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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9967

DESIGNATION OF CERTAIN OFFICERS TO ACT AS SECRETARY OF AGRICULTURE

By virtue of the authority vested in me by section 179 of the Revised Statutes of the United States (5 U. S. C. 6) it is hereby ordered as follows:

In case of the absence, sickness, resignation, or death of both the Secretary of Agriculture and the Under Secretary of Agriculture, the officer whose name is highest on the following list and who is not absent or under disability to discharge the duties of the office of the Secretary of Agriculture shall perform the duties of that office:

1. The Assistant Secretary of Agriculture
2. The Administrator of the Rural Electrification Administration
3. The Governor of the Farm Credit Administration
4. The Administrator of the Farmers Home Administration

This order supersedes Executive Order No. 7465 of October 6, 1936.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 12, 1948.

[F. R. Doc. 48-5423; Filed, June 14, 1948; 3:36 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 33—CLAIMS AND APPEALS OF VETERANS, RECOGNITION OF REPRESENTATIVES

ACCREDITED REPRESENTATIVES OF SERVICE ORGANIZATIONS

Paragraphs (b) and (c) of § 33.4 are amended to read as follows:

§ 33.4 *Accredited representatives of service organizations.* * * *

(b) A single application (CSC Form 306)¹ should be filed with the central

¹ Filed with the Division of the Federal Register.

office of the Commission for recognition before (1) the central office only, (2) two or more regional offices, and (3) the central office and one or more regional offices. Application should be filed with the regional office where the applicant is to serve when recognition before only one regional office is requested. Application Form 306 is to be retained by the approving office of the Commission.

(c) The central office (Veterans Service Section) or Regional Director, as the case may be, is responsible for determining the qualifications of nominees of the service organizations for recognition. Normally, the nominees of service organizations will be approved. However, if there is doubt as to the qualifications or suitability of such nominees, appropriate investigation may be made to resolve the doubts. If it is determined that the applicant is qualified, duplicate copies of a letter of notice to that effect shall be issued to the veterans organization concerned, with an Identification Card (CSC Form 308) in the applicant's name signed by the Chief of the Veterans Service Section or the Regional Director. One copy of the letter of approval is to be retained by the organization and the other forwarded to the applicant with the Identification Card 308 countersigned by the appropriate officer of the organization. Where approval is made by the central office, a copy of the letter of approval will be sent to any and all regional offices before which recognition of the applicant is approved. Where approval is made by a regional office, a copy of the letter of approval will be sent to the central office of the Commission (Veterans Service Section). Each regional office will maintain a record of all accredited representatives approved for recognition before that regional office. The Veterans Service Section of the central office will maintain a record of all accredited representatives approved by all Regional Directors and the Chief of the Veterans Service Section. If the Regional Director's determination is adverse, or the case is one of doubtful aspect, the entire matter may be referred to the Commission's central office, Veterans Service Section, at the Regional Director's option, where it will be handled

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in the same manner as a request for recognition ordinarily handled by the Veterans Service Section.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-5376; Filed, June 15, 1948; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[FCA Order 481]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATES ON LOANS

Sections 70.90, 70.90-50, and 70.90-51 of Title 6 of the Code of Federal Regulations are hereby amended to read as follows:

§ 70.90 *Interest rate on continental loans for financing operations.* The per annum rate of interest on all loans, other than upon the security of commodities, made on and after the dates stated below, by the district banks for cooperatives, for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec 7, 46 Stat. 14, 12 U. S. C. 1141e) shall be as follows:

| Rate (percent) | Effective date | District Bank for Cooperatives |
|----------------|----------------|--|
| 2 3/4 | Dec. 1, 1947 | St. Louis. |
| 2 | Feb. 1, 1948 | Spokane. |
| 3 | Mar. 1, 1948 | New Orleans and Houston. |
| 3 | Apr. 1, 1948 | Springfield, Baltimore, Columbia, Wichita, and Berkeley. |
| 3 | May 1, 1948 | St. Paul. |
| 3 | July 1, 1948 | Louisville and Omaha. |

§ 70.90-50 *Interest rate on continental commodity loans.* Except as specified in § 70.90-51, the per annum rate of interest on all loans made upon the security of commodities on and after the dates stated below by the district banks for cooperatives for the purposes specified in section 7 (a) (1) of the Agricultural Marketing Act, as amended (sec. 7, 46 Stat. 14; 12 U. S. C. 1141e) shall be as follows:

| Rate (percent) | Effective date | District Bank for Cooperatives |
|----------------|----------------|--|
| 2 3/4 | Dec. 1, 1947 | St. Louis. |
| 2 | Feb. 1, 1948 | Spokane. |
| 2 | Mar. 1, 1948 | New Orleans and Houston. |
| 2 | Apr. 1, 1948 | Springfield, Baltimore, Columbia, Wichita, and Berkeley. |
| 2 | May 1, 1948 | St. Paul. |
| 2 | July 1, 1948 | Louisville and Omaha. |

§ 70.90-51 *Interest rate on continental loans and loans made in Puerto Rico secured by Commodity Credit Corporation loan documents.* The rate of interest on loans made on and after the dates stated below, by the district banks for cooperatives upon the security of ap-

proved Commodity Credit Corporation loan documents, shall be as follows:

| Rate (percent) | Effective date | District Bank for Cooperatives |
|----------------|----------------|--|
| 1 3/4 | Dec. 1, 1947 | St. Louis. |
| 2 | Feb. 1, 1948 | Spokane. |
| 2 | Mar. 1, 1948 | New Orleans and Houston. |
| 2 | Apr. 1, 1948 | Springfield, Baltimore, Columbia, Wichita, and Berkeley. |
| 2 | May 1, 1948 | St. Paul. |
| 2 | July 1, 1948 | Louisville and Omaha. |
| 2 1/2 | Apr. 1, 1948 | Baltimore—Loans in Puerto Rico. |

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL] I. W. DUGGAN,
Governor.

JUNE 11, 1948.

[F. R. Doc. 48-5415; Filed, June 15, 1948; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS, (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR CANNED BEETS
Correction

In Federal Register Document 48-5122, appearing at page 3068 of the issue for Wednesday, June 9, 1948, the word "weight" in the fifth line of § 52.177 (h) (2) (1) (a) should read "diameter."

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket No. 4526]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMERICAN ASSOCIATION OF LAW BOOK PUBLISHERS ET AL.

§ 3.7 *Aiding, assisting and abetting unfair or unlawful act or practice:* § 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices.* Order in proceeding in question, in which the Circuit Court of Appeals for the Second Circuit, on petition for review by certain respondents, held valid and enforceable in its entirety Commission's order of August 23, 1944 (which required respondent association, its members, etc., in connection with the offer, etc., in commerce, of law books and related publications, to cease and desist from concerted or cooperatively establishing, fixing or maintaining discounts and terms or conditions of sale therefor; maintaining or adhering to the selling price, terms and conditions of sale of law books and related publications fixed and established by the respondent who publishes such books; and from various other practices in aforesaid connection, and subject to certain exceptions as to the joint publication of any specific law book, or set of law books or related legal publication),

except with respect to one petitioner, The Frank Shephard Company, as to whom the Court held said order should be modified to apply to said petitioner only to the extent that it forbids agreement as to allowable discounts; so modifying the same. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45) [Modified cease and desist order, American Association of Law Book Publishers et al., Docket 4526, March 31, 1948]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 31st day of March A. D. 1948.

In the matter of American Association of Law Book Publishers, an unincorporated association; its officers James R. Spillane, President; Clifford W. Mueller, Vice President; Richard Reiner, Treasurer; R. Walter White, Secretary and, The American Law Book Company, a corporation; The W. H. Anderson Company, a corporation; Baker, Voorhis and Company, a corporation; Bancroft-Whitney Company, a corporation; Matthew Bender and Company, Inc., a corporation; Bender-Moss Company, a corporation; George T. Bisel, an individual trading as George T. Bisel Company; Clark Boardman Company, Ltd., a corporation; Bobbs-Merrill Company, a corporation; John Byrne and Company, a corporation; Dennis and Company, Inc., a corporation; The Harrison Company, a corporation; The Lawyers Co-operative publishing Company, a corporation; Little, Brown and Company, a corporation; The Michle Company, a corporation; National Law Book Company, a corporation; Public Utilities Reports, Inc., a corporation; The Frank Shepard Company, a corporation; Burdette Smith Company, a corporation; Soney and Sage Company, a corporation; Thomas Law Book Company, a corporation; Edward Thompson Company, a corporation; Vernon Law Book Company, a corporation; Washington Law Book Company, a corporation; West Publishing Company, a corporation; Williamson Law Book Company, a corporation; Callaghan & Company, a corporation; Fallon Law Book Company, a corporation.

The order entered herein August 23, 1944, modifying an earlier modified order to cease and desist issued by the Federal Trade Commission, having been presented for review on a petition to the United States Circuit Court of Appeals for the Second Circuit by respondents Callaghan & Company, The Frank Shephard Company, West Publishing Company, The American Law Book Company, Edward Thompson Company, Vernon Law Book Company, Washington Law Book Company, Burdette Smith Company and James R. Spillane, and said Court having held that said order is valid and enforceable in its entirety except with respect to one petitioner, The Frank Shephard Company, as to whom the Court held said order should be modified to apply to said petitioner only to the extent that it forbids agreement as to allowable discounts,

It is therefore ordered, That the said order of August 23, 1944, herein, be and the same is hereby modified to apply to

The Frank Shepard Company only to the extent that it forbids agreement as to allowable discounts.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-5377; Filed, June 15, 1948;
8:49 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS

CRYSTALLINE PENICILLIN TABLETS; PACKAGING

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463 and 61 Stat. 11, 21 U. S. C., Sup. 357) the regulations for certification of batches of penicillin- or streptomycin-containing drugs (12 F. R. 2231) as amended, are hereby further amended by substituting the following for paragraph (b) of § 146.39:

§ 146.39 *Crystalline penicillin tablets.* * * *

(b) *Packaging.* Unless each tablet is enclosed in foil or plastic film and such enclosure is a tight container as defined by the U. S. P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice, shall be disregarded. The immediate container may contain a desiccant separated from the tablets by a plug of cotton or other like material. Unless each tablet is enclosed in a foil or plastic film or other container, the number of tablets in the immediate container is such that the total number of units therein is 600,000 units.

This order, which provides for packaging crystalline penicillin tablets in multiple-dose containers containing 600,000 units shall become effective upon publication in the FEDERAL REGISTER, since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and so I find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay providing for packaging crystalline penicillin tablets in multiple-dose containers containing 600,000 units.

(52 Stat. 1040, as amended by 59 Stat. 463 and 61 Stat. 11, 21 U. S. C., 357)

Dated: June 10, 1948.

[SEAL] J. DONALD KINGSLEY,
Acting Administrator

[F. R. Doc. 48-5379; Filed, June 15, 1948;
8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Secretary of Defense

[Transfer Order 15]

ORDER TRANSFERRING CERTAIN FUNCTIONS UNDER ATOMIC ENERGY ACT FROM DEPARTMENT OF THE ARMY TO DEPARTMENT OF AIR FORCE

Pursuant to the authority vested in me by the National Security Act of 1947 (Act of July 26, 1947; Public Law 253, 80th Congress) and in order to effect certain transfers authorized or directed therein, it is hereby ordered as follows:

1. There are hereby transferred to and vested in the Secretary of the Air Force and the Department of the Air Force, insofar as they pertain to the Department of the Air Force or the United States Air Force or their property and personnel, all the functions, powers and duties which are vested in the Secretary of the Army or the Department of the Army or any officer of that Department by the Atomic Energy Act of 1946 (Act of August 1, 1946, c. 724; 60 Stat. 755; 42 U. S. C. 1801)

2. It is expressly determined that the transfers herein specified are necessary and desirable for the operation of the Department of the Air Force and the United States Air Force.

3. The Secretary of the Army the Secretary of the Air Force or their representatives are hereby authorized to issue such orders as may be necessary to effectuate the purposes of this order. In this respect, the transfer of such related personnel, property, records, installations, agencies, activities, and projects as the Secretaries of the Army and the Air Force shall from time to time jointly determine to be necessary, is authorized.

4. This order shall be effective as of 12:00 noon on June 7, 1948.

JAMES FORRESTAL,
Secretary of Defense.

JUNE 7, 1948.

[F. R. Doc. 48-5362; Filed, June 15, 1948;
8:45 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

OREGON

CROSS REFERENCE: For order transferring certain lands from the Rogue River National Forest to the Klamath National Forest, which affects the tabulation contained in § 201.1, see Public Land Order 482 in the Appendix to Chapter I of Title 43, *infra*.

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 51—GRANTS TO STATES FOR PUBLIC HEALTH SERVICES

- Sec.
- 51.1 Definitions.
- 51.2 Allotments; extent of health problems.
- 51.3 Basis of allotments.
- 51.4 Allotments; estimates; time of making; duration.
- 51.5 State plans; submission and amendments.
- 51.6 State plans; contents.
- 51.7 State plans; time of submission and approval.
- 51.8 Payments to States.
- 51.9 Required expenditure of State and local funds.
- 51.10 Required administrative standard; State plans; expenditures.
- 51.11 Required administrative standard; State plans; health services.
- 51.12 Required administrative standard; State plans; personnel administration on a merit basis.
- 51.13 Required administrative standard; State plans; training of personnel.
- 51.14 Required administrative standard; fiscal affairs.
- 51.15 Required administrative standard; required information; reports when due; audits.

AUTHORITY: §§ 51.1 to 51.15, inclusive, issued under secs. 2, 215, 314, 58 Stat. 682, 690, 693, as amended by 60 Stat. 421, 424; 42 U. S. C. 201, 216, 246.

§ 51.1 *Definitions.* As used in this part:

(a) "Act" means the Public Health Service Act approved July 1, 1944, 58 Stat. 682, as amended.

(b) "Exception" means the amount of Federal funds expended contrary to this part or the State plan.

(c) "Federal funds" means funds appropriated by Congress for carrying out the purposes of section 314 of the act.

(d) "Financial need" as applied to any State means the relative per capita income as shown by data, supplied by the Bureau of Foreign and Domestic Commerce for the most recent five-year period, available on January 1, preceding the fiscal year for which Federal funds are appropriated.

(e) "General health purposes" means the establishment and maintenance of public health services within the meaning of subsection (c) of section 314 of the act.

(f) "Official forms" means forms and instructions supplied by the Public Health Service to the State health authority for use in the submittal of State plans or information required with respect to the operation of such plans.

(g) "Political subdivision" includes counties, health districts, municipalities, and other subdivisions of the State established for governmental purposes.

(h) "Population" as applied to any State or political subdivision, means the most recent official estimates of the Bureau of the Census available on January 1, preceding the fiscal year for which Federal funds are appropriated.

(i) "Public Health Service" means the Public Health Service in the Federal Security Agency.

(j) "State" includes any State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

(k) "State plan" refers to the information and proposals, including budgets, submitted by the State health authority pursuant to the regulations in this part for activities of the State and political subdivisions thereof for (1) the prevention, treatment and control of venereal disease, (2) the prevention, treatment and control of tuberculosis, (3) establishing and maintaining adequate public health services, or (4) the prevention, treatment, and control of mental illness, including emotional, psychiatric and neurological disorders.

(l) Insofar as the regulations in this part relate to the State mental health program, "State health authority" means, in the case of any State in which there is a single State agency other than the State health authority charged with responsibility for administering such program, the State mental health authority.

§ 51.2 Allotments; extent of health problems. For the purpose of making allotments of the several States:

(a) *Venereal disease.* The extent of the venereal disease problem shall be determined by the Surgeon General taking into consideration such factors as:

(1) The varying composite and racial prevalence rates for syphilis;

(2) The extent to which treatment facilities have been provided as evidence by the population under treatment for syphilis;

(3) The total number of syphilis patients brought to treatment in the primary or secondary stages during the previous year;

(4) The varying costs of providing equal services as determined by the inverse function of the syphilitic density, and the direct function of the size of the population of each State;

(5) The need for training centers and demonstrations in selected areas;

(6) The need for facilities for the prevention and control of venereal diseases in localities where there is an unusual concentration of population.

(b) *Tuberculosis.* The extent of the tuberculosis problem shall be determined by the Surgeon General taking into consideration such factors as:

(1) The morbidity of the disease;

(2) The mortality attributed to the disease;

(3) The relative need among the States of facilities for diagnosis and treatment of tuberculous persons.

(c) *Special health problems.* The extent of special health problems shall be determined by the Surgeon General taking into consideration such factors as:

(1) The ratio which the mean annual number of deaths in each State from all causes except cancer, tuberculosis, venereal disease, suicides, homicides, accidents, and maternal and infant deaths, bears to the total mortality in the United States from the same group of causes, as shown by the most recent mortality statistics;

(2) Special conditions which create unequal burdens in the administration of equal public health services among the

States indicated by the relative population density as shown by the most recent Bureau of Census population census;

(3) The ratio which the normal labor force in each State bears to the total normal labor force based upon the most recent estimate of the normal labor force made by the Bureau of Labor Statistics, U. S. Department of Labor.

(d) *Mental health.* The extent of the mental health problem shall be determined by the Surgeon General, taking into consideration such factors as:

(1) The prevalence of emotional and psychiatric disorders affecting mental health;

(2) The relative need among the States for clinics for diagnosis and treatment of mentally ill persons.

§ 51.3 Basis of allotments. Of the total sum determined to be available for each fiscal year for allotment to the several States for the purposes of subsections (a) (b), and (c) of section 314 of the act, allotments to the several States shall be made as follows:

(a) *Venereal disease.* Of the amount available for allotment for venereal disease control programs.

From 20 percent to 40 percent, on the basis of population, weighted by financial need.

From 60 percent to 80 percent, on the basis of the extent of the venereal disease problem.

(b) *Tuberculosis.* Of the amount available for allotment for tuberculosis control programs:

From 20 percent to 40 percent, on the basis of population weighted by financial need.

From 60 percent to 80 percent, on the basis of the extent of the tuberculosis problem.

(c) *General health purposes.* Of the amount available for allotment for general health purposes other than for mental health:

From 40 percent to 60 percent, on the basis of population, weighted by financial need.

From 60 percent to 80 percent, on the basis of the extent of special health problems.

(d) *Mental health.* Of the amount available for allotment for mental health programs:

From 20 percent to 40 percent, on the basis of population weighted by financial need.

From 60 percent to 80 percent, on the basis of the extent of the mental health problem.

§ 51.4 Allotments; estimates; time of making; duration. (a) For each fiscal year, the Surgeon General shall, with the approval of the Administrator, determine the amount of the appropriation for each program which shall be available for allotment among the several States.

(b) Prior to the beginning of each fiscal year the Surgeon General shall prepare and make available to the States an estimated schedule of the amounts which it is expected will be allotted to each State during the fiscal year from estimated appropriations.

(c) Allotments for each program for the first six months shall be made prior to the beginning of the fiscal year or as

soon thereafter as practicable, and shall equal not less than 60 percent nor more than 70 percent of the total sum determined to be available for allotment during that fiscal year. At the end of the second quarter, the amounts of allotments for the first six-month period which have not been certified for payment to the respective States pursuant to § 51.8 shall become available for allotment among the States in the same manner as moneys which had not previously been allotted.

(d) Allotments for each program for the remaining six months shall be made prior to the beginning of the third quarter or as soon thereafter as practicable, and shall equal the total sum remaining unpaid and unallotted from the amount available for allotment during the fiscal year.

(e) The Secretary of the Treasury and the respective State health authorities shall be notified of the amounts of allotments and of the period for which they are made.

§ 51.5 State plans; submission and amendments. (a) Each State making application for grants under section 314 of the act and shall submit plans through its State health authority for each fiscal year for carrying out the purposes of such section. A State making application for Federal funds for more than one of the purposes authorized by section 314 of the act may consolidate its plan: *Provided*, That the information specifically required for a State plan is distinguished with respect to each purpose.

(b) The State plan and amendments thereto shall be prepared in accordance with official forms supplied by the Public Health Service for the purpose.

(c) The State plan may be amended with the approval of the Surgeon General. Amendments shall state the period they are to be in effect.

§ 51.6 State plans; contents. A State plan with respect to any program shall consist of two parts:

(a) Part I shall describe the current organization and functions of health services for the program and the proposals of the State health authority for extending, improving, and otherwise modifying such organization and functions. It shall include a description of the services, and a statement that the plan if approved will be carried out as described and in accordance with the regulations prescribed under section 314 of the act.

(b) Part II shall consist of proposed budgets for carrying out the activities described in Part I, and shall specify the period for which such budgets are submitted.

§ 51.7 State plans; time of submission and approval. (a) Parts I and II of a plan (the former in duplicate, the latter in triplicate) shall be submitted at least 45 days prior to the beginning of the Federal fiscal year to which the plan relates.

(b) Review and approval of Part I shall precede review and approval of Part II. Part II of a plan shall not be approved unless each item thereof relates

to activities specifically described in Part I.

Part II of a plan shall not be approved for any period antedating receipt of such part by the Public Health Service: *Provided*, That exceptions to this rule may be made by the Surgeon General when necessary to meet emergencies.

§ 51.8 *Payments to States.* Payments from allotments to a State having an approved plan shall not exceed the allotment to such State or the total estimated expenditure necessary for carrying out the State plan whichever is less.

Subject to the foregoing limitations, payments shall be made as follows:

(a) Payment for the first quarter shall be based upon an application for funds showing the State's estimated requirement for such quarter.

(b) Payment for the second quarter shall be the amount of the difference between the unpaid balance of the allotment of the respective State for the first six months and the unencumbered cash balance of the respective fund in the State treasury at the beginning of the first quarter, adjusted for exceptions.

(c) Payment for subsequent quarters from the allotments for the final six-month period shall be made once in each quarter and shall be based upon an application for funds showing the State's estimated requirement for such quarter and the estimated unencumbered balance of the respective fund in the State treasury at the beginning of the quarter for which payment is to be made. All such payments shall be in the amount of the difference between the estimated requirement and the estimated unencumbered cash balance adjusted for exceptions.

Payments from allotments shall not be certified unless an application for payment and all reports and documents prescribed by the regulations in this part to be due have been received. Supplemental payment in any quarter may be certified upon submission of application accompanied by satisfactory justification.

§ 51.9 *Required expenditure of State and local funds.* (a) Moneys paid to any State pursuant to section 314 of the act shall be paid upon the condition that there be expended in the State, during the fiscal year for which payment is made and for purposes specified in the State plan with respect to which the payment is made, public funds of the State and its political subdivisions (excluding any funds derived by loan or grant from the United States) in amounts determined as follows:

(1) With respect to payments for a venereal disease control program, an amount equal to 50 percent of the amount of Federal funds to be expended pursuant to the State plan.

(2) With respect to payments for a tuberculosis control program, an amount equal to the amount of Federal funds to be expended pursuant to the State plan.

(3) With respect to payments for a general health program other than the mental health program, an amount equal to 50 percent of the amount of Federal funds to be expended pursuant to the State plan.

(4) With respect to payments for a mental health program, an amount equal to 50 percent of the amount of Federal funds to be expended pursuant to the State plan.

The expenditures required for any one of the above programs shall be additional to the expenditures required for other programs.

(b) Federal funds paid to a State shall not be used to conserve State and local funds.

§ 51.10 *Required administrative standard, State plans; expenditures.* (a) Federal funds paid to a State shall be expended solely for the purposes specified in plans approved by the Surgeon General and in accordance with the regulations in this part.

(b) Except as otherwise authorized by the Surgeon General, the provisions of State law which are applicable to the expenditure of moneys appropriated by the State shall apply to the expenditure of Federal moneys paid to the State.

§ 51.11 *Required administrative standard, State plans; health services.* The State plan shall provide for health services in substantial accordance with nationally accepted standards. Compliance with standards of performance by health agencies receiving Federal funds shall be evaluated on the basis of criteria prescribed by the Surgeon General.

§ 51.12 *Required administrative standard; State plans; personnel administration on a merit basis.* A system of personnel administration on a merit basis shall be established and maintained for personnel employed in programs, the budgets of which provide for the expenditure of Federal funds or of State funds for matching purposes. Standards for evaluating compliance with this requirement shall be contained in "Merit System Policies of the Public Health Service" in effect at the time of the expenditure.

§ 51.13 *Required administrative standard, State plans; training of personnel.* Use of Federal funds for training personnel for State and local health work shall be authorized by the State health authority in accordance with "Minimum Standards for Sponsored Training of the Public Health Service." Records of authorized training shall be maintained in State health departments and shall be audited for compliance with these standards.

§ 51.14 *Required administrative standard; Fiscal affairs.* (a) The principal State Accounting Officer shall maintain either (1) a separate and distinct fund account for each Public Health Service grant; or (2) a separate and distinct fund account for each State agency in which may be commingled all Public Health Service grants (and no other funds) available to such agency.

(b) The State and local public health agencies receiving Federal funds under the regulations in this part shall establish and maintain efficient methods for conducting fiscal affairs (including financial and property controls). Each State agency shall maintain a separate and distinct fund account for each Public Health Service grant.

§ 51.15 *Required administrative standards; required information, reports when due; audits.* (a) The Surgeon General may require the submission of information pertinent to the operation of the State plans and to the purpose of the grants, including the following:

(1) A certification on an official form as to the amount of State and local funds available for carrying out the State plan shall be due in duplicate within 90 days after the beginning of the fiscal year.

(2) A statement on an official form showing the distribution of all funds by functional activities for the next fiscal year and estimates of need for the second year following shall be due in duplicate on May 15 of each year.

(3) Quarterly reports on official forms showing total receipts, expenditures, unliquidated encumbrances and balances of Federal funds, and total quarterly expenditures from Federal grants and other sources for each budget shall be due in duplicate 45 days after the close of the quarter.

(4) A detailed annual report on an official form showing expenditures for each budget and item for the preceding fiscal year shall be due in duplicate on October 1, of each year.

(5) A report on an official form showing personnel, facilities and services for each local health organization included in the current State plan shall be due in duplicate on September 15, of each year.

(6) The following reports on official forms shall be submitted with respect to venereal disease activities within 45 days after the close of the period to which they pertain:

(i) A quarterly report on laboratory activities, drug distribution and fees to private-physicians.

(ii) A quarterly activity report for each cooperative health unit or a summary of such activities by the State health authority.

(iii) A quarterly morbidity report, with separate report by each city of 200,000 population or over.

(7) The following reports on official forms shall be submitted with respect to tuberculosis control activities within 45 days after the close of the period to which they pertain.

(i) A semiannual report on mass chest surveys, and tuberculosis morbidity, and mortality, with separate report for cities of 500,000 population or over.

(ii) An annual report on clinic and nursing services.

(b) Audit of the activities and programs described in the State plan may be made after prior consultation with the State health authority. Records, documents, and information available to the State health authority pertinent to the audit shall be accessible for purposes of audit.

Effective date; prior regulations superseded. The regulations in this part, which shall become effective upon the date of their publication in the FEDERAL REGISTER, shall apply for the fiscal year beginning July 1, 1948 and thereafter, and with respect to the fiscal year 1949

and thereafter, shall supersede the regulations heretofore contained in this part.

Dated: June 4, 1948.

[SEAL] LEONARD A. SCHEEL, Surgeon General.

Approved: June 11, 1948.

J. DONALD KINGSLEY, Acting Federal Security Administrator.

[F. R. Doc. 48-5380; Filed, June 15, 1948; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS OR AFFECTING PUBLIC LANDS IN SUCH DISTRICTS

IDAHO GRAZING DISTRICTS NOS. 3 AND 5

CROSS REFERENCE: For order modifying Idaho grazing Districts Nos. 3 and 5, thereby affecting the tabulation contained in § 162.1, see Federal Register Document 48-5364 under Department of the Interior in the Notices section, *infra*.

Appendix—Public Land Orders [Public Land Order 482]

OREGON

TRANSFER OF LANDS FROM ROGUE RIVER NATIONAL FOREST TO KLAMATH NATIONAL FOREST

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

The following-described lands within the exterior boundaries of the Rogue River National Forest are hereby transferred to the Klamath National Forest:

WILLAMETTE MERIDIAN

- T. 40 S., R. 1 E., Those parts of secs. 17, 18, 19, 20, 21, and 22 south of the divide between the Rogue and the Klamath Rivers; Sec. 25; Sec. 26, S½, Sec. 32, E½, NE¼NW¼, S½NW¼, and SW¼, Secs. 33, 34, and 35.
- T. 41 S., R. 1 E., Sec. 2, NW¼, N½SW¼, and SW¼SW¼, Sec. 3; Sec. 4, lots 2, 3, 4, 5, 8, 9, 10, and 11, and NW¼, Secs. 5, 6 and 7; Sec. 8, N½NW¼ and SW¼NW¼, Sec. 9; Sec. 10, E½, E½NW¼, SW¼NW¼, and SW¼, Secs. 15, 16, and 17; Sec. 18, lots 1, 2, and N½NE¼.
- T. 40 S., R. 1 W., Those parts of secs. 25, 26, 31, 32, 33, 34, and 35 south of the divide between the Rogue and Klamath Rivers; Sec. 36.

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

MASTIN G. WHITE, Acting Assistant Secretary of the Interior.

JUNE 7, 1948.

[F. R. Doc. 48-5365; Filed, June 16, 1948; 8:47 a. m.]

[Public Land Order 463]

NEW MEXICO

REVOKING PUBLIC LAND ORDER NO. 63 OF NOVEMBER 18, 1942, AS AMENDED, WITHDRAWING PUBLIC LAND FOR USE OF WAR DEPARTMENT AS PRACTICE BOMBING RANGES

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

Public Land Order No. 63 of November 18, 1942, as amended by Executive Order No. 9526 of February 28, 1945, withdrawing public land for the use of the War Department as practice bombing ranges, is hereby revoked.

The jurisdiction over and use of such land granted to the War Department by Public Land Order No. 63 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such land shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on August 9, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from August 9, 1948, to November 8, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 662a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from July 19, 1948,

to August 7, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on August 9, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on November 9, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from October 20, 1948, to November 8, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on November 9, 1948, shall be treated as simultaneously filed.

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

Applications for these lands, which shall be filed in the District Land Office, Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 235.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 236 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Acting Manager, District Land Office, Santa Fe, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 5 N., R. 5 W., Sec. 8.
- T. 0 N., R. 5 W., Sec. 10.
- T. 5 N., R. 6 W., Sec. 34.

The area described aggregates 1,920 acres.

These lands lie on a broad mesa including small, rough and rocky portions.

MASTIN G. WHITE, Acting Assistant Secretary of the Interior.

JUNE 7, 1948.

[F. R. Doc. 48-5366; Filed, June 15, 1948; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Office of Indian Affairs

[25 CFR, Part 281

KLAMATH TRIBAL LOAN FUND

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given of intention to amend §§ 28.1 (e) 28.3 (a) (b) (d) (f) (g) and (h), 28.7 (a) (b) (c) (d) (e) (f) and (h) and 28.5, 28.8, 28.9, and 28.18 of Title 25, CFR, of the regulations approved by the Secretary of the Interior on September 30, 1947, which were promulgated under authority contained in the act of Congress approved August 28, 1937 (50 Stat. 872, 25 U. S. C. 530-535, incl.) as amended, and to promulgate a new §§ 28.1 (i) and 28.19, to read as herein-after indicated.

§ 28.1 Definitions. * * *

(e) "Business Committees" mean the Business Committee of the Klamath Tribes elected in accordance with the approved constitution and bylaws of the Klamath Tribes.

(i) "Klamath General Council" means all enrolled members of the Klamath Tribes. The functions of the Klamath General Council as set forth in the regulations in this part may be exercised only at meetings which are held, and at which a quorum is present, as prescribed by the approved constitution and bylaws of the Klamath Tribes.

§ 28.3 Loan Board. * * *

(a) *Election.* Board members shall be elected by the Klamath General Council. The Commissioner may prescribe detailed election procedures which are not inconsistent with the provisions of this section. Only adult enrolled members, or minor enrolled members who are heads of families shall be entitled to vote. Voting shall be by secret ballot at a duly called General Council meeting. The members of the present Board shall remain in office until their terms expire, unless suspended under the regulations in this part. Thereafter, one new member shall be elected each year for a term of three years, or until his successor is elected. The candidate receiving the highest number of votes shall be deemed to have been elected. If a vacancy occurs, a successor shall be elected at the next regular or special meeting of the Klamath General Council at which the same procedure shall be followed as in the case of a regular election. The person so elected shall serve only for the unexpired term of the member whom he replaces.

(b) *Officers.* Each year, within thirty days after the election of a new member, the Board shall meet and elect from among its members, a chairman and a vice-chairman. The Board shall select and employ a secretary from within or without the membership of the Board, provided that no member of the Board

shall hold office simultaneously as chairman or vice-chairman and secretary.

(d) *Meetings.* The Board shall establish definite times at which it will meet to consider applications or other business requiring action by the Board, subject to approval of the Business Committee. Notices of meetings shall be posted at the Loan Board office, the Klamath Indian Agency office, and such other public places on the reservation as the Board may deem advisable, or which may be designated by the Business Committee.

(f) *Suspension.* The Business Committee may suspend a member of the Board at any time for cause. Notice of such suspension, including a clear and concise statement of the charges resulting in suspension shall be forwarded to the suspended member by registered mail. The suspended member shall have fifteen days from the date of receipt of the notice of suspension to request, by registered mail, a hearing before the General Council. Upon receipt of such a request for hearing before the General Council, it shall be granted as a matter of right. The hearing shall be held at the next regular or special meeting of the General Council. A majority vote of the members present may uphold or reverse the action of the Business Committee. In the event the action of the Business Committee is upheld, the suspension shall operate as a removal of the suspended member from the Board for the balance of his term. No member shall have authority to act for or on the Board after receipt of a notice of suspension, and shall not be entitled to compensation for such period, unless the General Council reverses the action of the Business Committee, in which case the General Council may direct that compensation be paid in such amount as it deems equitable, but not to exceed the amount which the member would have received had he not been suspended.

The Commissioner may suspend all powers of the Board if he finds that the Board is not administering the fund in the best interests of the tribe. In case more than one member has been suspended by the Business Committee at a particular time, or if there are less than two members on the Board, or if the Commissioner has suspended all powers of the Board, the Superintendent may exercise such functions of the Board as may be necessary to protect the funds loaned, but new loans may not be made during such period.

(g) *Expenses.* The Board may hire clerical and other assistance necessary to administer the fund. Salaries of Board members for attendance at meetings and for other duties in connection with administration of the fund, and other costs in connection with the business of the Board, may be paid as administrative expenses. Necessary travel by members of the Board, and by officers and employees of the Board by common carrier, shall be on Government transportation

requests in accordance with existing Government travel regulations. Transportation requests shall be issued by the Superintendent. All claims for services rendered shall be submitted to the Superintendent on a form provided by him for that purpose. All claims of whatever nature shall be subject to audit and approval by the Superintendent.

(h) *Budget.* The Board shall, at the beginning of each fiscal year, submit to the Business Committee for approval, a written budget of estimated income from interest and service fees and estimated expenses for the ensuing fiscal year. Such budgets shall show the names, titles, compensation, hours of work, and annual, sick, and without pay leave privileges of all Board members and full-time employees; the amount outstanding in loans; the amount delinquent; and potential losses. The rate of compensation of Board members and full-time employees shall be on an annual or monthly basis. Board members and employees shall be placed on leave without pay from the Board when they are on other tribal payrolls. Budgets for the fiscal year 1948 which have been acted upon by the Business Committee prior to promulgation of this paragraph, need not be acted upon again because of the provisions hereof.

Budgets shall be acted upon by the Business Committee, and may be modified upon request of the Board. In the event the Business Committee fails to approve any budget submitted by the Board, or modification thereof, or if the Board fails to agree to changes suggested by the Business Committee, the differences shall be placed before the General Council at the next regular or special meeting after it is apparent that there can be no agreement between the Board and the Business Committee. The differences shall then be resolved by a majority vote of the members present. Budgets as approved by the Business Committee or the General Council, and modifications thereof, shall constitute the Superintendent's authority to make disbursements thereunder as expenses are incurred, provided that no disbursements shall be made in excess of the amount of income received from interest and service fees, or in violation of any of the regulations in this part.

§ 28.5 *Application.* Application shall be submitted to the Board on a form approved by the Commissioner. Each application shall indicate the purposes for which the loan is to be used, the period of the loan, the rate of interest and amount of service fees to be paid, the security to be given, if any, and the procedures to be followed in handling and repaying the loan.

§ 28.7 Approval of loans * * *

(a) *Action by Board.* Action on applications shall require an affirmative vote of at least two members of the Board. In order to receive final approval, all loans must be acted upon favorably by the Board. Applications shall be acted upon, and applicants advised in writing within 30 days of the

date of receipt of their applications that their loans either have been approved or disapproved. All notices of disapproval shall give the reasons therefor. Advances on approved loans must be made within 30 days of the date of final approval of the applications unless otherwise requested by the borrowers.

(b) *Approval by Board.* Except as otherwise indicated in the regulations in this part, the Board shall have authority to approve loans where the applicant's total indebtedness to the fund will not exceed \$3,000.

(c) *Approval by Superintendent.* Except as otherwise indicated in the regulations favorably by the Board, where the applicant's indebtedness to the fund will exceed \$3,000 but not exceed \$4,000, may be approved by the Superintendent.

(d) *Approval by District Director.* Loans in this part, loans acted upon Except as otherwise indicated in the regulations in this part, loans acted upon favorably by the Board, where the applicant's indebtedness to the fund will exceed \$4,000 but not exceed \$10,000, may be approved by the District Director. Loans to cooperatives; loans for the purchase of livestock, equipment, or machinery with maturities exceeding six years; loans with maturities exceeding ten years; educational loans; and loans to individuals who are Government employees shall require approval of the District Director regardless of amount. Burial loans in excess of \$500; emergency loans in excess of \$700 to applicants who do not have security adequate to protect the loans; and loans for the maintenance and support of aged, infirm, or incapacitated members in excess of \$700 shall also require approval of the District Director.

(e) *Approval by Commissioner.* All loans in excess of \$10,000 shall require approval by the Commissioner.

(f) *Restrictions on approval.* Loans shall not be approved for less than \$25. Any loans to borrowers who are delinquent in payment of previous indebtedness to the fund shall require the approval of the Business Committee in addition to the approvals set forth in other sections of the regulations in this part. Unless an exception is approved by the District Director, not more than two loan agreements may be in effect with the same borrower at the same time, and only joint loans may be made to a husband and wife who are both eligible for loans, and any existing loan to either spouse shall be consolidated with such loans.

(h) *Modifications.* Unless otherwise authorized by the Commissioner, modifications of loan agreements involving the extension of the terms of repayment for longer than ninety days beyond the maturity dates scheduled in the original agreement, shall require approval by the District Director. Other modifications shall be handled through the same channels as the original applications, except that the District Director may approve modifications of loan agreements approved originally by the Commissioner in cases where the amounts of the loans are not increased.

§ 28.8 *Interest and service fees.* Borrowers shall pay three percent interest annually on the basis of 360 days per annum, from the date the funds are advanced on the loan until they are repaid, except on loans for educational purposes, on which the rate shall be one percent. Except on loans for educational purposes, and loans for the maintenance and support of aged, infirm, and incapacitated members, service fees may be charged as set forth in the following table, or a schedule of fees may be established by the Board, provided that such schedule shall not exceed the amounts set forth in the following table:

Loans of \$500 or less: 5 percent of the amount of the loan.

Over \$500 but not over \$1,000: \$25 plus 4 percent of amount over \$500.

Over \$1,000 but not over \$1,500: \$45 plus 3 percent of amount over \$1,000.

Over \$1,500 but not over \$2,000: \$60 plus 2 percent of amount over \$1,500.

Over \$2,000: \$70 plus 1 percent of amount over \$2,000.

§ 28.9 *Records and reports.* The Board shall keep records and accounts and make signed reports as directed by the Commissioner. Borrowers shall be required to furnish such information as the duly authorized representative of the Commissioner or the Board may deem necessary to provide proper information regarding the status of loans.

§ 28.18 *Responsibility of Superintendent.* The Superintendent shall advise the Board in writing of any loans approved by the Board in violation of the regulations in this part. No disbursements may be made by the Superintendent on such loans. The Superintendent shall also advise the Board in writing of any loans approved by the Board which are believed by him to be unsound, and he may withhold disbursements on such loans pending reconsideration by the Board. If, after reconsideration, the Board again acts favorably upon such applications, and the Superintendent is still of the opinion that the loans are unsound, he shall advise the Business Committee in writing of his opinion and the facts in the cases. The Superintendent may withhold disbursements on such loans until they also receive approval of the Business Committee.

The Superintendent shall report to the Board in writing what action he believes should be taken on any loans which are delinquent in payment of either principal or interest for a period longer than thirty days, and prescribe a time period within which such action shall be taken. If the Board fails to take such action within the period prescribed by the Superintendent, the Superintendent shall report the case to the Business Committee. The Business Committee may direct the Board in writing of the action it deems necessary to protect the loan. In the event the Board fails to take action, within ten days of receipt of the Business Committee's directive, the Business Committee may take any action which the Board could have taken.

§ 28.19 *Authority of General Council.* The functions of the Business Committee as set forth in the regulations in this

part may be exercised by the Klamath General Council in the event the Business Committee fails to function or act, or if either the Board or the Superintendent believe it advisable to deal directly with the General Council on any particular matters. The General Council may countermand any instructions given or any action taken by the Business Committee under the regulations in this part: *Provided*, That any action taken by either the Board or the Superintendent acting under authority from the Business Committee prior to such authority having been overruled or countermanded by the General Council, shall have full force and effect.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or arguments in writing to E. Morgan Pryse, District Director, U. S. Indian Service, Building 34, Swan Island, Portland 18, Oregon, within 30 days from the date of the publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

(Sec. 3, 50 Stat. 872; 25 U. S. C. 532)

Dated: June 10, 1948.

WILLIAM E. WARNE,
Acting Secretary of the Interior.

[P. R. Doc. 48-5378; Filed, June 15, 1948; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration
[7 CFR, Part 936]

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

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO AMENDED MARKETING AGREEMENT AND ORDER

Correction

In Federal Register Document 48-5199, appearing at page 3126 of the issue for Thursday, June 10, 1948, the following changes are made:

In the third line of the first paragraph "fodmulate" should read "formulate"

In the eleventh line of the eighth paragraph of paragraph (2) under "Findings and conclusions" the word "prescribed" should read "prescribing"

In the fourth line of paragraph (4) under amendatory paragraph 8 the word "power" should read "grower"

[7 CFR, Part 947]

[Docket No. AO 113-A 9]

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

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AS AMENDED AND ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended,

(7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended, (7 C.F.R. Supps., 900.1 et seq., 11 F. R. 7737, 12 F. R. 1159, 4904) notice is hereby given of a public hearing to be held beginning at 10:00 a. m., e. d. s. t. (9:00 a. m., e. s. t.) June 21, 1948, at Knights of Pythias Hall, Third Floor, 103 Pleasant Street, Fall River, Massachusetts.

This hearing is for the purpose of receiving evidence with respect to proposed amendments, hereinafter set forth, or modifications thereof, to the tentative marketing agreement and the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area (12 F. R. 4986, 13 F. R. 1644)

These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendment proposed by the Joint Fall River Sales Committee of the Fall River Milk Producers' Association and the New England Milk Producers' Association, Fall River, Massachusetts.

In § 947.6 (a) make changes which would increase by 22 cents per hundred-weight the prices determined by such paragraph for the period July through December 1948.

Amendment proposed by the Market Administrator:

Make such other changes as may be required to make the entire marketing agreement and order conform with any

amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the tentative marketing agreement and the order, as amended, now in effect, may be procured from the Market Administrator at 103 Pleasant Street, Fall River, Massachusetts, or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., or may be there inspected.

Dated: June 11, 1948.

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

[F. R. Doc. 48-5383; Filed, June 15, 1948;
8:50 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 48-32]

TERMINATION OF APPROVAL OF EQUIPMENT Correction

In Federal Register Document 48-5134, appearing on page 3099 of the issue for Wednesday, June 9, 1948, the following change should be made:

In the fifth paragraph under the heading "Liquefied Petroleum Gas Valves, Fittings, and Gauges" the reference to "Dwg. No. 2143" in the fifth line should read "Dwg. No. 2163"

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

AIR-NAVIGATION SITE WITHDRAWAL NO. 22 MODIFIED

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (49 U. S. C., 214) it is ordered as follows:

Subject to valid existing rights, the following-described public land in Nevada is hereby withdrawn from all forms of appropriation under the public land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, as an addition to Air-Navigation Site Withdrawal No. 22 established February 13, 1929:

MOUNT DIABLO MERIDIAN

T. 29 N., R. 42 E.,
Sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$, unsurveyed.

The area described contains approximately 40 acres.

The said order dated February 13, 1929 is hereby revoked so far as it affects the following-described public land:

MOUNT DIABLO MERIDIAN

T. 30 N., R. 42 E.,
Sec. 36, SW $\frac{1}{4}$, unsurveyed.

The area described contains approximately 160 acres.

The land is within Stock Driveway Withdrawal No. 113, Nevada No. 37, established by the Secretary of the Interior on November 17, 1919.

This order shall become effective at 10:00 a. m. on August 9, 1948.

MASTIN G. WHITE,
Acting Assistant
Secretary of the Interior

JUNE 7, 1948.

[F. R. Doc. 48-5363; Filed, June 15, 1948;
8:45 a. m.]

[Misc. 1661878]

IDAHO

MODIFYING GRAZING DISTRICTS NOS. 3 AND 5

Under and pursuant to the authority vested in me by the provisions of the act of June 28, 1934 (48 Stat. 1269, 43 U. S. C. 315 et seq.) as amended, commonly known as the Taylor Grazing Act, and subject to the limitations and conditions therein contained, Idaho Grazing Districts Nos. 3 and 5 are hereby modified as follows.

The following-described areas, including approximately 92851 acres of public and non-public land, are excluded from Grazing District No. 3 and added to Grazing District No. 5:

BOISE MERIDIAN

T. 7 S., R. 28 E.,
Secs. 4 to 9, 16 to 21, and 25 to 36, inclusive.

T. 7 S., R. 29 E.,
Secs. 25 to 36, inclusive.

T. 7 S., R. 30 E.,
Secs. 25 to 36, inclusive.

T. 7 S., R. 31 E.,
Secs. 6 and 7, those parts west of Snake River.

T. 8 S., R. 28 E.,
Secs. 1 to 3, 10 to 15, 22 to 27, and 34 to 36, inclusive.

T. 8 S., R. 29 E.
T. 8 S., R. 30 E., that part north and west of Snake River.

T. 9 S., R. 28 E.,
Secs. 1 to 3, and 10 to 15, inclusive.

Secs. 22 to 24, inclusive, those parts north of Snake River.

T. 9 S., R. 29 E.,
Secs. 1 to 10, inclusive,
Secs. 17 and 18,

Secs. 11, 12, 15, 16, 19 and 20, those parts north and west of Snake River.

The following-described areas, including approximately 8,240 acres of public and non-public land, are excluded from Grazing District No. 5 and added to Grazing District No. 3:

BOISE MERIDIAN

T. 1 N., R. 24 E.,
Secs. 4, 5, 8, 9, 16, 17, 20, 21, 28, 29, 32, and 33.

T. 2 N., R. 24 E.,
Sec. 32, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 33, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$.

MASTIN G. WHITE,
Acting Assistant
Secretary of the Interior

JUNE 7, 1948.

[F. R. Doc. 48-5364; Filed, June 15, 1948;
8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SR-1987]

CHARLES ROBERT SISTO

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of T. P. Wright, Administrator of Civil Aeronautics, Plaintiff, vs. Charles Robert Sisto, Defendant.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1004 (a) of said act, that oral argument in the above-entitled matter has been postponed from June 21, 1948, and is now assigned for July 12, 1948, at 10:00 a. m. (eastern daylight saving time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated at Washington, D. C., June 10, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-5381; Filed, June 15, 1948;
8:50 a. m.]

[Docket No. 2021]

ALASKA AIRLINES, INC., RETROACTIVE MAIL RATES

NOTICE OF ORAL ARGUMENT

Alaska Airlines, Inc., on September 4, 1945, having, by petition, as amended, April 9, 1947, requested that the Board fix, determine, and publish a rate of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over its entire system of air mail routes, such rate to be made effective as of January 1, 1943;

The Postmaster General of the United States by motion filed December 23, 1947, having requested the dismissal of said petition of Alaska Airlines, Inc., insofar as it seeks the establishment of a rate for any period prior to the date of the filing of petition therefor by Alaska Airlines, Inc.,

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, and particularly sections 406 and 1001 of said act, that oral argument on the petition of Alaska Airlines, Inc., and the motion of the Postmaster General is hereby assigned to be held on June 21, 1948 at 10:00 a. m. (eastern daylight saving time) in Room 5042, Commerce Building, Washington, D. C., before the Board.

Dated at Washington, D. C., June 10, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-5382; Filed, June 15, 1948; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1024]

ARKANSAS LOUISIANA GAS CO.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed March 22, 1948, by Arkansas Louisiana Gas Company (Applicant) a Delaware corporation having its principal office in Shreveport, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appearing to the Commission that:

This proceeding is a proper one for disposition under the provisions of Rule 32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the

FEDERAL REGISTER on April 23, 1948 (13 F. R. 2204)

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on June 29, 1948, at 9:30 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 32 (b) of the Commission's rules of practice and procedure.

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

Date of issuance: June 10, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5373; Filed, June 15, 1948; 8:48 a. m.]

[Docket No. G-1043]

LONE STAR GAS CO.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed April 28, 1948, by Lone Star Gas Company (Applicant) a Texas corporation with its principal place of business at Dallas, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appearing to the Commission that:

This proceeding is a proper one for disposition under the provisions of Rule 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 14, 1948 (13 F. R. 2632)

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on June 30, 1948, at

9:30 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by Rules 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 10, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-5374; Filed, June 15, 1948; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-412]

TRADE PAMPHLET BINDING INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE CONFERENCE

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 11th day of June 1948.

Notice is hereby given that a Trade Practice Conference will be held by the Federal Trade Commission for the Trade Pamphlet Binding Industry of the New York City trade area in the Hotel Pennsylvania, Seventh Avenue and 33d Street, New York, New York, on June 30, 1948, commencing at 10:30 a. m., daylight saving time.

The industry for which the Conference is called is that engaged in the New York City trade area in the business of binding books, magazines, circulars, periodicals, etc., and in furnishing to customers the materials and supplies used in such binding; also distributing the bound products pursuant to customers' orders. The binding operations include sheet cutting, machine folding, stitching, covering, trimming, perforating, punching, collating, eyeletting, and similar operations. All persons, firms, or corporations engaged in such business are invited to attend or be represented at the Conference.

The Conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

By direction of the Commission.

[SEAL] ORIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-5393; Filed, June 15, 1948; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1831]

AMERICAN POWER & LIGHT CO. AND FLORIDA POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of June A. D. 1948.

Florida Power & Light Company ("Florida") an electric utility company, and its parent registered holding company, American Power & Light Company, a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a joint application-declaration, and amendments thereto, pursuant to sections 6 (a) 7 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-45 and U-50 thereunder regarding: (1) A cash contribution by American to the common stock capital of Florida in the amount of \$4,000,000, such amount to be added to the stated value of Florida's common stock; and, (2) the issue and sale by Florida, at competitive bidding pursuant to Rule U-50, of \$11,000,000 principal amount of its First Mortgage Bonds, ---- % Series due 1978; and,

The Commission having by order dated May 25, 1948, granted and permitted to become effective said joint application-declaration, as amended, subject to the condition that the proposed issue and sale of bonds not be consummated until the results of competitive bidding, pursuant to Rule U-50, had been made a matter of record in this proceeding, and a further order entered by the Commission in light of the record as so completed and subject to a further reservation of jurisdiction with respect to the payment of all fees and expenses of all counsel incurred or to be incurred in connection with the proposed transactions; and

Florida and American having filed a further amendment to said application-declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to an invitation for competitive bids, six bids for said bonds by six groups of underwriters headed by the firms set forth below were received:

| Underwriting group- | Cou- pon rate | Price to company | Cost to com- pany |
|---|---------------------|---------------------|-------------------------|
| | Per- cent | | |
| Harriman Ripley & Co., Inc. | 3½ | 102.10999 | 3.0176 |
| Halsey, Stuart & Co. Inc. | 3½ | 102.056 | 3.02030 |
| White, Weld & Co. | 3½ | 101.80 | 3.02816 |
| Glore, Forgan & Co., W. C. Langley & Co. | 3½ | 101.8099 | 3.0325 |
| Lehman Bros. | 3½ | 101.309913 | 3.0580 |
| The First Boston Corp. | 3½ | 101.059 | 3.0707 |

Said amendment to said application-declaration having contained the statement that Florida has accepted the bid for the bonds of the group headed by Harriman Ripley & Co., Inc., as set out above, and that the bonds will be offered for sale to the public at a price of 102.46%

of the principal amount thereof resulting in an underwriters' spread of 0.35001% per unit or a total of \$38,501; and

The Commission finding that the proposed payments of counsel fees in the amount of \$7,500 to Reid & Priest, New York counsel for applicants-declarants, \$7,500 to Loftin Anderson Scott McCarthy & Preston, local counsel for Florida, and \$6,000 to LeBouef & Lamb, counsel for the successful bidder for said bonds, whose fee is to be paid by the successful bidder, are not unreasonable; and

The Commission having examined said amendment and having considered the record herein and finding no reason for imposing terms and conditions with respect to said matters:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said bonds under Rule U-50 be, and the same hereby is, released, and that the amendment filed on June 9, 1948, to said application-declaration be, and the same hereby is, granted and permitted to become effective, forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved with respect to fees and expenses of counsel in connection with the issue and sale of said bonds, including fees payable to counsel for the successful bidder, be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5367; Filed, June 15, 1948;
8:47 a. m.]

[File No. 70-1841]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 10th day of June A. D. 1948.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Appalachian Electric Power Company ("Appalachian") a public utility operating subsidiary of American Gas and Electric Company, a registered holding company. Applicant designates section 10 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may not later than June 15, 1948, at 5:30 p. m. e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25,

D. C. At any time thereafter, said application as filed or as amended may be granted as provided in Rule U-23 in the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

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

Appalachian proposes to form and acquire stock of Central Appalachian Coal Company ("Coal Company") a new corporation to be organized under the laws of the State of West Virginia, for the purpose of developing and operating a coal mine and for transporting, buying and selling coal in the interests of Appalachian and the other power companies forming a part of the Central System of American Gas and Electric Company.

The new company, which is to be a wholly owned subsidiary, will have an authorized capital stock of 60,000 shares, par value \$100 per share, of which 40,000 shares will be issued to Appalachian prior to March 1, 1950 for a cash consideration of \$4,000,000. The cash obtained by Coal Company will be used to purchase mining and barging equipment, to construct surface facilities and to develop and operate the mine.

It is stated that the development and operation of such mine is necessary to provide an adequate fuel supply for Appalachian's needs and that based upon present prices of coal the development of the mine will result in substantial savings in fuel costs. The price of coal per ton will be fixed at an amount which will enable Coal Company to earn an estimated profit of \$294,000 a year during the life of the mine. Such income would be returned to Appalachian as dividends thereby enabling that company to earn a 6% return on its investment. Should the annual income of Coal Company exceed 6% then Appalachian will cause Coal Company to adjust its charges per ton of coal to the extent necessary to bring such return down to 6%.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5371; Filed, June 15, 1948;
8:48 a. m.]

[File No. 70-1853]

NATIONAL FUEL GAS CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its offices in the city of Washington, D. C. on the 9th day of June A. D. 1948.

In the matter of National Fuel Gas Company, United Natural Gas Company, Iroquois Gas Corporation, File No. 70-1858.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by National Fuel Gas Company ("Na-

tional") a registered holding company, and its gas utility subsidiaries, United Natural Gas Company ("United") and Iroquois Gas Corporation ("Iroquois"). Applicants-declarants designate sections 6, 7, 9 (a), 10, 12 (b) and 12 (f) of the act and Rule U-50 of the general rules and regulations promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than June 25, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application-declaration, as filed or as subsequently amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 25, 1948, at 5:30 p. m., e. d. s. t., said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

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

National proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$13,500,000 principal amount of its _____% Sinking Fund Debentures due 1973. The interest rate and the price to the company will be determined by competitive bidding except that the invitation for bids will specify that the price to the company shall be not less than 100% nor more than 102.75% of the principal amount of the debentures.

The proceeds from the sale of the debentures will be used, in major part, to finance the construction program of United and Iroquois and to repay National's indebtedness to The Chase National Bank of the City of New York. The following steps are proposed to effectuate this application of the proceeds:

(A) National will apply (i) \$8,000,000 to the purchase of 320,000 additional shares of United's common capital stock of a stated value of \$25 per share, (ii) \$1,500,000 to the purchase of 15,000 shares of additional common stock of Iroquois of the par value of \$100 per share, and (iii) \$3,350,000 to the purchase of an additional 33,500 shares of common capital stock of Iroquois, when the issuance and sale of such 33,500 shares shall have been approved by the Public Service Commission of the State of New York. Pending such approval, National will loan to Iroquois up to \$3,350,000 on open account, for a period not exceeding six months from the date of sale of its debentures, at the same rate of interest which National will pay on its debentures.

(B) United will utilize up to \$5,000,000 of the proceeds of the sale of its common stock to repay promissory notes due National, contemplated to aggregate \$5,000,000 at July 1, 1948, and the balance of the proceeds will be utilized, in major part, in furtherance of United's 1948 and 1949 construction program.

(C) Iroquois will utilize \$500,000 of the proceeds of the sale of its 15,000 shares of common stock to repay a like principal amount out of \$1,500,000 of promissory notes presently due National; \$800,000 of the proceeds will be utilized for additions to utility plant and \$200,000 for the purchase of additional supplies of oil and natural gas. The proceeds of the \$3,350,000 open account loan to be made by National to Iroquois will be utilized by Iroquois to reimburse its treasury for expenditures heretofore and hereafter made in connection with its 1948-1949 construction program as well as for additional working funds. When Iroquois shall have sold the 33,500 shares of additional common stock to National, the proceeds thereof will be applied, in major part, to the repayment of the then balance of indebtedness due National.

(D) National will utilize the proceeds from the repayment of its loans by United and Iroquois, contemplated to be in the amount of \$6,500,000, to the repayment of a loan made to it by The Chase National Bank of New York, in like amount, which loan was incurred for the purpose of enabling National to advance the proceeds to United and Iroquois, under credit agreements, to meet construction requirements. The credit agreements between National and United and Iroquois, respectively, expire June 30, 1948, and it is proposed that they be extended until 10 days after the date of the sale of National's debentures.

The issuance and sale of 320,000 shares of common stock by United and of 15,000 shares of common stock by Iroquois have been approved by the Pennsylvania Public Utility Commission and the Public Service Commission of the State of New York, respectively, and Iroquois has pending an application with the latter commission seeking its approval of the issuance and sale of 33,500 additional shares of its common stock.

The joint application-declaration requests that the Commission's order herein be issued on or before June 23, 1948, and that it be effective forthwith upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-5368; Filed, June 15, 1948; 8:47 a. m.]

[File No. 811-523]

ORANGE CONCENTRATES ASSOCIATES, INC.
ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its offices in Washington, D. C., on the 9th day of June A. D. 1948.

Orange Concentrates Associates, Inc. of Boston, Massachusetts, a closed-end

management company registered under the Investment Company Act of 1940, has filed an application pursuant to section 8 (f) of the act for an order declaring that the Applicant as an issuer whose outstanding securities, other than short-term paper, are now beneficially owned by not more than 32 persons and which is not making and does not presently propose to make a public offering of its securities has ceased to be an investment company. An issuer whose outstanding securities, other than short-term paper, are beneficially owned by not more than one hundred persons and which is not making and does not presently propose to make a public offering of its securities is not according to section 3 (c) (1) an investment company within the meaning of the act. Whenever a company registered under the act has ceased to be an investment company, the Commission pursuant to section 8 (f) of the act shall so declare by order, and, if necessary for the protection of investors, such order may be made upon appropriate conditions. Upon effectiveness of such order the registration of such company shall cease to be in effect.

It appears from the application that Orange Concentrates Associates, Inc., was organized in 1947 by National Research Corporation of Boston, Massachusetts, to acquire and offer to the stockholders of National Research Corporation an indirect participation in notes and common stock of Vacuum Foods Corporation of Plymouth, Florida, as a means of refinancing the latter's obligations. Vacuum Foods Corporation was organized in 1945 by National Research Corporation to apply to citrus juices under a license certain high vacuum dehydration processes developed by the latter. At the present time the assets of the Applicant consist mainly of evidences of indebtedness of Vacuum Foods Corporation in the amount of \$800,000, and 140,000 of the outstanding 155,200 shares of common stock of Vacuum Foods Corporation. It appears that on December 17, 1947, following termination of the offering of Applicant's common stock to the stockholders of National Research Corporation, such stock was owned of record by 26 persons, but including pursuant to section 3 (c) (1) of the act the total number of stockholders of National Research Corporation, which owned 13,610 shares or approximately 13% of the total or 103,000 shares outstanding, such stock was owned beneficially by more than 100 persons. It further appears that since December 17, 1947, certain of Applicant's stockholders have purchased additional shares from National Research Corporation so that as of March 31, 1948, the latter owned only 10,510 shares or less than 10% of Applicant's issued and outstanding shares. It appears that at the present time all of the outstanding securities of the Applicant, other than short-term paper, are beneficially owned by 32 persons, that Applicant's securities are not listed or traded on any exchange, that there are no brokers or dealers making an over-the-counter market in such securities, and that Applicant is not making and presently does not propose to make a public offering of its securities.

Said application was filed on April 12, 1948, and notice of the filing of said application has been duly given in the manner and form prescribed by Rule N-5 under the act. The Commission has not received a request for a hearing within the period specified in said notice, and a hearing does not appear necessary or appropriate in the public interest or for the protection of investors.

The Commission, having considered the matter, finds that the Applicant within the meaning of section 3 (c) (1) of the act has ceased to be an investment company, and that subject to certain conditions hereinafter set forth which it deems necessary for the protection of investors such cessation may be declared.

It is hereby declared that Orange Concentrates Associates, Inc. has ceased to be and is not now an investment company within the meaning of the Investment Company Act of 1940; and

It is ordered, That the registration of Orange Concentrates Associates, Inc. under the Investment Company Act of 1940 shall forthwith cease to be in effect, *Provided, however*, That Orange Concentrates Associates, Inc. shall:

(1) Not more than 10 days after it is advised or has reason to believe that the beneficial owners of its outstanding securities exceed or are about to exceed 100 in number, advise the Commission in writing of such fact;

(2) Not more than 10 days after it proposes or determines to make a public offering of its securities and at least 10 days prior to any such offering, advise the Commission in writing of such fact; and

(3) Not more than 120 days after the close of each fiscal year ending after the date hereof, file with the Commission an annual report setting forth: (a) Its assets; (b) the number of beneficial owners of its outstanding securities, other than short-term paper; and (c) its intentions with respect to engaging in the business of investing, reinvesting, or trading in securities, and its intentions with regard to making a public offering of its securities.

It is further ordered, That this order may be modified or revoked after notice and opportunity for hearing if, at any time, subsequent facts, in our opinion, make such action necessary or appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5369; Filed, June 15, 1948;
8:47 a. m.]

[File No. 812-550]

TRANSIT INVESTMENT CORP. AND ALBERT M.
GREENFIELD & CO.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 10th day of June A. D. 1948

Notice is hereby given that Transit Investment Corporation, (hereinafter

called "TIC") a registered investment company and Albert M. Greenfield & Company (hereinafter called Greenfield Company) a real estate brokerage company, both of Philadelphia, Pennsylvania, have jointly filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 (the "act") for an order of the Commission exempting from the provisions of section 17 (e) (1) of the act, the receipt by the Greenfield Company of real estate sales commissions in 1944 in connection with the sale by TIC of certain real estate (The Royal Theatre, Baltimore, Maryland; College Theatre, Bethlehem, Pennsylvania; and the Strand Theatre, Easton, Pennsylvania)

TIC is a closed-end, non-diversified management, type company registered under the act. In accordance with the order of the Court of Common Pleas No. 4, Philadelphia County, Pennsylvania, TIC is now in the process of liquidation. The Greenfield Company is an affiliated person of Albert M. Greenfield who in turn is an affiliated person of TIC. On October 28, 1944, Greenfield Company negotiated an agreement between TIC and one Harold S. Eskin for the sale of the College Theatre and the Strand Theatre which included a leasehold of the Easton Transit Theatre. On September 1, 1944, Greenfield Company negotiated an agreement between TIC and one Samuel H. Stiefel for the sale of the Royal Theatre. TIC has paid Greenfield Company the sum of \$5,525.00 for its services in connection with the Royal Theatre sale, and \$9,498.53 for its services in connection with the College Theatre, Bethlehem, and the Strand Theatre, Easton.

Greenfield Company alleges that the sales commissions were accepted without prior application to this Commission for exemption because the Greenfield Company acted under the advice of counsel that the receipt by a real estate broker of compensation for selling real estate for an affiliated investment company was not within the prohibition of section 17 (e) (1) of the act. All interested persons are referred to said application which is on file at the Washington, D. C. offices of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem appropriate, may be issued by the Commission at any time after June 24, 1948 unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than June 21, 1948 at 5:30 p. m. in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hear-

ing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-5370; Filed, June 15, 1948;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

Authority: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 674, 79th Cong., 60 Stat. 60, 925; 60 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9445, Amdt.]

HEINRICH HARTNACK

In re: Bank account and stock owned by Mr. Heinrich Hartnack.

Vesting Order 9445, dated July 18, 1947, is hereby amended as follows and not otherwise:

(a) By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 9445 the certificate number NY/O 9424, set forth with respect to eighty (80) shares of \$10.00 par value capital stock of Acme Steel Company, 2840 Archer Avenue, Chicago 8, Illinois, and substituting therefor certificate numbers C9144 and C9145 for one hundred (100) shares each and CO10575 for forty (40) shares,

(b) By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 9445 the certificate number NY/O 11660, set forth with respect to fifty (50) shares of \$15.00 par value common stock of Brown Shoe Company, Inc., 1600 Washington Avenue, St. Louis, Missouri, and substituting therefor certificate number NC1846 for one hundred (100) shares, and

(c) By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 9445 the certificate number F12140, set forth with respect to thirty-nine (39) shares of no par value common stock of National Distillers Products Corporation, 700 E. Franklin Street, Richmond 19, Virginia, and substituting therefor certificate number F121140.

All other provisions of said Vesting Order 9445 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

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

For the Attorney General.

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

[F. R. Doc. 48-5392; Filed, June 15, 1948;
8:51 a. m.]

[Vesting Order 11262]

KEIICHI KAGAWA

In re: Stock owned by and interest in debt owing to Keiichi Kagawa. D-39-14923-D-1.

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

1. That Keiichi Kagawa, whose last known address is Nagoya, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. One hundred twenty (120) shares of \$100 par value common capital stock of K. Isoshima Co., Ltd., 1144 Fort Street, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by certificates numbered 15, 20 and 23, registered in the name of Keiichi Kagawa and presently in the custody of Takeo Isoshima, 1144 Fort Street, Honolulu, T. H., together with all declared and unpaid dividends thereon, and

b. An undivided one-third interest in and to that certain debt or other obligation of the aforesaid K. Isoshima Co., Ltd., in the amount of \$13,410, as of November 3, 1943, arising out of an open account payable in the name of K. Kagawa, also known as Kinshiro Kagawa, together with any and all accruals there-to 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 (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 25, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5384; Filed, June 15, 1948; 8:50 a. m.]

[Vesting Order 11263]

SADAYOSHI YANAGAWA

In re: Debt owing to and securities owned by Sadayoshi Yanagawa, also known as S. Yanagawa. D-39-713-A-7.

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 Sadayoshi Yanagawa, also known as S. Yanagawa, whose last known address is Niho-machi, Homura, Hiroshima-shi, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. Twelve (12) shares of \$20 par value preferred capital stock of The Provision Company, Limited, Richards and Queen Streets, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by certificates numbered 15 and 125, registered in the name of S. Yanagawa, and presently in the custody of Cooke Trust Company, Limited, 926 Fort Street, Honolulu, T. H., together with all declared and unpaid dividends thereon,

b. Ninety-three (93) Tokyo Dento-Kabushiki Kaisha, Japan, 6% Gold Dollar Bearer Bonds due June 15, 1953, of \$1,000 face value each, bearing the numbers 1775, 3234, 5607, 8448, 10258, 10903, 10917, 11599, 11600, 11609, 11610, 11992, 12107, 13786, 16331, 16332, 16333, 16334, 16335, 16336, 16337, 16338, 16339, 16340, 16341, 16342, 16343, 16344, 16345, 16347, 16348, 20843, 20844, 22698, 22903, 23118, 23119, 23610, 23864, 27036, 32774, 33754, 35179, 35227, 35228, 35229, 35230, 35362, 35381, 36287, 36833, 36949, 36950, 40403, 40404, 41209, 47001, 47262, 49610, 50214, 50807, 50808, 52654, 52655, 52952, 57359, 58112, 59892, 59893, 60582, 60533, 62077, 62078, 63186, 63187, 64022, 64826, 64827, 64857, 64858, 66418, 67316, 67889, 68781, 68782, 68795, 68796, 69476, 69672, 69478, 69673, 69671, and 69700, presently in the custody of Treasury Department, Territory of Hawaii, together with any and all rights thereunder and thereto, and

c. That certain debt or other obligation owing to Sadayoshi Yanagawa, also known as S. Yanagawa, by Benjamin M. Kawamoto, 1034 9th Avenue, Honolulu, T. H., in the amount of \$17,000, as of December 31, 1945, evidenced by a note, in the principal sum of \$13,700, as of July 31, 1941, issued by the aforesaid Benjamin M. Kawamoto, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 25, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5385; Filed, June 15, 1948; 8:51 a. m.]

[Vesting Order 11300]

IDA SCHUEN

In re: Estate of Ida Schuen, deceased. File D-28-8490; E. T. sec. 9929.

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 Frau Susanna Geeb and Schwester Remigia, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the children of Frau Susanna Geeb, names unknown, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the sum of \$743.00 was paid to the Attorney General of the United States by Emile O. Bloche, Administrator d. b. n., v. w. a. of the Estate of Ida Schuen, deceased.

4. That the said sum of \$743.00 was accepted by the Attorney General of the United States on March 11, 1948, pursuant to the Trading with the Enemy Act, as amended;

5. That the said sum of \$743.00 is presently in the possession of the Attorney General of the United States and was 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 was evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof and the children of Frau Susanna Geeb, names unknown, 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).

NOTICES

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.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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

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

For the Attorney General.

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

[F. R. Doc. 48-5386; Filed June 15, 1948;
8:51 a. m.]

[Vesting Order 11325]

KARL KRAUSS

In re: Estate of Karl Krauss, deceased. File D-28-12275; E. T. sec. 16505.

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

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

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

3. That such property is in the process of administration by Opal A. Ladley, as administratrix, acting under the judicial supervision of the Probate Court of the State of Kansas, in and for the County of Sedgwick;

and it is hereby determined:

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

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

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

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5387; Filed, June 15, 1948;
8:51 a. m.]

[Vesting Order 11364]

CHARLES ARMBRUST

In re: Estate of Charles Armbrust, deceased. File D-28-11078; E. T. sec. 15500.

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

1. That Albert Armbrust, Marguerite Himmelman, and Fredrich (Fredrick) Stefan Armbrust, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

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

3. That such property is in the process of administration by Elizabeth Ziech, Administrator, acting under the judicial supervision of the Probate Court of Will County, Illinois;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-5389; Filed, June 15, 1948;
8:51 a. m.]

[Vesting Order 11367]

OSCAR HERF AND ST. LOUIS UNION
TRUST CO.

In re: Trust under agreement dated December 15, 1923 between Oscar Herf, settlor and St. Louis Union Trust Company, trustee. File No. D-28-10552-G-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 Liselotte Boelitz Kayser and Gisela Herf Frei, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the descendants, names unknown, of Liselotte Boelitz Kayser, of Erna H. Koester and of Fritz Herf, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, in and to arising out of or under that certain trust agreement dated December 15, 1923, by and between Oscar Herf, settlor, and St. Louis Union Trust Company, trustee, 323 North Broadway, St. Louis 2, Missouri,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the descendants, names unknown, of Liselotte Boelitz Kayser, of Erna H. Koester and of Fritz Herf, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-5390; Filed, June 15, 1948;
8:51 a. m.]

[Vesting Order 11335]

JOSEPH SCHROEDER

In re: Estate of Joseph Schroeder, deceased. File No. D-28-12257; E. T. sec. 16490.

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 Theresia Schröder, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

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

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

4. That such property is in the process of administration by Carroll W. Royston, Administrator, acting under the judicial supervision of the Orphans' Court of Baltimore County, Maryland;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5388; Filed, June 15, 1948; 8:51 a. m.]

[Vesting Order 11370]

AMY T. MARSTON

In re: Estate of Amy T. Marston, also known as Amy Thomazine Marston, deceased. File F-28-19311, E. T. sec. 16374.

No. 117—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 Paul B. Winkler and Margarete Winkler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

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

3. That such property is in the process of administration by Danforth W. Comins, as Administrator, acting under the judicial supervision of the Probate Court of Middlesex County, Massachusetts;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-5391; Filed, June 15, 1948; 8:51 a. m.]

[Dissolution Order 78]

COMPAGNIA ITALIANA TURISMO, INC.

Whereas, by Vesting Order No. 45, dated July 1, 1942 (7 F. R. 5105) there was vested all the issued and outstanding capital stock of Compagnia Italiana Turismo, Inc., a New York corporation, consisting of 1,500 shares of \$25.00 par value common stock, registered in the name of Compagnia Italiana Turismo, S. A., Rome, Italy; and

Whereas, by Supplemental Vesting Order No. 2974, dated January 22, 1944 (9 F. R. 1041) there were vested certain debts or other obligations owed by Compagnia Italiana Turismo, Inc. to Compagnia Italiana Turismo, S. A., Rome, Italy, and its branch offices, and it has

been determined that debts, as of June 14, 1941, in the aggregate amount of \$93,-883.00, together with any and all accruals thereto, which represent interests of the following:

| | | | |
|--|--|--|-------------|
| Compagnia Italiana Turismo, S. A. | | | \$57,231.00 |
| Compagnia Italiana Turismo, (London) | | | 16,635.00 |
| Compagnia Italiana Turismo, (Paris) | | | 7,830.00 |
| Compagnia Italiana Turismo, (Nice) | | | 2,770.00 |
| Compagnia Italiana Turismo, (Genoa) | | | 1,333.00 |
| Compagnia Italiana Turismo, (Rome) | | | 1,231.00 |
| Compagnia Italiana Turismo, (Naples) | | | 1,164.00 |
| Compagnia Italiana Turismo, (Budapest) | | | 1,123.00 |
| Total | | | 93,833.00 |

were thereby vested; and by said supplemental vesting order there were undertaken the direction, management, supervision and control of said Compagnia Italiana Turismo, Inc., and

Whereas, Compagnia Italiana Turismo, Inc., has been substantially liquidated;

Now, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except the claims formerly owned by Compagnia Italiana Turismo, S. A., Rome, Italy and its branch offices, which have been vested as aforesaid; and except such claim, if any, as the Attorney General of the United States may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved, and that its assets be distributed, and a Certificate of Dissolution having been issued by the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Compagnia Italiana Turismo, Inc. (to wit: Martin S. Watts, President and Director, Francis J. Carmody, Secretary and Director, Robert Kramer, Treasurer and Director, and Angelo Dispenzere and Kenneth P. Thompson, Directors, and their successors, or any of them), continue the proceedings for the dissolution of Compagnia Italiana Turismo, Inc., and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, state and local taxes and fees owed by or accruing against the said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the Attorney General of the United States all of the funds and property, if any, remaining in

their hands after the payments as aforesaid, including any assets thereafter discovered, the same to be applied, first, in satisfaction of the above-described vested debts formerly owed to Compagnia Italiana Turismo, S. A., Rome, Italy and its branch offices, second, in satisfaction of such claim, if any, as he may have for monies advanced or services rendered to or on behalf of the corporation, and third as a liquidating distribution of assets to the Attorney General of the United States as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the right, under the Trading With the Enemy Act, as amended, of any person who may have a claim against said corporation to file such claim with the Attorney General of the United States against any funds or property received by the Attorney General of the United States hereunder;

Provided, however That nothing herein contained shall be construed as creating additional rights in such person; *Provided, further* That any such claim against said corporation shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto and further orders, that all actions taken and acts done by the said officers and directors of Compagnia Italiana Turismo, Inc., pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph number (2) of sub-division (b) of section 5 of the Trading With the Enemy Act, as amended, and the acquittance and exculpation provided therein.

Executed at Washington, D. C., this 10th day of June, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5393; Filed, June 15, 1948;
8:52 a. m.]

[Vesting Order 11313]

OTTILIE CASPARI

In re: Trust u/w of Otilie Caspari, deceased. File No. D-28-10399; E. T. sec. 14801.

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. Heinrich Dieckmann, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names un-

known, of Ina Wetz, deceased, and the descendants, names unknown, of Henry A. Dieckmann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Trust created u/w of Otilie Caspari, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by the Savings Investment and Trust Company, as Trustee, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5339; Filed, June 14, 1948;
8:52 a. m.]

[Vesting Order 11321]

ADELE KAHLE

In re: Trust under will of Adele Kahle, deceased. Files D-28-8346 and D-28-8346 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 Manfred Geyer, whose last known address is Germany, is a resident of Germany and national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the trust created under the will of Adele Kahle, deceased, presently being administered by the Mississippi Valley Trust Company, 225 No. Broadway, St. Louis 2, Missouri, and Milton Kahle, 2001 Kingshighway, St. Louis, Missouri, as trustees,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5341; Filed, June 14, 1948;
8:52 a. m.]

[Vesting Order 11333]

IRENE BARONIN ST. ANDRE ET AL.

In re: Trust agreement dated May 4, 1924 between Irene Baronin St. Andre, grantor and the National Savings and Trust Co., et al, trustees, and amendments thereto dated August 23, 1934 and October 15, 1934. File No. F-28-18630-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 Irene von St. Andre and Freiherr Alexander Magnus von St. Andre, whose last known address is Germany are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to and arising out of or under that certain trust agreement dated May 4, 1924 and amend-

ments thereto dated August 23, 1934 and October 15, 1934 between Irene Baronin St. Anore, grantor and the National Savings and Trust Co., et al, trustees, presently being administered by Charles T. Tittmann, 1718 Connecticut Avenue NW., Washington, D. C., and National Savings and Trust Company, Washington, D. C., surviving trustees,

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 June 1, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5344; Filed, June 14, 1948; 8:53 a. m.]

[Vesting Order 11342] -

CLARK A. WOOD, JR., ET AL.

In re: Clark A. Wood, Jr., et al. v. Mezza Arnold et al. File No. D-28-11979; E. T. sec. 16153.

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 Mezza Wood Arnold, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of \$1,509.11 was paid to the Attorney General of the United States by Boyd I. Neher, Commissioner, in the matter of Clark A. Wood, Jr., et al. v. Mezza Arnold et al.,

3. That the sum of \$1,509.11 was accepted by the Attorney General of the United States on April 21, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That said sum of \$1,509.11 is presently in the possession of the Attorney General of the United States and was 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 was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

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

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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

Executed at Washington, D. C., on June 1, 1948.

For the Attorney General.

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

[F. R. Doc. 48-5345; Filed, June 14, 1948; 8:54 a. m.]

