expressly subordinate the \$8,499,000 principal amount of such bonds as to payment of the principal of and interest on (but not the lien of) such bonds to the payment of the principal of and interest on the notes to be issued pursuant to the agreement.

It is stated that the proposed loans are necessary to provide funds to enable Kentucky to proceed with its construction program and that any plan for long-term financing will provide for payment of the then outstanding notes issued under the credit agreement. It is represented that after the completion of such permanent financing, or in any event before December 31, 1950, Kentucky's common stock equity will equal at least 35% of its total capitalization.

The application-declaration having been filed April 18, 1947, and an amendment thereto having been filed on May 2, 1947, and notice of said filing, as amended, 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, as amended, within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder 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 the said application-declaration, as amended, be granted and permitted to become effective and deeming it appropriate to grant the request of applicants-declarants that the order become effective at the earliest date possible:

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5205; Filed, June 2, 1947; 8:48 a. m.]

[File No. 70-1507]

WHEELING ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of May A. D. 1947.

Wheeling Electric Company ("Wheeling") an electric utility subsidiary of American Gas and Electric Company ("American Gas") a registered holding company, having filed a declaration and amendment thereto pursuant to sections 7 and 12 (c) of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Wheeling has entered into a credit agreement whereby the banks named below will make loans to Wheeling in the aggregate amounts shown below during the period from the effective date of said agreement to July 1, 1950. Of the aggregate amount of \$2,500,000 which the banks are obligated to lend, \$1,500,000 will be borrowed and notes will be issued therefor within 10 days after the effective date of the agreement in the amounts shown below:

Name of bank	Amount of commitment	Amount of immediate loan
Guaranty Trust Co. of New York	\$500,000	\$200,000
Irving Trust Co.	500,000	500,000
Bankers Trust Co.	500,000	500,000

The proposed loans will be evidenced by promissory notes maturing December 31, 1950 and are to bear interest from their respective issue dates at the rate of 1 1/2% per annum for a period from the effective date of the agreement to a date two years from such effective date, and at the rate of 1 3/4% per annum during the period commencing two years from the effective date to maturity. Wheeling will pay to each bank a commitment fee of 1/4 of 1% per annum until June 30, 1950, on the daily average unused amount which such bank is obligated to lend. Loans shall be made simultaneously from the banks on 10 days' notice, and may be prepaid on similar notice, such loans and prepayments to be borne or made ratably to all banks. Wheeling may, on 10 days' notice, terminate or reduce pro rata in the aggregate amount of \$300,000 or multiples thereof, the obligations of the banks to make the loans provided for in the agreement.

Declarant states that from the proceeds of the immediate borrowing in the amount of \$1,500,000 it will repay its 2% notes in the amount of \$1,167,500 due May 1, 1950. It is further stated that the proposed loans are necessary to provide funds to enable declarant to proceed with its construction program, and that any plan for long-term financing will provide for payment of the then outstanding notes issued under the credit agreement.

The proposed transactions have been approved by the Public Utilities Commission of Ohio, a State wherein declarant does business.

The declaration having been filed April 18, 1947, and an amendment thereto having been filed on May 7, 1947, and notice

of said filing, as amended, 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 declaration as amended within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder 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 the said declaration, as amended, be permitted to become effective, and deeming it appropriate to grant the request of applicants-declarants that the order become effective at the earliest date possible:

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5203; Filed, June 2, 1947; 8:47 a. m.]

[File No. 70-1503]

OHIO POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of May A. D. 1947.

The Ohio Power Company ("Ohio"), an electric utility subsidiary of American Gas and Electric Company ("American Gas") a registered holding company, having filed an application-declaration and amendment thereto pursuant to sections 6 (b) and 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Ohio has entered into a credit agreement whereby the banks named below will make loans to Ohio in the amounts shown during the period from the effective date of the agreement to July 1, 1950. Of the aggregate amount of \$13,000,000 which the banks are obligated to lend, \$6,500,000 will be borrowed, and notice will be issued therefor within 10 days after the effective date of the agreement in the amounts shown below:

Name of bank	Amount of commitment	Amount of immediate loan
Guaranty Trust Co. of New York	\$2,000,000	\$1,200,000
Irving Trust Co.	2,000,000	1,200,000
Mellon Bank & Trust Co.	1,900,000	975,000
Bankers Trust Co.	1,900,000	975,000
Central Hanover Bank & Trust Co.	1,300,000	650,000
Chemical Bank & Trust Co.	1,300,000	650,000
The Philadelphia National Bank	1,300,000	650,000

The proposed loans will be evidenced by promissory notes maturing December 31, 1950, and are to bear interest from their respective issue dates at the rate of $1\frac{1}{2}\%$ per annum for a period from the effective date of the agreement to a date two years from such effective date, and at the rate of $1\frac{3}{4}\%$ per annum during the period commencing two years from the effective date to maturity. Ohio will pay to each bank a commitment fee of $\frac{1}{4}$ of 1% per annum until June 30, 1950 on the daily average unused amount which such bank is obligated to lend. Loans shall be made simultaneously from the banks on 10 days' notice and may be prepaid on similar notice, such loans and prepayments to be borne or made ratably to all banks. Ohio may, on 10 days' notice, terminate or reduce pro-rata in the aggregate amount of \$1,000,000 or multiples thereof, the obligations of the banks to make the loans provided for in the agreement.

Ohio states that the proposed loans are necessary to provide funds to enable it to proceed with its construction program, and that any plan for long-term financing will provide for payment of the then outstanding notes issued under the Credit Agreement.

The proposed transactions have been approved by the Public Utilities Commission of the State of Ohio, the State in which Ohio was organized and is doing business.

The application-declaration having been filed April 18, 1947 and an amendment thereto having been filed on May 7, 1947, and notice of said filing, as amended, 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, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder 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 the said application-declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant the request of applicant-declarant that the order become effective at the earliest date possible:

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

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-5204; Filed, June 2, 1947;
8:47 a. m.]

[File No. 70-1527]

CONSOLIDATED NATURAL GAS 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 Philadelphia, Pennsylvania, on the 21st day of May 1947.

In the matter of Consolidated Natural Gas Company, Hope Natural Gas Company, The East Ohio Gas Company, The Peoples Natural Gas Company, The New York State Natural Gas Corporation, File No. 70-1527.

Notice is hereby given that Consolidated Natural Gas Company ("Consolidated") a registered holding company, and its subsidiaries, Hope Natural Gas Company ("Hope") The East Ohio Gas Company ("East Ohio") The Peoples Natural Gas Company ("Peoples") and New York State Natural Gas Corporation ("New York") have filed a joint application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935, designating sections 6, 7, 9, 10 and 12 and Rules U-43 and U-50 of the general rules and regulations promulgated thereunder as being applicable to the proposed transactions.

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

(1) Consolidated will offer to its stockholders, on a pro rata basis, the right to purchase 545,672 additional shares of its common stock at a price to be determined by Consolidated on the basis of the market price prevailing at the time of the offering. The right to purchase shares will be evidenced by transferable warrants on the basis of one share of additional common stock for each 5 shares of common stock presently owned.

(2) The proceeds of the sale of common stock by Consolidated will be used, together with treasury cash to purchase at par value, during the years 1947 and 1948, additional shares of the common stocks of Consolidated's subsidiaries, which stocks such subsidiaries respectively proposed to issue and sell in the amount and for the consideration set forth below:

Issuing company	Par value	Number of shares	Total consideration
Hope.....	\$100	100,307	\$10,030,700
East Ohio.....	100	80,000	8,000,000
Peoples.....	100	70,000	7,000,000
New York Natural.....	100	52,000	5,200,000
		302,307	30,230,700

The proceeds realized by the subsidiary companies from the sale of their stocks will be used by them, together with other corporate funds, for the construction of additional plant facilities and to reimburse their respective treasuries for property additions heretofore made.

The issuance and sale of common stock by Hope, East Ohio and Peoples have in each case been approved by the public utility commissions of the respective states in which those companies are organized and doing business.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said application-declaration, and that said application-declaration should not be granted nor permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said application-declaration under the applicable provisions of the act and rules and regulations promulgated thereunder be held at 10:00 a. m., e. d. s. t., on the 2d day of June, 1947, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why said application-declaration should be granted and permitted to become effective.

It is further ordered, That Robert P Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any 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 Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the declaration and that, upon the basis thereof, the following matters and questions are presented for consideration by the Commission without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether the proposed purchase by Consolidated of shares of stock of its subsidiary companies is in compliance with the statutory standards and whether it is necessary or appropriate to impose any terms or conditions with respect thereto;

(2) Whether the proposed issue and sale of common stock by the subsidiary corporations is solely for the purpose of financing the business of each of said subsidiary corporations;

(3) Whether the fees or other remunerations to be paid in connection with the issue, sale or distribution of said securities are reasonable;

(4) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers;

(5) Generally, whether the proposed transactions comply with the applicable provisions of the act and rules, regulations or orders promulgated thereunder;

(6) Whether in the event the application-declaration shall be granted and permitted to become effective, it is necessary to impose any terms or conditions to ensure compliance with the standards of the act.

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before May 29, 1947, his request or application there-

for as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Consolidated, Hope, East Ohio, Peoples, New York, and to the Public Service Commission of West Virginia, the Public Utilities Commission of Ohio, the Pennsylvania Public Utilities Commission, the New York Public Service Commission and the Federal Power Commission, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-5207; Filed, June 2, 1947;
8:48 a. m.]

[File No. 70-1529]

ROCHESTER GAS AND ELECTRIC CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of May 1947.

Notice is hereby given that Rochester Gas and Electric Corporation ("Rochester") a subsidiary of General Public Utilities Corporation, a registered holding company, has filed an application-declaration, as amended, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") Applicant-declarant has designated sections 6 (a) 6 (b) 7 and 12 (c) of the act and Rules U-42 and U-50 promulgated thereunder as applicable to the proposed transactions.

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

(a) Rochester will issue and sell, pursuant to the competitive bidding requirements of Rule U-50 of the rules and regulations promulgated under the act; \$16,677,000 principal amount of --% Series L First Mortgage Bonds due 1977.

(b) Rochester will thereupon redeem all of its issued and outstanding \$3,000,000 principal amount of 3¾% Series G Gold Bonds due 1966; \$3,000,000 principal amount of 3¾% Series H bonds due 1967; and \$1,657,000 principal amount of 3½% Series I bonds due 1967.

(c) Upon completion of the foregoing bond financing Rochester will issue and sell, pursuant to the Competitive bidding requirements of Rule U-50, 50,000 shares of its \$100 par value --% Series G cumulative preferred stock;

(d) Beginning July 1, 1947, Rochester will set aside monthly from income not less than \$50,000 and credit that

amount to a special account to be designated as "Appropriated Earned Surplus", such charges to continue until an aggregate of \$3,045,592 has been credited thereto: *Provided, however*, That if the owners of the company's common stock make a capital contribution to the company, such monthly reservations of net income will be suspended in an amount equivalent to such contribution;

(e) Upon completion of the preferred stock financing, Rochester will designate the balance of \$9,578,951 of earned surplus at December 31, 1946 as "Earned Surplus-Special"

(f) Upon completion of all the above previous steps, the company will amend its certificate of incorporation so as to reduce the stated value of its common stock from \$14,383,208 to \$9,679,906 and the difference of \$4,703,302 will be designated as "Unearned Surplus-Special"

(g) The Appropriated Earned Surplus to be accumulated, the Earned Surplus-Special account and Unearned Surplus-Special account to be created will provide a total of \$17,327,845 which will be available, if required, to dispose of amounts now included in the company's plant account which the New York Public Service Commission states is overstated and to increase the reserve for depreciation which the New York Public Service Commission states is deficient: *Provided, however* That when the propriety of the contentions of the New York Public Service Commission is finally decided, and any necessary items are appropriately disposed of, the balance will become available for any purpose for which surplus is available except the payment of dividends upon common stock;

(h) The proceeds from the sale of the new bonds and new preferred stock which will remain after redeeming the bonds, as noted, above, will be applied to the payment of costs and expenses in connection with the financings, to the repayment of bank loans in the amount of approximately \$3,500,000 incurred to pay for construction costs since January 1, 1947, and approximately \$9,676,700 will be utilized for new construction.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application-declaration, as amended, and that said application-declaration, as amended, shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, Pursuant to sections 6 (a) 6 (b) 7, 12 (c) and 18 of the act, that a hearing be held on said application-declaration, as amended, on June 5, 1947, at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held. Any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before June 3, 1947, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift 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 Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application-declaration, as amended, and that, on the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether or not the proposed issue and sale of first mortgage bonds and preferred stock are solely for the purpose of financing the business of Rochester;

(2) Whether or not the fees, commissions, or other remuneration to be paid in connection with the issue, sale, or distribution of the first mortgage bonds and preferred stock and the other proposed transactions are reasonable;

(3) Whether or not the proposed reduction in the stated value of Rochester's common stock will result in an unfair or inequitable distribution of voting power among the holders of its securities or is otherwise detrimental to the public interest or the interest of investors or consumers;

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

(5) Whether or not there will have been compliance with Rule U-50 promulgated under the act;

(6) What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers, and, in particular, what, if any, terms and conditions are necessary or appropriate to protect the financial integrity of Rochester.

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

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-5202; Filed, June 2, 1947;
8:47 a. m.]

[File No. 70-1536]

**NORTH PENN GAS CO. AND PENNSYLVANIA
GAS AND ELECTRIC CORP.**

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May A. D. 1947.

In the matter of North Penn Gas Company and Pennsylvania Gas & Electric Corporation, File No. 70-1536.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by North Penn Gas Company ("North Penn") a gas utility company and a registered holding company, and its parent, Pennsylvania Gas & Electric Corporation ("Penn Corp") also a registered holding company. Applicants-declarants designate sections 9 (a) 10 and 12 (c) of the act and Rule U-42 thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than June 9, 1947 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be given on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application-declaration, as filed or as amended, may be permitted to become effective or may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

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

North Penn proposes, subject to the approval of the Commission, to redeem all of its presently outstanding \$7.00 Prior Preferred Stock, consisting of 6,188 shares, at the redemption price of \$107.50 per share and to retire such stock, including 267 shares thereof presently held in North Penn's treasury. North Penn proposes to use treasury cash for this purpose. The application-declaration states that dividends on such preferred stock have been paid regularly since its original issuance.

It is further proposed to amend North Penn's charter in order to eliminate therefrom authorization for the \$7.00 Prior Preferred Stock and the two other classes of preferred stock of which no shares are issued or outstanding. As a result of such amendment, common stock, all of which is owned by Penn Corp will be the only authorized capital stock of North Penn.

The applicants-declarants request that the Commission's order be issued herein on or before June 10, 1947, and become effective forthwith in order that notice of redemption may be sent to the

stockholders on or before June 15, 1947, so as to permit the retirement of the \$7.00 Prior Preferred Stock on the next dividend payment date, July 15, 1947.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 47-5199; Filed, June 2, 1947;
8:46 a. m.]

[File Nos. 59-39, 54-50, 59-10, 54-82, 54-147]

NORTH AMERICAN LIGHT & POWER CO. ET AL.

**MEMORANDUM OPINION AND ORDER WITH RE-
SPECT TO FUNDS OR SECURITIES**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1947.

In the matter of North American Light & Power Company, Holding Company System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company and its subsidiary companies, File No. 59-10; The North American Company, File No. 54-82; Illinois Power Company, File No. 54-147.

On December 28, 1942, we entered an interim order¹ suspending the payment of interest due January 1, 1943 by North American Light & Power Company (Light & Power) a registered holding company, on \$5,623,500 principal amount of its debentures² owned by its parent, The North American Company (North American) also a registered holding company. Light & Power then deposited in a non-interest bearing special deposit the interest which was due on January 1, 1943. Prior to the next interest date on July 1, 1943, we again considered the question of payment of interest by Light & Power on its debentures. On June 29, 1943, we entered an order³ (a) Prohibiting Light & Power from paying interest on its debentures to North American until further order of the Commission; and (b) requiring Light & Power to segregate from its other funds a sum equal to the interest so to be withheld subject to further order of the Commission. We also provided that such segregated funds (including those pursuant to our order of December 28, 1942) were permitted to be invested in obligations of the United States Government.

The reasons which caused us to take the foregoing action are set forth in the opinions accompanying each of the aforementioned orders and are still apposite. The question whether it is fair and equitable for North American to receive either principal or interest on debentures of Light & Power which it holds, is one which we have presently under advisement.

Recently, we approved a portion of a plan (designated as Plan I) pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 which provided

¹ 12 S. E. C. 621, Holding Company Act, Release No. 4023.

² These debentures represent all the outstanding funded debt of Light & Power.

³ 13 S. E. C. 518.

for a settlement by North American, Light & Power, and their subsidiary, Illinois Power Company (Illinois Power) of all claims and counterclaims affecting Illinois Power.⁴ Among other provisions, the plan provides that Light & Power will pay Illinois Power in cash a sum aggregating \$11,300,000.⁵

Light & Power now requests that we modify our order of June 29, 1943, to the extent necessary, to permit Light & Power to release its segregated funds representing accrued interest on its debentures so that the funds may be applied toward the payment to be made to Illinois Power as part of the settlement. It appears that the segregated funds presently amount to \$1,391,818 which reflects interest payable to and including January 1, 1947. North American has joined in Light & Power's request, subject to the reservation that the requested release be without prejudice to North American's rights to receive full payment for all accrued interest.

Light & Power states that it will continue in the future to segregate from its funds sums equal to interest payments on its debentures as they become due, but that it will not replace in the future the segregated funds which it now seeks to use except with the express consent of this Commission.

It appears to us that under the circumstances it is appropriate to permit Light & Power to use its segregated funds representing accrued interest on its debentures for the purpose announced. The alternatives would be for Light & Power to borrow money or to sell assets in approximately the amount of the segregated funds; neither of the alternatives could be availed of under the present time schedule for consummation of the plan. If permitted to use the segregated funds, it appears that Light & Power will be able to meet its obligations under the plan without recourse to any borrowing. Security holders of Light & Power other than North American do not appear to be adversely affected and North American has specifically assented.

Insofar as Light & Power will not replace in the future the segregated funds which it now will use, North American exchanges its claim to interest on the debentures for the period covered by the segregated funds from one which is secured to one which is unsecured. In view of the present value of Light & Power's assets; it does not appear that North American will be prejudiced if it is subsequently found to be entitled to interest on the debentures.

It is therefore ordered, That North American Light & Power Company be, and it hereby is permitted to apply toward payment of its obligations to Illinois Power Company pursuant to that

⁴ S. E. C. (1947), Holding Company Act Release No. 7238; our findings and opinion were published as Holding Company Act Release No. 7375. Pursuant to request of the parties, we have sought judicial enforcement of the plan. A hearing is presently scheduled for May 28, 1947 in the District Court of the United States for the District of Delaware.

⁵ In our order approving the plan we reserved jurisdiction to determine ultimately the rights of Light & Power and its various security holders, including North American.

portion of the plan approved by order of this Commission dated February 28, 1947, such funds or securities representing accrued interest on its debentures which it has segregated from its other funds in accordance with orders of this Commission dated December 28, 1942, and June 29, 1943.

It is further ordered, That interest due July 1, 1947 and all interest which may thereafter become payable on the outstanding debentures of North American Light & Power Company, shall be and hereby is made subject to the provisions of the order of this Commission dated June 29, 1943.

It is further ordered, That North American Light & Power Company shall not replace the segregated funds or securities which may be used as hereinabove permitted except pursuant to further order of this Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-5198; Filed, June 2, 1947; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

HENRI WOUTER JONKHOFF

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 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

Henri Wouter Jonkhoff; A-262-265, inclusive; property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to U. S. Letters Patents Nos. 1,918,108, 2,015,310, 2,015,311 and 2,083,166 to the extent owned by the claimant immediately prior to the vesting thereof.

Executed at Washington, D. C., on May 28, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5234; Filed, June 2, 1947; 8:50 a. m.]

STEPHANIE SCHYBILSKY POSAMENT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section (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 publi-

cation hereof, the following property, located in Washington, D. C., 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

Stephanie Schybilsky Posament, Newark, New Jersey; 5902; \$2,660.93 in the Treasury of the United States.

Executed at Washington, D. C., on May 28, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5235; Filed, June 2, 1947; 8:50 a. m.]

[Dissolution Order 46, Amdt.]

H. MOLSEN & Co.

Dissolution Order No. 46, dated February 12, 1947, is hereby amended as follows and not otherwise:

By deleting paragraph (c) and substituting therefor the following:

(c) They shall then pay each of the above-mentioned accounts payable to nationals of foreign countries other than designated enemy countries, and each of the above-mentioned accounts payable to nationals of a designated enemy country which shall not have been previously vested by the Attorney General of the United States, to the Property Division of the Office of Alien Property, Department of Justice, for safekeeping. Such payment shall not transfer title to such accounts to the Attorney General but such accounts shall be subject to his authorization. The payment of said ac-

counts as herein directed to the Property Division, Office of Alien Property, Department of Justice, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligations of H. Molsen & Company.

All other provisions of said Dissolution Order No. 46 are hereby confirmed.

Executed at Washington, D. C., on May 16, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5233; Filed, June 2, 1947; 8:50 a. m.]

[Vesting Order 8393]

KONRAD BINGOLD ET AL

In re: Stock owned by Konrad Bingold and others.

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 persons listed in subparagraph 2 hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Three hundred and thirty-one (331) shares of \$50.00 par value capital stock of Anaconda Copper Mining Company, 25 Broadway, New York, New York, a corporation organized under the laws of the State of Montana, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name:

Registered owner	Certificate No.	Number of shares	OAP file No.
Konrad Bingold.....	150732.....	10	F-23-22473-D-1.
Dr. Paul Dahm.....	427147.....	100	F-23-1568-D-1.
Richard Elmer.....	176201.....	10	F-23-22470-D-1.
	176202.....	10	
	232307.....	5	
Johan Haberpointner.....	890067.....	25	F-23-22475-D-1.
Fritz Hocke.....	11221.....	10	F-23-22476-D-1.
	277621.....	4	
Carl Husehke.....	175245.....	10	F-23-22477-D-1.
Frau Helene Mengel.....	618491.....	2	F-23-22472-D-1.
Wilhelm Nachtigall.....	215504.....	40	F-23-1345-D-1.
	1824.....	10	
August Schardt.....	221853.....	1	F-23-22473-D-1.
	221853.....	1	
George Smidt.....	163701.....	50	F-23-1577-D-1.
Mathias Urban.....	662284.....	3	F-23-22479-D-1.
Mrs. Louise Ven Watzdorf.....	252004.....	40	F-23-1677-D-1.

together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5228; Filed, June 2, 1947;
8:49 a. m.]

[Vesting Order 9014]

ELLEN KUERBS AND EMMI ZISKOVEN

In re: Bonds owned by Ellen Kuerbs and Emmi Ziskoven. D-28-9895-G-1.

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

1. That Ellen Kuerbs and Emmi Ziskoven, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows:

a. One (1) United States Savings Bond, Series D, issued March, 1939, of \$100.00 face value, bearing the number C418296D, payable to Ellen Kuerbs, together with any and all rights thereunder and thereto.

b. Two (2) United States Savings Bonds, Series D, issued April, 1939, of \$100.00 face value each, bearing the numbers C478564D and C478572D, payable to Ellen Kuerbs, together with any and all rights thereunder and thereto.

c. Three (3) United States Savings Bonds, Series D, issued May, 1939, of \$100.00 face value each, bearing the numbers C538956D, C538957D and C538958D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

d. Three (3) United States Savings Bonds, Series D, issued June 1939, of \$100.00 face value each, bearing the numbers C624097D, C624098D and C624096D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

e. Three (3) United States Savings Bonds, Series D, issued July, 1939, of \$100.00 face value each, bearing the numbers C757266D, C757267D and C757268D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

f. Two (2) United States Savings Bonds, Series D, issued August 1939, of \$100.00 face value each, bearing the numbers C916172D and C916170D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

g. Two (2) United States Savings Bonds, Series D, issued September 1939, of \$100.00 face value each, bearing the numbers C985287D and C985286D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

h. Three (3) United States Savings Bonds, Series D, issued October 1939, of \$100.00 face value each, bearing the numbers C1036298D, C1036299D and C1036300D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

i. One (1) United States Savings Bond, Series D, issued November 1939, of \$100.00 face value, bearing the num-

ber C1152730D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

j. Three (3) United States Savings Bonds, Series D, issued December 1939, of \$100.00 face value each, bearing the numbers C1201650D, C1201652D and C1201653D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

k. Four (4) United States Savings Bonds, Series D, issued February, 1940, of \$100.00 face value each, bearing the numbers C1655572D C1655573D, C1655574D and C1655575D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto.

l. One (1) United States Savings Bond, Series D, issued March, 1940, of \$100.00 face value, bearing the number C1772189D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

m. One (1) United States Savings Bond, Series D, issued April, 1940, of \$100.00 face value, bearing the number C1850537D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

n. One (1) United States Savings Bond, Series D, issued May, 1940, of \$100.00 face value, bearing the number C1942687D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

o. Three (3) United States Savings Bonds, Series D, issued June, 1940, of \$100.00 face value each, bearing the numbers C2019806D, C2019807D and C2180859D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

p. One (1) United States Savings Bond, Series D, issued July, 1940, of \$100.00 face value, bearing the number C2180860D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto, and

q. One (1) United States Savings Bond, Series D, issued August, 1940, of \$100.00 face value bearing the number C2254589D, payable to Emmi Ziskoven, together with any and all rights thereunder and thereto,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5229; Filed, June 2, 1947;
8:49 a. m.]

[Vesting Order 9035]

DR. TANZO YOSHINAGA

In re: Bank account and stock owned by Dr. Tanzo Yoshinaga, also known as Dr. T. Yoshinaga, also known as T. Yoshinaga, M. D. F-39-764-E-1, F-39-764-D-1, F-39-764-D-2, F-39-764-D-3.

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 Dr. Tanzo Yoshinaga, also known as Dr. T. Yoshinaga, also known as T. Yoshinaga, M. D., 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:

a. That certain debt or other obligation owing to Dr. Tanzo Yoshinaga, also known as Dr. T. Yoshinaga, also known as T. Yoshinaga, M. D., by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a checking account, entitled Dr. T. Yoshinaga, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

b. Fifty (50) shares of \$100.00 par value, Series "B" 6% preferred capital stock of Southern California Edison Company Ltd., 601 W 5th Street, Los Angeles, California, a corporation organized under the laws of the State of California, evidenced by certificate number LO 19124, and registered in the name of T. Yoshinaga, M. D., Kumamoto, Japan, together with all declared and unpaid dividends thereon, subscription rights thereunder, and any and all rights arising from a plan of recapitalization effected March 19, 1926 by the aforesaid company,

c. Fifty-two (52) shares of no par value common capital stock of Standard Oil Company of California, 225 Bush Street, San Francisco 20, California, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered NYC 17192 for 50 shares, SFC 87018 for 1 share and SFC 124618 for 1 share, registered in the name of Tanzo Yoshinaga, together with all declared and unpaid dividends thereon and

d. Two Hundred (200) shares of \$15.00 par value common capital stock of Shell Union Oil Corporation, 50 West 50th Street, New York 20, New York, a corporation organized under the laws of the

State of Delaware, evidenced by certificates numbered 175 for 100 shares, 6592 for 25 shares, 6593 for 25 shares, 6594 for 25 shares, 6595 for 15 shares and 6596 for 10 shares, registered in the name of Tanzo Yoshinaga, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid 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 May 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-5230; Filed, June 2, 1947; 8:49 a. m.]

[Vesting Order 9044]

S. FRENKEL

In re: Stock owned by S. Frenkel. F-28-23352-D-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 S. Frenkel, the last known address of which is Unter Den Linden 57-58, Berlin, Germany, is a partnership organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows: Fifty (50) shares of No par value common capital stock of Texas & Pacific Railway Company, Texas & Pacific Building, Dallas, Texas, a corporation incorporated by Act of Congress, evidenced by Certificate numbered 8400, registered in the name of S. Frenkel, together with all declared and unpaid dividends thereon;

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid 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 May 21, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-5231; Filed, June 2, 1947; 8:49 a. m.]

[Vesting Order 9031]

BERNHARD WANNER ET AL.

In re: Interests in real property, insurance policies and claim owned by Bernhard Wanner, and others.

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 persons, whose names and last known addresses appear below, are residents of Germany and nationals of a designated enemy country (Germany),

Name and Address

Bernhard Wanner: Koeln, Germany.
Karl Wanner: Aalen, Wuerttemberg, Germany.
Wilhelm Splegler: Aalen, Wuerttemberg, Germany.
Rosa Splegler: Aalen, Wuerttemberg, Germany.
Marie Meier: Aalen, Wuerttemberg, Germany.

2. That the property described as follows:

a. An undivided $\frac{3}{4}$ ths interest in real property situated in the City and County of Philadelphia, State of Pennsylvania, 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,

b. All right, title and interest of the persons named in subparagraph 1 in and to the following insurance policies:

Fire Insurance Policy No. 541002, issued by Reliable Fire Insurance Co., Dayton, Ohio, in the name of Weniger & Walter, Inc., as attorneys-in-fact, for the heirs of Katie Baldinger, deceased, which policy insures the property described in subparagraph 2-a hereof,

Residential Liability Insurance Policy, No. RL-341034, and any extensions or renewals thereof, issued by Hartford Accident & Indemnity Company, Hartford, Connecticut, in the name of Alexander Walter, Administrator of Katie Baldinger Estate, which policy insures the property described in subparagraph 2-a hereof, and

c. Those certain debts or other obligations, owing to the persons named in subparagraph 1 hereof by Weniger & Walter, Inc., 215 East Penn Street, Philadelphia 44, Pennsylvania, including particularly but not limited to rents collected from the real property described in subparagraph 2-a hereof, 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 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 in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest 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 27, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

EXHIBIT A

All that certain lot or piece of ground with the buildings and improvements thereon erected situate on the West side of Stanley Street No. 2534 at the distance of Two hundred and forty-two feet eleven inches Northward from the North side of Cumberland

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Street in the Twenty-eighth Ward of the City of Philadelphia.

Containing in front or breadth on the said Stanley Street Fourteen feet Two inches and extending in length or depth Westward of that width between lines at right angles to

said Stanley Street Fifty feet to a three feet wide alley extending from said Cumberland Street to Huntingdon Street.

Together with the free and common use right, liberty, and privilege of the said three feet wide alley and as for a passageway and

water-course at all times hereafter forever in common with the owners, tenants, and occupiers of the other lots of ground bounding thereon.

[F. R. Doc. 47-5232; Filed, June 2, 1947; 8:49 a. m.]