



# FEDERAL REGISTER

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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### FEDERAL SECURITY AGENCY

Under authority of § 6.1 (a) of Executive Order No. 9830, and at the request of the Federal Security Agency, the Commission has determined that the position of hospital administration interne, Public Health Service, should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (19) is amended by the addition of a subdivision as follows:

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

(19) *Federal Security Agency. \* \* \**  
 (xviii) Public Health Service: NC/PD. The position of hospital administration interne when filled by students at accredited colleges or universities: *Provided*, That such students receive academic credits toward a degree for the work performed for the Public Health Service, the total employment in any one case not to exceed one year, such employment to be continued under this provision only so long as these conditions are met.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,  
*President.*

[F. R. Doc. 48-8289; Filed, Sept. 15, 1948; 8:45 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Regs., Serial No. ER-132]

#### PART 202—ACCOUNTS, RECORDS, AND REPORTS

##### FORMS OF REPORTS OF FINANCIAL AND OPERATING STATISTICS; AIR FREIGHT FORWARDERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 8th day of September 1948.

The requirements of § 202.1 are not at present applicable to air freight forwarders since that section does not expressly

so provide. The proposed section would expressly require reports of certain specified data and statistics, and information on insurance by air freight forwarders.

The purpose of this amendment is to specify the details of these reporting requirements for air freight forwarders.

The amendment of § 202.1 (d) of the Economic Regulations as set forth below, requires the submission of a statistical report containing both financial data and data concerning property shipments and a statement on the amount of insurance in effect with respect to an air freight forwarder's operations.

These requirements are designed to secure information which will enable the Board to evaluate the service rendered by these carriers and thus aid in the administration of the act. Insofar as reports on insurance are concerned they will assist in the enforcement of the act.

Interested persons have been afforded an opportunity to participate in the making of this amendment, in connection with the Board's Draft Release No. 22 dated October 15, 1947, and full consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends § 202.1 of the Economic Regulations effective October 15, 1948, as follows:

1. By adding a paragraph § 202.1 (d) to read as follows:

§ 202.1 *Reports of financial and operating statistics.*

(d) *Air freight forwarders.* (1) Air freight forwarders operating during any portion of the quarter ending December 31, 1948 and subsequent to the filing of applications for letters of registration shall file a statistical report on or before January 31, 1949 in the form and manner herein prescribed. Thereafter, air freight forwarders holding letters of registration, whether or not actually engaged in air freight forwarder operations, shall file statistical reports for each succeeding calendar quarter. Such reports shall be filed within 30 days after the termination of each calendar quarter and shall be certified to be correct by a responsible officer of the reporting air freight forwarder. Such statistical report shall contain the following data:

(i) Balance Sheet, prepared in accordance with accepted practices.

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(ii) Profit and loss statement, with a separation of expense items so as to indicate payments to direct air carriers.

(iii) Statistical data:

(a) Number of shipments received from shippers for carriage by air.

(b) Number of consignments to carriers by air.

(c) Number of tons consigned for shipment by certificated air carriers, noncertificated cargo carriers, irregular carriers, surface carriers (rail, motor other than pickup and delivery or water)

(iv) Station data (list by individual stations)

(a) Number of personnel engaged in: Selling, operating, administrative and other.

(b) Total number of tons received from shippers for carriage by air.

(2) With each statistical report each air freight forwarder shall submit a statement of all outstanding cargo and public liability insurance in effect or surety bonds with regard to its operations pursuant to § 292.6 of the Economic Regulations. Such statement shall identify the companies issuing the policies or bonds, the amounts thereof and a brief statement as to their coverage.

(Secs. 205 (a) 407 (a), 52 Stat. 984, 1000; 49 U. S. C. 425, 674)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-8291; Filed, Sept. 15, 1948; 8:46 a. m.]

[Regs., Serial No. ER-133]

## PART 202—ACCOUNTS, RECORDS, AND REPORTS

## PRESERVATION OF ACCOUNTS, RECORDS AND MEMORANDA; AIR FREIGHT FORWARDERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of September 1948.

Section 202.3 does not contain any provision for the preservation of records by air freight forwarders who are being authorized to operate for the first time by virtue of the adoption of § 292.6 of Economic Regulations concurrently herewith.

It is the purpose of this amendment to require the retention and preservation of certain basic documents evidencing air freight forwarding operations in order to assist the Board in the enforcement of the new regulation.

Interested persons have been afforded an opportunity to participate in the making of this amendment, in connection with the Board's Draft Release No. 22 dated October 15, 1947, and full consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends § 202.3 of the Economic Regulations effective October 15, 1948, as follows:

1. By adding a paragraph § 202.3 (e) to read as follows:

§ 202.3 *Preservation of accounts, records, and memoranda.* \* \* \*

(e) *Preservation of records by air freight forwarders*—(1) *Records to be preserved for one year.* All air freight forwarders as defined in § 292.6 of the Economic Regulations shall retain and preserve the following records and documents for a period of one year, unless otherwise ordered by the Board:

(i) *Shipping documents:* Airway bills, bills of lading, cargo manifests, receipts, exchange orders, invoices and similar evidences of shipping transactions;

(ii) *Information to agents and representatives:* Bulletins, circulars and all instructions to traffic soliciting personnel;

(iii) *Information to the public:* Press releases, paid advertisements, pamphlets, brochures, circulars, and bulletins;

(iv) *Agreements:* Agreements, contracts, documents and memoranda evidencing any arrangement with agents and representatives, with direct air carriers, with other freight forwarders, or with agents and representatives thereof;

(v) *Correspondence:* All correspondence relating to any of the foregoing.

(2) *Administrative and financial records.* All air freight forwarders shall retain their administrative and financial records and insurance and claim records as specified and referred to in paragraph (d) of this section for the periods indicated therein.

(Secs. 205 (a) 407, 52 Stat. 984, 1000; 49 U. S. C. 425, 674)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-8292; Filed, Sept. 15, 1948; 8:46 a. m.]

[Regs., Serial No. ER-131]

## PART 292—CLASSIFICATIONS AND EXEMPTIONS

## AIR FREIGHT FORWARDERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of September 1948.

At the present time indirect air carriers of property only (sometimes hereinafter referred to as "air freight forwarders") are prohibited from engaging in any air transportation, direct or indirect, unless there is in force a certificate issued by the Board authorizing such carriers to engage in such transportation.

The purpose of this regulation is to establish a classification of indirect air carriers to be designated "Air Freight Forwarders" and, subject to the conditions hereinafter set forth, to relieve such air carriers from the prohibition above referred to and from certain other provisions of the act.

Based upon the findings set forth in the Board's opinion in the Air Freight Forwarder case (Docket No. 631) issued concurrently herewith, to which reference is hereby made and such opinion incorporated herein as though set forth in full, the Board finds that it is in the public interest to relieve such air carriers from the provisions of the act to the extent and for the periods hereinafter set out.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and full consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 292 of the Economic Regulations by adding thereto a new § 292.6 effective October 15, 1948, reading as follows:

§ 292.6 *Air freight forwarders*—(a) *Classification.* There is hereby established a classification of air carriers who are not directly engaged in the operation of aircraft in air transportation (herein referred to as "indirect air carriers") to be designated as "air freight forwarders." An air freight forwarder shall be defined to mean any person engaging indirectly in air transportation of property only, and who, in the ordinary and usual course of his undertaking (1) assembles and consolidates or provides for assembling and consolidating of such property and performs or provides for the performance of break-bulk and distributing operations with respect to such consolidated shipments, (2) assumes responsibility for the transportation of such property from the point of receipt to point of destination, and (3) utilizes for the whole or any part of the transportation of such shipments, the services of a direct air carrier subject to the act.

(b) *Exemption.* Subject to the other provisions of this section, air freight forwarders are hereby relieved from the provisions of Title VI of the act and from all provisions of Title IV of the act, other than the following:

(1) Subsection 401 (1) (Compliance with labor legislation).  
(2) Section 403 (Tariffs),

(3) Subsection 404 (a) (Carrier's duty to provide service, etc.) insofar as said subsection requires air carriers to provide safe service, equipment, and facilities in connection with air transportation, and to establish, observe, and endorse just and reasonable individual rates, fares and charges, and just and reasonable classifications, rules, regulations and practices relating to air transportation;

(4) Subsection 404 (b) (Discrimination);

(5) Subsection 407 (a) (Filing of reports). *Provided,* That no provision of any rule, regulation, term, condition, or limitation prescribed pursuant to said subsection 407 (a) shall be applicable to air freight forwarders unless such rule, regulation, term, condition, or limitation expressly so provides;

(6) Subsection 407 (b) (Disclosure of stock ownership);

(7) Subsection 407 (c) (Disclosure of stock ownership by officers or directors)

(8) Subsection 407 (d) (Form of accounts). *Provided,* That no provision of any rule, regulation, term, condition, or limitation prescribed pursuant to said subsection 407 (d) shall be applicable to air freight forwarders unless such rule, regulation, term, condition, or limitation expressly so provides;

(9) Subsection 407 (e) (Inspection of accounts and property);

(10) Section 408 (Consolidation, merger, and acquisition of control)

(11) Section 409 (Prohibited interests);

(12) Section 410 (Loans and financial aid)

(13) Section 411 (Methods of competition),

(14) Section 412 (Pooling and other agreements),

(15) Section 413 (Form of control)

(16) Section 414 (Legal restraints).

(17) Section 415 (Inquiry into air carrier management); and

(18) Section 416 (Classification and exemption of carriers)

(c) *Duration.* The temporary authority provided by this section shall continue in effect until such time as the Board shall find that the exemption accorded herein is no longer in the public interest, but in no event longer than five years from the effective date of this regulation.

(d) *Limitations*—(1) *Use of aircraft.* In respect to operations conducted pursuant to the authority provided in this section no air freight forwarder shall ship property by air except upon aircraft operated in common carriage (i) by Small Irregular Carriers (as defined in § 292.1 of the Economic Regulations) or (ii) by air carriers whose tariffs for the transportation services thus utilized have been filed with the Board.

(2) *Prohibition.* No freight forwarder shall ship property as an air carrier in air transportation except between places in the continental United States.

(e) *Letters of registration*—(1) *Necessity for letter of registration.* No person shall engage in air transportation pursuant to the exemption granted by this section unless there is in force with respect to such person a letter of registration issued by the Board.

(2) *Application for letter of registration.* Any person other than those specified in paragraph (h) of this section desiring to engage in operations as an air freight forwarder may apply to the Board for a letter of registration authorizing the conduct of such operations. Such application shall be submitted in duplicate in letter form, shall be certified to by a responsible official of such carrier as being correct, and shall contain the following information: (i) date; (ii) name; (iii) mailing address; (iv) location of principal office; (v) if a corporation, the place of incorporation, the name and citizenship of officers and directors, and a statement that at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or one of its possessions; (vi) the names of the largest stockholders, not exceeding 20, who hold, individually, 1 percent or more of the voting capital stock of the applicant; (vii) if an individual or partnership, the name and citizenship of the owner or partners, and a statement of the respective interests of each; (viii) a financial statement showing assets and liabilities as of the date of the application, and a statement showing the types and the amount of insurance, if any, which is in force for the protection of the forwarder's customers, employees, and the public and the name or names of the insurer; (ix) whether or not any of the persons required to be listed under subdivisions (v) (vi) and (vii) of this subparagraph has at any time been issued, either in his own name or some other name, any letter of registration or other license or operating authority by the Board, either as an irregular air carrier or air freight forwarder or otherwise, or is, or has been, affiliated as owner, partner, officer, director or stockholder holding a controlling interest, with any other air carrier or carriers, either certificated or noncertificated, direct or indirect, together with the names of such other air carrier or carriers; (x) a statement that the reports describing the shares of stock or other interests held by each officer and each director in any air carrier, in any person engaged in any phase of aeronautics, or in any common carrier, and in any person whose principal business, in purpose or fact, is the holding of stock in, or control of, air carriers, other persons engaged in any form of aeronautics, or common carriers, have been filed as required by § 280.1 of the Economic Regulations; and (xi) such other additional information pertinent to applicant's activities as may be requested by the Board with respect to any individual application.

(3) *Issuance of letter of registration.*

(i) If, after the filing of an application for a letter of registration, it appears that the conduct of air freight forwarder operations by the applicant will not be inconsistent with the public interest the applicant will be notified and advised that upon the filing of a valid tariff a letter of registration will be issued to such applicant. Subject to the restrictions provided herein and upon the receipt by the Board of such a valid tariff a letter of registration shall forthwith be issued to the applicant. If it appears that the granting of such letter may not

be consistent with the public interest, the Board shall notify the applicant of its findings in this respect and will inform the applicant by letter that the Board does not believe that the applicant has made a proper showing of public interest. Thereupon, applicant may file with the Board a petition for leave to withdraw the application, or may request that the application be assigned for hearing, or may submit, within such reasonable time as may be established by the Board, such additional information as applicant believes will result in a showing of public interest.

(ii) In the event additional information is submitted, the Board on its own initiative, may assign the application for hearing or without notice or hearing enter an order of approval or an order of disapproval in accordance with its determination of the public interest.

(4) *Effective period.* Each letter of registration shall become effective only upon the date specified therein and shall continue in effect until suspended or revoked, or during such period as the authority provided by this section shall remain in effect.

(5) *Restrictions on issuance of letter of registration.* No letter of registration will be issued to any freight forwarder which has, or proposes to have, as owner, partner, officer, director, or stockholder holding a controlling interest, any person who is or has been connected in any such capacity with any other air freight forwarder, irregular air carrier, or non-certificated cargo carrier, if such forwarder or carrier was subject to suspension action by the Board at the time of such connection, unless the Board finds that the public interest and applicant's intention and ability to conform to the provisions of the act and requirements thereunder are not adversely affected by such relationship or former relationship. A forwarder or carrier shall be considered to be subject to suspension action within the meaning of this provision if it conducts unauthorized operations which subsequently form the basis for Board action looking toward the revocation or suspension of its letter of registration.

(6) *Conditions of a letter of registration.* No air freight forwarder shall have and retain as an owner, partner, officer, director or stockholder holding a controlling interest, any person who was, or is, affiliated in any of said capacities with any other air freight forwarder, irregular air carrier or noncertificated cargo carrier under the circumstances set forth in subparagraph (5) of this paragraph unless it has been shown to the Board by such air freight forwarder, irregular air carrier or noncertificated cargo carrier, and the Board finds, that the public interest and the carrier's intention and ability to conform to the provisions of the act and requirements thereunder will not be adversely affected thereby.

(7) *Nontransferability of letter of registration.* A letter of registration shall be nontransferable and shall be effective only with respect to the person named therein.

(8) *Suspension of letter of registration.* Letters of registration shall be

subject to immediate suspension when, in the opinion of the Board, such action is required in the public interest. Letters of registration shall be further subject to suspension upon complaint, or upon motion of any person showing an interest therein, or upon the Board's own initiative, after not less than 10 days' notice to the air freight forwarder, but without hearing or further proceedings, for failure to comply with the provisions of the act or with any order, rule or regulation issued thereunder, or with any term, condition or limitation of any authority issued thereunder. Such suspension shall continue until the Board finds that such suspended air freight forwarder has complied with the provisions of the act, or with such rules, regulations, orders, terms, conditions or limitations. Failure to seek reinstatement of a letter of registration suspended pursuant to the provisions of this paragraph within a period of 60 days after the effective date of such suspension shall automatically terminate all rights under such letter of registration.

(9) *Revocation of letter of registration.* (i) Letters of registration shall be subject to revocation, after notice and hearing, for knowing and willful violation of any provision of the act or of any order, rule, or regulation issued under any such provision or of any term, condition, or limitation of any authority issued under said act or regulations.

(ii) A letter of registration shall be revoked without prejudice upon the filing by an air freight forwarder of a written notice with the Board indicating the discontinuance of common carrier activities, together with a tender of the letter of registration for cancellation; *Provided*, That the Board may refuse to accept such notice or to cancel the letter if any proceeding or action is pending in which an air freight forwarder's authority may be subject to suspension or revocation action. The failure of any air freight forwarder, for two successive periods, to file the periodic reports required by the Economic Regulations, may, for the purpose of this section, be deemed by the Board to constitute the filing of such written notice indicating the discontinuance of the common carrier activities, and in such case the tender of the letter of registration shall not be necessary.

(f) *Insurance*—(1) *Cargo.* No air freight forwarder shall engage in air transportation pursuant to this section unless the risks of loss of or damage to the property so transported by it are covered in the amounts prescribed in subparagraph (3) (1) of this paragraph by insurance, a self-insurance fund or reserve, or surety bond.

(2) *Public liability and property damage.* No air freight forwarder shall engage in the performance of transfer, collection, or delivery services under the provisions of this section unless risks of bodily injury or death to persons or of damage to property (other than property covered by subparagraph (1) of this paragraph) resulting from the negligent operation, maintenance, or use of motor vehicles operated by it or under its direction and control, or resulting from other acts of its agents, employees and repre-

representatives in the performance of such transfer, collection, or delivery services are covered to the extent that legal liability may ensue, in the amounts prescribed in subparagraphs (3) (ii) and (iii) of this paragraph by insurance, a self-insurance fund or reserve, or surety bond.

(3) *Liability limits*—(i) *Cargo insurance*. For loss of or damage to property while carried on or resting in any one conveyance: \$2,000.

(ii) *Public liability; property*. For loss or damage to property occurring at any one time or place: \$2,000.

(iii) *Public liability; personal injury*. Claims for bodily injury or death: \$10,000, for one person subject to that limit per person and for all persons in any one accident: \$20,000.

(g) *Payment of transportation charges*. Freight bills from direct air carriers for all transportation charges shall be paid by every air freight forwarder within a reasonable period after the rendering of the transportation services. A reasonable maximum period for the payment of such charges shall be 7 days after being billed therefor.

(h) *Nonapplicability*. This section shall not apply (1) to any air carrier authorized by a certificate of public convenience and necessity to engage in air transportation, nor (2) to any noncertificated air carrier engaged in air transportation pursuant to any special or individual exemption order granted by the Board, nor (3) to any noncertificated air carrier engaged in air transportation pursuant to any general exemption granted by any other section of the Economic Regulations.

(i) *Separability*. If any provision of this section or the application thereof to any air transportation, person, class of persons, or circumstance is held invalid, the remainder of the section and the application of such provisions to other air transportation, persons, classes of persons, or circumstances shall not be affected thereby.

(Secs. 1 (2) 205 (a), 416 (a) 52 Stat. 977, 984, 1004; 49 U. S. C. 401 (2), 425, 496)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-8290; Filed, Sept. 15, 1948; 8:45 a. m.]

## TITLE 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

#### PART 419—COTTON CROP INSURANCE

##### SUBPART—REGULATIONS FOR CONTINUOUS CONTRACTS FOR THE 1949 AND SUCCEEDING CROP YEARS

###### Correction

In Federal Register Document 48-8136, appearing at page 5261 in the issue for Friday, September 10, 1948, in the second line of § 419.8 (e), "(a)" should read "(c)"

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

#### PART I—GENERAL PROVISIONS

##### FLAG OF UNITED STATES FOR BURIAL PURPOSES

1. A new section, § 1.10, is added to Part 1 to read as follows:

§ 1.10 *Eligibility for and disposition of the United States flag for burial purposes*—(a) *Eligibility for burial flags*—(1) *Persons eligible*. (i) A veteran of any war discharged under conditions other than dishonorable.

(ii) A person discharged from the Army, Navy, Marine Corps or Coast Guard under conditions other than dishonorable after serving at least one enlistment or discharged for disability incurred in line of duty.

(iii) Any person who has died while in the military or naval service of the United States after May 27, 1941, and prior to the end of the wars in which the United States is now engaged. This phrase authorizes and requires the furnishing of a flag only in those cases where the Department of the Army or Navy, as the case may be, does not furnish a flag immediately. The only cases wherein a flag is not supplied immediately are those of persons dying while serving in the Army and whose remains are interred outside the continental limits of the United States.

(b) *Disposition of burial flags*. (1) When a flag is actually used to drape the casket of a deceased veteran, it must be delivered to the next of kin following interment or inurnment.

(2) The phrase "next of kin" for the purpose of disposing of the flag used for burial purposes is defined as follows, with preference to entitlement in the order listed:

(i) Widow or widower.

(ii) Children, according to age, the sons having preference over the daughters (minor child may be issued a flag on application signed by guardian).

(iii) Father, including adopted, stepfather, and foster father.

(iv) Mother, including adopted, stepmother, and foster mother.

(v) Brothers or sisters, including brothers or sisters of the half blood.

(vi) Uncles or aunts.

(vii) Nephews or nieces.

(viii) Others—cousins, grandparents, etc. (but not in-laws).

(3) The flag used for burial purposes will not be presented to friends for their retention.

(53 Stat. 999, 57 Stat. 590, 591, 58 Stat. 301, 36 U. S. C. 183, 184, 38 U. S. C. 697c, Ch. 12 note)

[SEAL] O. W. CLARK,  
Executive Assistant  
Administrator of Veterans' Affairs.

[F. R. Doc. 48-8267; Filed, Sept. 15, 1948; 8:49 a. m.]

## PART 2—ADJUDICATION: VETERANS' CLAIMS (APPENDIX)

### PROCUREMENT OF AUTOMOBILES AND OTHER CONVEYANCES FOR DISABLED VETERANS

The following changes are made in Veterans' Administration document, "Procurement of Automobiles and Other Conveyances for Disabled Veterans" (38 CFR, 1946 Supp., Appendix).

#### APPLICATION

1. The new paragraph (g), which was added by 38 CFR, 1947 Supp., Appendix, is hereby amended to read as follows:

(g) *Revision of forms*. On the VA Form 4502 Aug. or Oct. 1946, page 1, section II, item 2, "The veteran's claim must be completed by June 30, 1947" the date "June 30, 1947" will be overprinted and the date "June 30, 1949" inserted by typewriter or rubber stamp. A similar overprint and insertion (June 30, 1949) will be made on VA Form 4502 Aug. 1946, page 2; and on VA Form 4502 Oct. 1946, page 3, under Information 3.a.

#### PROCESSING OF APPLICATION BY REGIONAL OFFICE

2. Subparagraphs (j) (1) and (4) are amended to read as follows:

(j) *Finance Division*—(1) *Obligation*. Upon receipt of the duplicate copy of VA Form 4502, the Finance Division will take the necessary steps to obligate the sum of \$1,600 for the veteran's conveyance and place Form 4502 in a temporary file. If, after obligation of the appropriation and before delivery of the automobile or other conveyance, the veteran dies, the appropriation obligation will be cancelled. Additionally, if, after obligation of the appropriation and before delivery of the automobile or other conveyance, the veteran's claim folder is permanently transferred to another office, the appropriation obligation will be cancelled and the suspense copy of application Form 4502 will be forwarded to the Finance Officer of such other office with a notation to the effect that the appropriation obligation has been cancelled.

(4) *Receipt and invoice*. VA Form 4502 contains instructions which require that the veteran and the seller complete Section V, "Receipt" upon the delivery of the conveyance and also instructions to the dealer to execute an invoice in duplicate and submit both copies to the Finance Office. The veteran will also execute a "Receipt" identical to the one in Section V of VA Form 4502, on both copies of the seller's invoice. As soon as the original of VA Form 4502 with Section V completed, the completed invoice in duplicate, and a copy of the Sales Agreement are received, the Finance Officer will withdraw the copy of the sales agreement from the temporary file and, after satisfying himself by comparison that VA Form 4502, the sales agreement, and the invoices are in order, he will note this fact on both copies of VA Form 4502. The duplicate copy of

VA Form 4502 will then be returned to the Administrative Division where it will be placed in the "C" file. The Regional Office Finance Officer will attach the invoice to VA Form 1009 (Public Voucher for Purchases and Services Other than Personal Benefits to Veterans) and process the voucher thus supported for payment from the appropriation 367/90139, Automobiles and other Conveyances for Disabled Veterans, VA, 1947, by the appropriate disbursing officer, in accordance with prescribed procedure. Finance will transcribe on the duplicate VA Form 4502 the information appearing in Section IVa and IVb and V and attach original of VA Form 4502 to memorandum copy of the voucher.

(Pub. Laws 785, 904, 80th Cong.)

[SEAL] O. W. CLARK,  
Executive Assistant  
Administrator of Veterans' Affairs.

[F. R. Doc. 48-8265; Filed, Sept. 15, 1948;  
8:48 a. m.]

#### PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

WORLD WAR I; ESTABLISHMENT OF SERVICE-CONNECTED DISABILITY OF LESS THAN 10 PER CENTUM

In Part 5, paragraph (b) (2) (iii) and paragraph (b) (4) of § 5.2676 are amended to read as follows:

§ 5.2676 *World War I, establishment of service-connected disability of less than 10 per centum* (Public No. 484, 73d Congress, act of June 28, 1934, as amended, Public No. 198, 76th Congress, act of July 19, 1939) \* \* \*

(b) *Definition of term "disability" as used herein.* \* \* \*

(2) \* \* \*

(iii) A disease included in §§ 2.1086 and 2.1088. Not included are the tropical diseases listed in section 1, Public Law 748, 80th Congress, except leprosy. (Pub. Law 748, 80th Cong.)

\* \* \* \* \*

(4) When a compensable evaluation of disability from malaria is not in effect at death or all available evidence is considered insufficient under current criteria to warrant a compensable evaluation at that time, a disability at death may nevertheless be considered as existing for the purposes of Public Law 312, 78th Congress, as amended, in the event there is medical evidence of the existence of malaria within two years prior to death and in addition there is acceptable lay evidence of a relapse within the 12 months' period preceding death.

(Pub. Law 748, 80th Cong.)

[SEAL] O. W. CLARK,  
Executive Assistant  
Administrator of Veterans' Affairs.

[F. R. Doc. 48-8266; Filed, Sept. 15, 1948;  
8:48 a. m.]

#### PART 10—INSURANCE

##### MISCELLANEOUS AMENDMENTS

1. In Part 10, §§ 10.3105, 10.3110, 10.3115, 10.3426, 10.3427, 10.3429, 10.3430, and 10.3436 are amended to read as follows:

##### EXTENDED TERM INSURANCE

§ 10.3105 *Provision for extended term insurance.* (a) After the expiration of the first policy year and upon default in the payment of a premium within the grace period, if a United States Government life insurance policy on any plan other than 5-year level premium term has not been surrendered for cash or for paid-up insurance, the policy shall be extended automatically as term insurance for an amount of insurance equal to the face value of the policy less any indebtedness for such time from the due date of the premium in default as the cash value less any indebtedness will purchase when applied as a net single premium at the attained age of the insured. For this purpose the attained age is the age on the birthday anniversary nearest to the effective date of the policy plus the number of years and months from that date to the date the extended term insurance becomes effective. The extended term insurance shall be with right to dividends, payable in cash only, and with right to total permanent disability benefits. The number of monthly installments payable upon due proof of total permanent disability or death of the insured under such extended term insurance will be the same as would then be payable under the policy. The extended term insurance shall not have a loan value, but shall have a cash value.

(b) Upon default in payment of a premium within the grace period and after the effective date of this paragraph, on any plan of United States Government life insurance other than 5-year level premium term, if the policy has been in force by payment or waiver of the premiums for not less than three months nor more than 11 months, the policy shall be extended automatically as term insurance for an amount of insurance equal to the face value of the policy less any indebtedness for such time from the due date of the premium in default as the reserve of the policy less any indebtedness will purchase when applied as a net single premium at the attained age of the insured. For this purpose the attained age is the age on the birthday anniversary nearest to the effective date of the policy plus the number of months from that date to the date extended term insurance becomes effective. The extended term insurance shall be with right to total permanent disability benefits. The number of monthly installments payable upon due proof of total permanent disability or death of the insured under such extended term insurance will be the same as would then be payable under the policy. Extended term insurance under this provision shall not have a cash or loan value. This paragraph shall be effective from and after August 2, 1948. (Secs. 5, 300,

301, 43 Stat. 608, 624, secs. 1, 2, 46 Stat. 1016; 38 U. S. C. 11, 11a, 426, 511, 512, 707)

##### PAID-UP INSURANCE

§ 10.3110 *Provision for paid-up insurance.* If a United States Government life insurance policy has not been surrendered for cash, upon default in the payment of any premium due after the expiration of the first policy year, and upon written request of the insured and complete surrender of the policy with all claims thereunder within three calendar months after the due date of the premium, the United States will issue paid-up insurance for such amount as the cash value less any indebtedness will purchase when applied as a net single premium at the attained age of the insured. For this purpose the attained age is the age on the birthday anniversary nearest to the effective date of the policy plus the number of years and months from that date to the date the paid-up insurance becomes effective. The paid-up insurance shall be with right to dividends and with right to total permanent disability benefits. The number of monthly installments payable upon due proof of total permanent disability or death of the insured under such paid-up insurance will be the same as would then be payable under the policy. The insured may at any time surrender the paid-up policy for its cash value or obtain a loan on such paid-up insurance. (Secs. 5, 300, 301, 43 Stat. 608, 624, secs. 1, 2, 46 Stat. 1016; 38 U. S. C. 11, 11a, 426, 511, 512, 707)

##### CASH VALUE

§ 10.3115 *Cash value, other than 5-year level premium term policy.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 10.3105 (b), shall become effective at the completion of the first policy year on any plan of United States Government life insurance other than the 5-year level premium term plan; all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3½ percent per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full or waived, shall be the reserve together with any dividend accumulations. For each month after the first policy year, for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the policy with all claims thereunder, made by the insured while the policy is in force, but not later than three calendar months from the due date of the premium in default, the United States will pay to the insured the cash value of the policy less any indebtedness: *Provided*, The policy has been in force by payment or waiver of the premiums for at least one year. (Secs. 5, 300, 301, 43 Stat. 608, 624, secs. 1, 2, 46 Stat. 1016; 38 U. S. C. 11, 11a, 426, 511, 512, 707)

## DIVIDENDS

§ 10.3426 *Dividends.* A National Service Life Insurance policy shall participate in and receive such dividends from gains and savings as may be determined by the Administrator of Veterans' Affairs. Any such dividends shall be paid in cash except that at the written request of the insured they may be left to accumulate on deposit provided the policy is in force on a basis other than extended term insurance or level premium term insurance. Payment of dividends shall be without interest except when left to accumulate on deposit in accordance with the insured's written request. Interest on dividend accumulations will be credited annually at such rate as the Administrator may determine. Dividend accumulations and unpaid dividends shall not be available for the payment of insurance premiums except at the written request of the insured made before default in payment of a premium. Any unpaid dividend on a lapsed policy will be paid in cash to the insured, if living, otherwise to his estate. Dividend accumulations will be used in addition to the reserve on the policy for the purpose of computing the period of extended term insurance or the amount of paid-up insurance as provided in § 10.3429 (a) and § 10.3430, respectively. Upon maturity of the policy, any dividend accumulations not previously withdrawn and any unpaid dividends will be payable in cash to the person currently entitled to receive payments under the policy. (Sec. 2, Pub. Law 5, 80th Cong.) (Secs. 601-618, 54 Stat. 1008-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

## CASH VALUE AND POLICY LOAN

§ 10.3427 *Cash value; other than 5-year level premium term policy.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 10.3429 (b), shall become effective at the completion of the first policy year on any plan of National Service Life Insurance other than the 5-year level premium term plan; all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3 per centum per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full, shall be the reserve together with any dividend accumulations. For each month after the first policy year, for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the policy with all claims thereunder, the United States will pay to the insured the cash value of the policy less any indebtedness: *Provided*, The policy has been in force by payment or waiver of the premiums for at least one year. (Sec. 2, Pub. Law 5, 80th Cong.) (Secs. 601-618, 54 Stat. 1008-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

## EXTENDED TERM AND PAID-UP INSURANCE

§ 10.3429 *Provision for extended term insurance; other than 5-year level premium term policies.* (a) After the expiration of the first policy year and upon default in the payment of a premium within the grace period, if a National Service Life Insurance policy on any plan other than 5-year level premium term has not been surrendered for cash or for paid-up insurance, the policy shall be extended automatically as term insurance for an amount of insurance equal to the face value of the policy less any indebtedness for such time from the due date of the premium in default as the cash value less any indebtedness will purchase when applied as a net single premium at the attained age of the insured. For this purpose the attained age is the age on the birthday anniversary nearest to the effective date of the policy plus the number of years and months from that date to the date the extended term insurance becomes effective. The extended term insurance shall not have a loan value, but shall have a cash value.

(b) Upon default in payment of a premium within the grace period and after the effective date of this paragraph, on any plan of National Service Life Insurance other than 5-year level premium term, if the policy has been in force by payment or waiver of the premiums for not less than three months nor more than 11 months, the policy shall be extended automatically as term insurance for an amount of insurance equal to the face value of the policy less any indebtedness for such time from the due date of the premium in default as the reserve of the policy less any indebtedness will purchase when applied as a net single premium at the attained age of the insured. For this purpose the attained age is the age on the birthday anniversary nearest to the effective date of the policy plus the number of months from that date to the date extended term insurance becomes effective. Extended term insurance under this provision shall not have a cash or loan value. This paragraph shall be effective from and after August 2, 1948. (Sec. 2, Pub. Law 5, 80th Cong.) (Secs. 601-618, 54 Stat. 1008-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

§ 10.3430 *Provision for paid-up insurance; other than five-year level premium term policies.* If a National Service Life Insurance policy on any plan other than five-year level premium term has not been surrendered for cash, upon written request of the insured and complete surrender of the policy with all claims thereunder, after the expiration of the first policy year and while the policy is in force under premium-paying conditions, the United States will issue paid-up insurance for such amount as the cash value less any indebtedness will purchase when applied as a net single premium at the attained age of the insured. For this purpose the attained age is the age on the birthday anniversary nearest to the effective date of the policy plus the number of years and months from that date to the date the paid-up insurance becomes effective. Such paid-up insurance will be effective as of the

expiration of the period for which premiums have been paid and earned; and, any premiums paid in advance for months subsequent to that in which the application for paid-up insurance is made shall be refunded to the insured. The paid-up insurance shall be with right to dividends. The insured may at any time surrender the paid-up policy for its cash value or obtain a loan on such paid-up insurance. (Secs. 601-618, 54 Stat. 1003-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

## CHANGE IN PLAN

§ 10.3436 *Exchange to a policy bearing the same effective date and having a lower reserve value.* National Service Life Insurance may be exchanged within five years from the effective date for insurance of the same amount, bearing the same date, and based on the same age, on any plan of insurance issued by the Veterans Administration having a lower reserve value except to the 5-year level premium term plan: *Provided*, The applicant is in good health at the time of application and furnishes evidence thereof satisfactory to the Administrator upon such forms as the Administrator shall prescribe, or otherwise as he shall require. The old policy must be in force under premium-paying conditions and must be surrendered with all rights and claims thereunder. The difference between the reserve on the old policy and the reserve on the new policy, less any indebtedness, may be used to cover payment of future premiums or withdrawn in cash at the option of the insured. If the old policy has been in force for less than twelve months, the difference in reserve may be used only for the purpose of paying future premiums on the insurance and such premiums shall not be subject to withdrawal by the insured prior to the expiration of the first policy year. (Sec. 2, Pub. Law 5, 80th Cong.) (Secs. 601-618, 54 Stat. 1003-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

2. Section 10.3437 *Automatic conversion at the expiration of term period* is canceled.

3. Section 10.3434 is amended to read as follows:

## AUTOMATIC EXTENSION OF FIVE-YEAR LEVEL PREMIUM TERM INSURANCE

§ 10.3434 *5-year level premium term insurance as extended by Public Law 118, 79th Congress.* National Service Life Insurance on the 5-year level premium term plan issued on or before December 31, 1945, and not exchanged or converted to another plan may be continued for an additional 3-year period dating from the expiration of the original 5-year term, and the premiums the insured is required to pay for term insurance during such additional period shall be the same as were required during the original 5-year term; insurance will be deemed to have been issued on or before December 31, 1945, if such insurance was applied for and made effective on or before that date: *Provided*, That such term insurance may be exchanged or converted effective as of the date any premium becomes or has become due dur-

ing the 5-year term period as extended by Public Law 118, 79th Congress, but in all other respects conversion will be effected in accordance with the requirements of §§ 10.3433, or 10.3434, whichever may be applicable: *Provided further*, That any such term insurance which has lapsed or may hereafter lapse may be reinstated at any time prior to the expiration of the 5-year term period as extended, but in all other respects reinstatement will be effected in accordance with the requirements of §§ 10.3422, 10.3423, and 10.3424: *And provided further* That if any such policy be not exchanged or converted to a permanent plan prior to the expiration of the 5-year term period as extended, or renewed as provided in § 10.3485, all protection thereunder shall cease. (59 Stat. 315, 38 U. S. C. 802 note, Pub. Law 838, 80th Cong.) (Secs. 601-618, 54 Stat. 1008-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

4. A new section, § 10.3485, is added to Part 10 to read as follows:

**RENEWAL OF 5-YEAR LEVEL PREMIUM TERM INSURANCE**

§ 10.3485 *Renewal of National Service Life Insurance on the 5-year level premium term plan.* Pursuant to the provi-

sions of an amendment approved June 29, 1948, amending subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended (Public Law 838, 80th Congress, approved June 29, 1948) all or any part of National Service Life Insurance on the 5-year level premium term plan, in any multiple of \$500 and not less than \$1,000, issued before January 1, 1948, may be renewed without medical examination for an additional 5-year period, upon application therefor and payment of the premium at the 5-year level premium term rate required at the attained age of the insured, before the expiration of the first term period: *Provided further* That in any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance, if subject to renewal under this section, shall be automatically renewed for an additional period of five years at the premium rate for the then attained age. The renewal of insurance for an additional 5-year period will become effective as of the day following the expiration of

the preceding term period, and the premium for such renewal will be at the 5-year level premium term rate for the attained age of the applicant on that day: *Provided*, That no insurance may be renewed by any person who has exercised his optional right to change to another plan of insurance. (Pub. Law 838, 80th Cong.) (Secs. 601-618, 54 Stat. 1008-1014, secs. 1-16, 60 Stat. 781-789; 38 U. S. C. 512d, 801-818)

[SEAL] O. W. CLARK,  
Executive Assistant  
Administrator of Veterans' Affairs.

[F. R. Doc. 48-8264; Filed, Sept. 15, 1948; 8:48 a. m.]

**PART 4—ADJUDICATION: VETERANS' CLAIMS, CENTRAL OFFICE SECTION (APPENDIX)**

**PART 17—FINANCE (APPENDIX)**

**PROCUREMENT OF AUTOMOBILES AND OTHER CONVEYANCES FOR DISABLED VETERANS**

**CROSS REFERENCE:** For amendments to the Veterans' Administration document, "Procurement of Automobiles and Other Conveyances for Disabled Veterans," see Part 2, Appendix, *supra*.

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

#### 17 CFR, Part 9411

#### CHICAGO, ILL., MILK MARKETING AREA

#### PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AS AMENDED, AND ORDER, AS AMENDED, REGULATING HANDLING

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 CFR, Supps. 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of a public hearing to be held at the Hotel LaSalle, Chicago, Illinois, beginning at 10:00 a. m., c. d. t., September 21, 1948, for the purpose of receiving evidence with respect to proposed amendments to the tentative marketing agreement, as amended, and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, milk marketing area (11 F. R. 9606, 12 F. R. 5334, 7248) which would incorporate in the agreement and order provisions to assure that milk subject to the order will be made available to the market when required by the market for Class I and II purposes.

The following amendments have been proposed as the detailed means of accomplishing such purpose. These proposed amendments have not received the approval of the Secretary of Agriculture.

The following amendments have been proposed by the Associated Milk Dealers, Inc..

1. Delete § 941.1 (e) and substitute therefor:

(e) "Approved plant" means any plant, except such plant as has been suspended as a pool plant pursuant to § 941.6 (e) which is approved by any health authority for the receiving of milk which may be disposed of as Class I milk as defined in § 941.4, in the marketing area.

2. Amend § 941.6 by adding paragraph (e) as follows:

(e) *Pool plants.* An approved plant receiving milk from producers which meets either of the requirements of subparagraph (1) of this paragraph, shall be designated as a pool plant.

(1) *Requirements.* During each of the delivery periods of August, September, October and November (i) a plant must be engaged in the processing and packaging of Class I or Class II milk, part or all of which is disposed of in the marketing area, or (ii) a plant must utilize as Class I or Class II milk on its own premises, or dispose of to a plant engaged in the processing, packaging and distribution of such milk in the marketing area as herein defined, or in the marketing area as defined in U. S. D. A. Order No. 69, as amended, not less than 75 percent, or such other percentage as the Market Administrator may from time to time determine, of its total receipts of butterfat from producers as fluid milk or fluid cream. For the purpose of meeting the requirements of this subdivision a handler operating more than one plant

or having contracts with other handlers' plants for the entire output of such plants may consider such plants as one.

(2) *Suspension.* Any plant which fails to meet either of the requirements of subparagraph (1) of this paragraph shall be suspended as a pool plant during the delivery periods of February through July, inclusive, next following. Such suspension shall be effected by notice from the Market Administrator to the handler operating the plant whenever the Market Administrator finds on the basis of available information that the plant did not meet either of the requirements of subparagraph (1) of this paragraph. Sections 941.1 through 941.14 shall not apply to any handler with respect to such of his milk which is received at a plant which is suspended as a pool plant during the period of the suspension.

(3) *Publication of violations.* The Market Administrator shall publicly announce (i) the ownership and location of any plant suspended pursuant to subparagraph (2) of this paragraph, and (ii) the ownership and location of the purchasing or receiving plant described in subparagraph (1) (ii) of this paragraph if such plant disposes of the fluid milk or fluid cream in bulk outside the surplus milk manufacturing area.

(4) *Pool Plant Committee.* A committee of six members consisting of three persons selected by the Associated Milk Dealers, Inc., of Chicago, two persons selected by the Pure Milk Association of Chicago, and one person selected by the Central Dairy Sales Cooperative of Appleton, Wisconsin, shall be designated as the Pool Plant Committee. This com-

mittee shall investigate the conditions of milk supply available for the Chicago marketing area, together with the demand conditions prevailing, and shall, at such times as it deems appropriate, based upon a majority vote of the committee, recommend to the Market Administrator changes in the percentage established in subparagraph (1) (ii) of this paragraph, or suspension of all or part of the requirements described in subparagraph (1) of this paragraph for the succeeding delivery periods.

3. Amend § 941.6 (b) by deleting the period at the end thereof, substituting a comma in lieu thereof, and adding the words: "and that such milk was not obtained from a plant that has been suspended as a pool plant pursuant to paragraph (e) (2) of this section."

4. Make such other changes as may be necessary or helpful to effectuate the foregoing proposals.

Copies of this notice of hearing and of the tentatively approved marketing agreement and order, now in effect, may be procured from the Market Administrator, 135 South LaSalle Street, Chicago, Illinois, or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1844, South Building, Washington, D. C., or may be there inspected.

Dated: September 14, 1948.

[SEAL] JOHN L. THOMPSON,  
Assistant Administrator.

[F. R. Doc. 48-8377; Filed, Sept. 15, 1948; 8:53 a. m.]

17 CFR, Part 9661

HANDLING OF ORANGES GROWN IN CALIFORNIA OR ARIZONA

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

Correction

In Federal Register Document 48-8200, appearing at page 5338, in the issue for Tuesday, September 14, 1948, the following corrections should be made:

1. In the third column of page 5343, paragraph (b) the second sentence reading "The first regular term of office shall be for a period of two years." should be deleted; in the first line of paragraph (5) "or" should be changed to "of"

2. In the first column of page 5345, in the ninth line of paragraph (k) the first word "of" should read "or"

3. In the first column of page 5346, in the eighth line of Sec. 6 the word "exports" should read "export"

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 31]

[Docket No. 9113]

BROADCASTING OF LOTTERY INFORMATION ORDER SCHEDULING ORAL ARGUMENT

At a session of the Federal Communications Commission held at its office in

Washington, D. C. on the 8th day of September, 1948:

The Commission having before it a petition for extension of time within which to file statement filed by the American Broadcasting Company, Inc., on September 3, 1948 in the matter of Promulgation of Rules Governing the Broadcasting of Lottery Information; and

It appearing, in the light of the widespread interest in the above entitled matter, that oral argument should be held on the proposed rules and any statements submitted;

It is ordered, That the petition be granted and that the date for filing statements in the above entitled matter by all interested persons be extended to September 24, 1948.

It is further ordered, That oral argument be held on the above entitled matter at 10:00 a. m. on the 19th day of October 1948 before the Commission en banc in Room 6121, New Post Office Building, 12th and Pennsylvania Avenue, Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-8293; Filed, Sept. 15, 1948; 8:46 a. m.]

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Department of the Army

ORGANIZATION AND PROCEDURE OF CIVIL AFFAIRS DIVISION

LEGISLATION FOR MONETARY REFORM, UNITED STATES ZONE IN GERMANY

Sections 3.104a, 3.104b, 3.104c, 3.104d, 3.104e, 3.109a, 3.109b and 3.109c, containing additional regulations for monetary reform in the U. S. Zone of Germany are hereby added to the material published in 13 F. R. 4965, August 26, 1948, as follows:

- Sec. 3.104a Regulation No. 4 under Military Government Law No. 61.
- 3.104b Regulation No. 5 under Military Government Law No. 61.
- 3.104c Regulation No. 6 under Military Government Law No. 61.
- 3.104d Regulation No. 7 under Military Government Law No. 61.
- 3.104e Regulation No. 8 under Military Government Law No. 61.
- 3.109a Regulation No. 4 (Regulation concerning the cancellation of contracts for delivery) under the Third Law for Monetary Reform (Conversion Law).

- Sec. 3.109b Regulation No. 5 under Military Government Law No. 63.
- 3.109c Regulation No. 6 under Military Government Law No. 63.

SEC. 3.104a. Regulation No. 4 under Military Government Law No. 61, Special permission for Reichsmark transactions to correct illegal payments. In exercise of the powers conferred by section 3.101 (f) (7) (Article XXIV of the First Law for Monetary Reform (Currency Law)), the Allied Bank Commission hereby orders as follows:

(a) As an exceptional transaction as provided in section 3.101 (c) (1) (Article VIII of the First Law for Monetary Reform) and subject to final decision by Military Government, for a period of two weeks after the effective date of this section, governmental units shall be permitted to reverse illegal transactions in Reichsmarks made by them on or after June 21, 1948, as well as such other transactions in Reichsmarks which were made prior to June 21, 1948 for the purpose of anticipating expected provisions of the First and Third Laws for Financial Reform. Such reversal shall take the form of repayment of Reichsmarks by cashless transfer to the account of the governmental unit which made the illegal or anticipatory transaction.

(b) As an exceptional transaction as provided in section 3.101 (c) (1) (Article VIII of the First Law for Monetary Reform) charitable associations and all other persons shall, for a period of two weeks, have the right to voluntarily declare to the Liquidation Bank that part of their old currency credit balances which was received illegally in Reichsmarks on or after June 21, 1948. The Liquidation Bank shall annul such Reichsmark balances.

(c) Tax offices shall audit the accounts of charitable organizations and such other persons as they may consider necessary in order to determine whether old currency has been illegally accepted after June 21, 1948.

(d) For the period of two weeks provided for in paragraphs (a) and (b) above the penal provisions of section 3.101 (f) (3) (Article XX of the First Law for the Reform of the Currency) shall not be invoked in the case of Reichsmark transactions illegal under section 3.101 (c) (1) against persons who are given the opportunity under this section to rectify such transactions.

(e) Thereafter, these penal provisions shall apply in full. Government officials shall be responsible for their acts of office to the extent provided by German law.

(f) The German text of this regulation is the official text.

(g) This regulation comes into effect on June 28, 1948. By order of the Allied Bank Commission.

SEC. 3.104b. *Regulation No. 5 under Military Government Law No. 61.* In exercise of the power conferred by section 3.101 (f) (7) (Article XXIV of the First Law for Monetary Reform (Currency Law)), the Allied Bank Commission hereby orders as follows:

(a) For the purpose of section 3.101 (f) (1) (i) the Gemeinsame Aussenhandelskasse shall be considered to be financial institution.

(b) The German text of this regulation shall be the official text.

(c) This regulation shall become effective on July 16, 1948. By order of the Allied Bank Commission.

SEC. 3.104c. *Regulation No. 6 under Military Government Law No. 61, Regulation concerning Rail Tickets.* Pursuant to section 3.101 (f) (7) (Article XXIV of the First Law for Monetary Reform (Currency Law)) it is hereby ordered as follows:

(a) *Article I.* Rail tickets booked prior to June 21, 1948 and provisionally kept valid according to section 3.102 (c) (Article III of Regulation No. 1 under the Currency Law) within the framework of the prevailing regulations shall lose their validity on expiry of July 31, 1948.

(b) *Article II.* (1) The German text of this regulation shall be the official text.

(2) This regulation shall become effective on July 31, 1948. By order of Allied Bank Commission.

SEC. 3.104d. *Regulation No. 7 under Military Government Law No. 61, Regulation concerning old currency stocks of the financial institutions.* Pursuant to section 3.101 (f) (7) (Article XXIV of the First Law for Monetary Reform (Currency Law)) it is hereby ordered as follows:

(a) *Article I.* (1) The financial institutions with the exception of the Land Central Banks and the Bank deutscher Laender shall surrender not later than August 31, 1948, and against receipt, their stocks in own and surrendered old currency notes (section 3.101 (c) (2) (i) (a)) to the Land Central Banks.

(2) The Land Central Banks and the Bank deutscher Laender shall destroy their stocks in own and surrendered old currency notes by drawing up proceedings of destruction.

(b) *Article II.* (1) The German text of this regulation shall be the official text.

(2) This regulation shall become effective on July 31, 1948. By order of Allied Bank Commission.

SEC. 3.104e. *Regulation No. 8 under Military Government Law No. 61, Regulation concerning the payment of the second installment of the quota-per-capita.* Pursuant to section 3.101 (f) (7) (Article XXIV of the First Law for Monetary Reform (Currency Law)), it is hereby ordered as follows:

(a) *General Provisions—(1) Article 1.* Only such persons having paid in more than 40 Reichsmarks to the exchange agency when receiving the first installment of the quota-per-capita, shall have

a legal claim to the second installment of the quota-per-capita (remaining balance) provided for under section 3.101 (b) (1) (Article VI of the Currency Law) The claim may be bequeathed, but not ceded.

(2) *Article 2.* In all cases where the full amount of 60 Reichsmarks has been paid in when receiving the first installment of the quota-per-capita, the remaining balance shall amount to 20 Deutsche Marks, otherwise to 1 Deutsche Mark for each Reichsmark delivered in excess of the amount of 40 Reichsmarks, up to the limit of 20 Deutsche Marks.

(b) *Treatment of persons having surrendered old currency by use of Form "A" or having reported accounts—(1) Article 3.* Where the holder of a Reichsmark liquidation account (section 3.101 (d) (1) (Article XIII of the Currency Law)) or a member of his family has surrendered old currency or reported an account in accordance with the provisions of the Currency Law by use of Form "A" the liquidation bank shall credit a free account with 20 Deutsche Marks for him and each member of his family listed on Form "A" (paragraph (c) (5) (iii) of this section) The Liquidation Bank is not bound to verify whether the conditions of paragraph (a) (1) of this section are complied with.

(c) *Treatment of persons not having delivered Form "A"—(1) Article 4.* Where neither the claimant (paragraph (a) (1) of this section) nor a member of his family (subparagraph (5) (iii) of this paragraph) has surrendered old currency or reported an account by use of Form "A" he shall be paid the remaining balance by the food ration card office as prescribed in subparagraphs (2) through (7) of this paragraph.

(2) *Article 5.* (i) In principle that food ration card office shall be competent for paying the remaining balance, with which the claimant is registered for food supply on ration cards during the period of payment (subparagraph (3) of this paragraph) this applies also in those cases where the claimant is temporarily absent on the ground of a travel certificate (Reiseabmeldebefestigung) or a G-certificate (Abmeldebefestigung "G")

(ii) The special provisions under subparagraph (8) of this paragraph shall apply to persons who possess a certificate of departure or who are issued their food ration cards against a personal travel card or a seaman's identity card (Lebensmittelstammausweis fuer Binnenschiffer)

(3) *Article 6.* The payment of the remaining balance shall be made by the food ration card agencies during the period comprised between August 20, and September 11, 1948. If possible it shall be completed within one day. The land food offices have to appoint and advertise the days and hours of payment uniform by for their respective areas; besides, care is to be taken that the other tasks of the ration card agencies, in particular when preparing and carrying out the issue of food ration cards for September will be prejudiced as little as possible.

(4) *Article 7* The ration card agencies have to verify at first whether the

person for whom the payment of the remaining balance is claimed has paid in the required Reichsmark-amount under paragraph (a) (1) and (2) of this section. This can be ascertained:

(i) As a rule from the documentation of the ration card agency.

(ii) In cases of persons who were registered as temporarily absent at the moment when the first installment of the quota-per-capita was paid out, from the travel certificates or the G-certificate which have either been returned in the meantime or shall be produced.

(iii) In the case referred to by subparagraph (8) of this paragraph from the documents mentioned thereunder.

(iv) In cases of persons having been registered to normal food supply on ration cards after June 20, 1948 by the ration card agency, from travel certificates or certificates of departure or G-certificates issued by the ration card agency hitherto competent; in case these documents have been issued after June 20, 1948 the ration card agency has to obtain an official information from the hitherto competent ration card agency as to the amount of Reichsmarks which the applicant has paid in on receipt of the first installment of the quota-per-capita amount.

(5) *Article 8.* (i) Moreover, proof must be given to the ration card office in compliance with the provisions hereinafter that the remaining quota-per-capita amount will not be credited under paragraph (b) (1) of this section on a free account with a Liquidation Bank, i. e. that neither the claimant nor a member of his family (subdivision (iii) below) had surrendered or reported old currency by use of Form "A"

(a) For this purpose the claimant shall produce his identity card (in case of residents of the British Zone the blue personal card) as well as the identity cards (blue personal cards) of all members of his family (subdivision (iii) below) who are liable to carry identity cards and to whom the food ration cards are issued together by this very ration card office. The ration card office will examine whether the right top corner of the front page of one of these identity cards (blue personal cards) has been punched. In such case cash payment of the remaining balance cannot be claimed.

(b) Spouses and minor persons, who had not completed their 18th year of age on June 21, 1948, are entitled to claim the remaining balance with the ration card agency competent for them, in case it does not provide also the husband or the father (the mother) with food ration cards, only under condition they furnish proof that the husband or father and mother resp. is in captivity or missing or for other reasons (e. g. because his residence is situated outside the currency area) is not being provided with food ration cards by a ration card agency in the currency area. If this cannot be proved, the ration card office shall, when appropriate, issue to these persons a certificate setting forth names and addresses of the claimants and the remaining balance to be claimed by them and stating that, under the observations of the ration card office no reason exists for the as-

sumption that the remaining balance due to them is credited on a free account. Based on this certificate the husband or father or mother in resp. may raise the remaining balance stated therein with his ration card office as far as he proves to the ration card office that neither he nor a member of his family supplied together with him by the same ration card office has surrendered or reported old currency on Form "A"

(c) Before payment of the remaining balance to persons aged more than 18 years, the ration card office shall have to verify whether the applicant is married or has children below the age of 18 years and whether these persons are also supplied with food ration cards by the ration card agency competent for him. For this purpose the applicant shall produce his wage tax card, his labor card or other official documents stating his family standing. If the ration card agency ascertains by checking these documents with its card index-records that one or several members of the applicant's family are not supplied with food ration cards by it, the applicant shall have a claim on payment of the remaining installment due to him by the ration card office only.

(1) If he proves that the other members of his family are not supplied with food ration cards by another ration card office in the specified currency area; or

(2) If he produces for the other members of his family the certificate mentioned above under (b) of the ration card office competent for these persons.

(ii) Where persons are recorded in the ration card office as temporarily absent during the period of payment they shall also produce the travel certificate or the first copy of the G-certificate in addition to the documents mentioned under subdivision (i) (c) (1) above.

(iii) Family members within the meaning of this section are the wife (and the husband respectively) and those children of the claimant who on June 21, have not completed their 18th year, furthermore the parents and brothers and sisters of a claimant in the case when on June 21, 1948 he has not completed his 18th year.

(6) *Article 9.* Where the claimant, without his fault, fails to raise the remaining balance at the day of payment fixed by the food office or to produce one of the documents the submission of which is the prerequisite to the payment of the quota-per-capita amount under subparagraphs (4) and (5) of this paragraph, the remaining balance may also be paid to him later; the claim on payment of the remaining balance will lapse, however, if the documents required are not produced until 30 September 1948.

(7) *Article 10.* (i) The remaining balance will be paid by the ration card office, taxed on an order of payment which the official charged with the investigation of the card index records of the ration card office will issue after having entered a corresponding notice on the index card; the order of payment shall be receipted by the beneficiary. The official charged with the payment shall enter the amounts paid into lists to be closed daily and enumerated cur-

rently adding the orders of payments to them.

(ii) The head of the ration card office shall certify the lists to conform with the notices on the index cards, sign them and, by the strength of the lists, close with the food office into the amounts of money which he has received for payment of the remaining balances.

(8) *Article 11.* (1) All persons possessing a notice of departure, a personal travel card or a seaman's identity card (Lebensmittelstammausweis fuer Binnenschiffer) may draw the remaining balance from the food ration card office of such locality, in which they reside during the period of payment (subparagraph (3) of this paragraph).

(ii) To seamen, who are supplied with food against food purchase books (Lebensmitteleinkaufsbuch) the remaining balance will be paid by the food office (or ration card agency authorized by it) which—in the moment when the payment takes place—is competent for the food supply of the ship, to the crew of which the seaman belongs.

(iii) In such cases as set forth under subdivisions (i) and (ii) above, the food ration card office shall endorse the amount of the remaining balance paid out on the notice of departure, the personal travel card, the seaman's identity card or the food purchase book. These payments have to be entered on a special list, in which mention has to be made of the beneficiary's name and address, of the authority having issued the notice of departure, the personal travel card or the seaman's identity card, of the date of issue and registration number of these documents as well as of the amount paid out. The orders for payment receipted by the payees have to be attached to this list, which shall serve, in the same way as the lists referred to under subparagraph (7) of this paragraph, as a documentation for the accounting of the food ration card office to the food office.

(d) *Provision of funds necessary for payment of the remaining balances—(1) Article 12.* The Land Central Bank shall credit the giro account of the Liquidation Banks for account of the Bank deutscher Laender with the equivalent of the remaining balances, with which the Liquidation Banks have credited the free accounts of their customers according to paragraph (b) (1) of this section. The Liquidation Banks have to account to the Bank deutscher Laender, over the Land Central Banks, for the remaining balances credited by them.

(2) *Article 13.* The food offices have to provide the food ration card offices with the funds necessary for the payment of the remaining balances. They shall procure such funds from the Land Central Bank for the account of the Bank deutscher Laender. For the amounts received and issued, they have to account to the Land Central Banks, by means of the lists referred to under subparagraphs (7) (i) and (8) (iii) of paragraph (c) of this section.

(3) *Article 14.* (1) The Bank deutscher Laender shall credit the giro accounts of the Land Central Banks with the amounts with which the latter have:

(a) Credited the Liquidation Banks as per subparagraph (1) of this paragraph,

(b) Provided the food offices as per subparagraph (2) of this paragraph, and

(c) Credited the free account of their customers as per paragraph (b) (1) of this section.

(ii) The Bank deutscher Laender shall enter the liabilities incurred pursuant to subdivision (i) above, and the remaining balances, with which it has credited the salary accounts maintained with it, according to paragraph (b) (1) of this section, on the left side of the conversion statement which it has to establish according to section 3.108 (c) (4).

(e) *Final provisions—(1) Article 15.* The German text of this regulation shall be the official text.

(2) *Article 16.* This regulation shall become effective on August 20, 1948. By order of Allied Bank Commission.

SEC. 3.109a. *Regulation No. 4 (regulation concerning the cancellation of contracts for delivery) under the Third Law for Monetary Reform (Conversion Law).* The Allied Bank Commission, in exercise of the powers conferred on it by section 3.106 (hh) (4) (Third Law for Monetary Reform (Conversion Law)) hereby orders as follows:

(a) *Article 1.* (1) Whereas a debtor having incurred Reichmark liabilities referred to under section 3.106 (r) (1) (ii) of this part and resulting from a contract of sale or a contract of work, has cancelled such a contract according to section 3.106 (t) the right of the creditor to cancel contracts entered into with a view to fulfilling his engagements incumbent on him with third parties (preliminary suppliers), may be exercised subsequent to July 10, 1948, if the prerequisites under section 3.106 (t) (1) exist. The right to cancel contracts in respect of preliminary suppliers even subsequent to July 10, 1948, shall also be granted to the one whose debtor, in pursuance with the provisions of the foregoing sentence, has cancelled a contract with him subsequent to July 10, 1948.

(2) The right to cancel a contract shall be exercised immediately after this order has become effective in all cases referring to the first sentence of subparagraph (1) above, and immediately after receipt of the advice of cancellation made by the debtor of the party entitled, in those referring to the second sentence of subparagraph (1) above.

(b) *Article 2.* The German text of this law shall be the official text.

(c) *Article 3.* This regulation shall become effective on July 20, 1948. By order of Allied Bank Commission.

SEC. 3.109b. *Regulation No. 5 under Military Government Law No. 63; conversion of Pfennig amounts.* Pursuant to section 3.106 (hh) (Art. 34 of the Third Law for Monetary Reform (Conversion Law)) it is hereby ordered as follows:

(a) *Article 1.* For the conversion of old currency credit balances into new currency credit balances only full Reichsmark amounts shall be considered. This method shall also be followed by the Liquidation Bank when computing the credit balances of various accounts, and by the financial institutions concerned and the Liquidation Bank when issuing

information about the balance of accounts. As far as Pfennig amounts have been considered up to now the present regulations shall not apply.

(b) *Article 2.* (1) The German text of this regulation shall be the official text.

(2) This regulation shall come into force effective July 8, 1948. By order of Allied Bank Commission.

*SEC. 3.109c. Regulation No. 6 under Military Government Law No. 63, regulation concerning the valuation of provisional net worth.* Pursuant to section 3.106 (hh) (Article 34 of the Third Law for Monetary Reform (Conversion)) it is hereby ordered as follows:

(a) *Article 1.* The provisions of section 3.108 (e) (1) (Article V par. (1) of Regulation No. 2 (Bank Regulation) under Law No. 63, Third Law for Monetary Reform (Conversion Law)) shall, with respect to a financial institution created subsequent to December 31, 1947, be applied to the net worth of such financial institution as shown on its Reichsmark Closing Balance Sheet (section 3.108 (c) (1))

(b) *Article 2.* (1) The German text of this law shall be the official text.

(2) This regulation shall become effective on August 1, 1948. By order of the Allied Bank Commission.

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

[F. R. Doc. 48-8287; Filed, Sept. 15, 1948;  
8:46 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 3183]

CHALLENGER AIRLINES Co.

### NOTICE OF HEARING

In the matter of the application of Challenger Airlines Company for amendment of its certificate of public convenience and necessity for route No. 74 to provide service to Vernal, Utah, and Casper, Wyoming, as intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the above-entitled proceeding is assigned for hearing on September 29, 1948, at 10:00 a. m. (mountain standard time) in Jury Room 214, Court House, Casper, Wyoming, before Examiner Herbert K. Bryan.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

(1) Whether the proposed service is required by the public convenience and necessity.

(2) Whether Challenger Airlines Company is fit, willing, and able to perform the proposed service and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

Notice is further given that any person, other than parties of record, desiring to be heard in this proceeding shall file with the Board on or before September 29, 1948, a statement setting forth the issues of fact and law raised by this

proceeding which he desires to controvert.

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

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-8286; Filed, Sept. 15, 1948;  
8:46 a. m.]

[Docket No. 3369]

CHALLENGER AIRLINES Co.

### NOTICE OF HEARING

In the matter of extending the effectiveness of the temporary certificates of public convenience and necessity of Challenger Airlines Co. for route No. 74.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the above-entitled proceeding is assigned for hearing on September 23, 1948, at 10:00 a. m. (eastern daylight saving time) in Room 2049, Temporary Building No. 4, 17th Street and Constitution Avenue NW., Washington, D. C., before Examiner Herbert K. Bryan.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

(1) Whether the public convenience and necessity require the extension of the effectiveness of the temporary certificate of Challenger Airlines Co. for route No. 74.

(2) Whether Challenger Airlines Company is fit, willing, and able to perform the service which may be authorized under the amended certificate and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

Notice is further given that any person, other than parties of record, desiring to be heard in this proceeding shall file with the Board on or before September 23, 1948, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert.

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

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-8288; Filed, Sept. 15, 1948;  
8:46 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8459, 9059]

SURETY BROADCASTING Co. AND TAR HEEL BROADCASTING SYSTEM, INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Surety Broadcasting Company, Charlotte, North Carolina, Docket No. 8459, File No. BP-6088; Tar Heel Broadcasting System, Inc., Washington, North Carolina, Doc-

ket No. 9059, File No. BP-6750; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of September 1948;

The Commission having under consideration the above-entitled applications of Surety Broadcasting Company for a construction permit for a new standard broadcast station to operate on 930 kc, 1 kw, 5 kw-LS, unlimited time, using a directive antenna at night, at Charlotte, North Carolina, and Tar Heel Broadcasting System, Inc., to change the hours of operation of station WRRF, Washington, North Carolina, from daytime to unlimited time, increase power from 5 kw day to 5 kw day and 1 kw night, and install a directive antenna for night use;

*It is ordered,* That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of Surety Broadcasting Company, its officers, directors and stockholders to construct and operate the proposed station, and the technical, financial, and other qualifications of Tar Heel Broadcasting System, Incorporated, its officers, directors and stockholders, to construct and operate station WRRF as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the proposed operations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the proposed operations would involve objectionable interference, as defined in the North American Regional Broadcasting Agreement, with Cuban station CMKN, Santiago, or any other existing foreign broadcast station, and the nature and extent of such interference.

6. To determine whether the proposed operations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the proposed installations and operations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast

Stations, with particular reference to the proposed transmitter sites, and to the population residing between the normally protected and interference-free contours.

8. To determine the overlap, if any, that will exist between the service areas of the proposed station at Charlotte, North Carolina, and of station WIS at Columbia, South Carolina, the nature and extent thereof and whether such overlap if any, is in contravention of § 3.35 of the Commission's rules.

9. To determine on a comparative basis which, if either of the applications in this consolidated proceeding should be granted.

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

[F. R. Doc. 48-8299; Filed, Sept. 15, 1948;  
8:47 a. m.]

[Docket No. 8500]

ARI-NE-MEX BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Ari-Ne-Mex Broadcasting Company, Escondido, California, Docket No. 8500, File No. BP-8519; for construction permit.

The Commission having under consideration a petition filed September 3, 1948, by Ari-Ne-Mex Broadcasting Company, Escondido, California, requesting a continuance of the hearing presently scheduled for September 10, 1948, at Washington, D. C., upon the above-entitled application for construction permit.

*It is ordered*, This 7th day of September 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, October 15, 1948, at Washington, D. C.

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

[F. R. Doc. 48-8296; Filed, Sept. 15, 1948;  
8:47 a. m.]

[Docket No. 8502]

ARI-NE-MEX BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Ari-Ne-Mex Broadcasting Company, Clayton, New Mexico, Docket No. 8502, File No. BP-5879; for construction permit.

The Commission having under consideration a petition filed September 3, 1948, by Ari-Ne-Mex Broadcasting Company, Clayton, New Mexico, requesting a continuance of the hearing presently scheduled for September 9, 1948, at Washington, D. C., upon its above-entitled application for construction permit;

*It is ordered*, This 7th day of September 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled application be, and

it is hereby, continued to 10:00 a. m., Thursday, October 14, 1948, at Washington, D. C.

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

[F. R. Doc. 48-8297; Filed, Sept. 15, 1948;  
8:47 a. m.]

[Docket No. 8342]

DIAMOND H. RANCH BROADCASTERS

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUES

In re application of Charles E. Halstead, tr/as Diamond H. Ranch Broadcasters, Auburn, California, Docket No. 8642, File No. BP-6171, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of September 1948;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on the frequency 1490 kc, with 250 w power, unlimited time, at Auburn, California;

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application (File No. BP-5753; Docket No. 8764) of Pacific States Radio Engineering or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of

Good Engineering Practice Concerning Standard Broadcast Stations.

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

[F. R. Doc. 48-8300; Filed, Sept. 15, 1948;  
8:47 a. m.]

[Docket Nos. 8954, 8955, 8957, 9015]

WISCONSIN BROADCASTING SYSTEM, INC.,  
ET AL.

ORDER CONTINUING HEARING

In re applications of Wisconsin Broadcasting System, Inc., Milwaukee, Wisconsin, Docket No. 8954, File No. BFCT-377; Hearst Radio, Inc., Milwaukee, Wisconsin, Docket No. 8955, File No. BPCT-383; WEXT, Inc., Milwaukee, Wisconsin, Docket No. 8957, File No. BFCT-406; Milwaukee Broadcasting Company, Milwaukee, Wisconsin, Docket No. 9015, File No. BPCT-472; for construction permits.

The Commission having under consideration a joint petition filed September 2, 1948 by Milwaukee Broadcasting Company, Hearst Radio, Inc., and Wisconsin Broadcasting System, Inc., all of Milwaukee, Wisconsin, requesting an indefinite continuance in the hearing presently scheduled for September 8, 1948 upon the above-entitled applications:

*It is ordered*, This 3d day of September 1948, that the petition be, and it is hereby, granted; and the hearing upon the above-entitled applications, presently scheduled for September 8, 1948, be, and it is hereby continued indefinitely without date.

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

[F. R. Doc. 48-8295; Filed, Sept. 15, 1948;  
8:47 a. m.]

[Docket No. 8060]

PONTIAC BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUES

In re application of Pontiac Broadcasting Corporation, Pontiac, Illinois, Docket No. 8060; File No. BP-6772; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of September 1948;

The Commission having under consideration the above-entitled application for a permit to construct a new standard broadcast station in Pontiac, Illinois to operate on the frequency 1430 kc, with 500 w power, daytime only

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with station WIL's operation as authorized by its construction permit (BP-5606; Docket No. 8056) granted on June 23, 1948, and station WIRE or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

*It is further ordered*, That, Missouri Broadcasting Corporation and Indianapolis Broadcasting, Inc., licensees respectively of Stations WIL and WIRE, be, and they are hereby, made parties to this proceeding.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-8298; Filed, Sept. 15, 1948;  
8:47 a. m.]

[Docket Nos. 9104, 9105]

DUNKIRK BROADCASTING CORP. AND  
AIRWAVES, INC. (WJOC)

ORDER ENLARGING ISSUE

In re applications of Dunkirk Broadcasting Corporation, Dunkirk, New York, Docket No. 9104, File No. BP-6241, Airwaves, Incorporated (WJOC) Jamestown, New York, Docket No. 9105, File No. BP-6822; for construction permits.

The Commission having under consideration a petition filed August 19, 1948, by Great Trails Broadcasting Corporation (WING) Dayton, Ohio, requesting leave to intervene in the hearing upon the above-entitled applications; and requesting enlargement of the issues in the above-entitled proceeding so that Issue No. 4 will read as follows:

4. To determine whether the operation of the proposed station and of Sta-

tion WJOC as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, the type and character of the program service which would be lost to such areas and populations, and the availability of other broadcast service thereto.

*It is ordered*, This 27th day of August 1948, that the petition be, and it is hereby, granted; and Issue No. 4 in the above-entitled proceeding be, and it is hereby, enlarged to read as follows:

4. To determine whether the operation of the proposed station and of Station WJOC as proposed would involve objectionable interference with any existing broadcast station and, if so, the nature and extent thereof, the areas and populations affected thereby, the type and character of the program service which would be lost to such areas and populations, and the availability of other broadcast service thereto.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 48-8294; Filed, Sept. 15, 1948;  
8:46 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6163]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF APPLICATION

SEPTEMBER 10, 1948.

Notice is hereby given that on September 9, 1948, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Northwestern Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of South Dakota and Nebraska, with its principal business office at Huron, South Dakota, seeking an order authorizing the issuance of \$1,300,000 in aggregate principal amount of Sinking Fund Debentures, 4½% series due 1958, under a trust agreement of applicant to The Northern Trust Company, Chicago, to be dated September 1, 1948, to mature September 1, 1958. Applicant proposes to issue and sell the Debentures to A. C. Allyn and Company, Inc., at a price of 98% of the principal amount thereof and accrued interest to the date of delivery and payment, and to use the proceeds to refund its short-term notes presently outstanding in the amount of \$1,300,000; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 29th day of September 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 48-8275; Filed, Sept. 15, 1948;  
8:45 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 30-137]

MINNEAPOLIS GAS CO.

NOTICE OF FILING 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 9th day of September A. D. 1948.

Notice is hereby given that an application has been filed with this Commission, pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("act") by Minneapolis Gas Company ("Minneapolis") formerly known as American Gas and Power Company, a registered holding company, for an order under said act, declaring that the company has ceased to be a holding company.

Notice is further given that any interested person may, not later than September 20, 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, if any, 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.

All interested persons are referred to said application which is on file in the offices of this Commission for a complete statement relating to the requested finding and order, which is summarized as follows:

The application states that Minneapolis does not directly or indirectly own, control or hold with power to vote 10% or more of the outstanding voting securities of any public utility company, as defined in section 2 of the act, or of any company which is a holding company by virtue of section 2 (a) (7) of the act. Accordingly, it requests the entry of an order by the Commission, pursuant to section 5 (d) of the act, finding and declaring that Minneapolis has ceased to be a holding company.

The application further states that the Plan of Integration and Simplification filed by Community Gas and Power Company and American Gas and Power Company, both registered holding companies, pursuant to section 11 (e) of the act, which provided, among other things, for the dissolution of Community Gas and Power Company and the merger of Minneapolis Gas Light Company with its parent, American Gas and Power Company, and a change of the corporate name of the surviving company to Minneapolis Gas Company, was consummated on July 30, 1948, with the single exception that the fees and expenses in connection therewith have not been approved by the Commission. Said fees and expenses are subject to a reservation of jurisdiction to determine the reasonableness and appropriate allocation

thereof. (See Holding Company Act Release Nos. 6541 and 7131.)

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 48-8283; Filed, Sept. 15, 1948;  
8:46 a. m.]

[File No. 70-1680]

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

ORDER GRANTING APPLICATIONS-DECLARATIONS AND PERMITTING THEM 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 September 1948.

In the matter of the Commonwealth & Southern Corporation (Delaware) The Southern Company, Alabama Power Company, Georgia Power Company. File No. 70-1680.

The Commonwealth & Southern Corporation ("Commonwealth") a registered holding company, The Southern Company ("Southern") also a registered holding company and a subsidiary of Commonwealth, Alabama Power Company ("Alabama") and Georgia Power Company ("Georgia") both direct public utility subsidiaries of Southern, having filed, as an amendment to the original application in the above matter, joint applications-declarations and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 (the "act") regarding the following proposed transactions:

Commonwealth proposes to invest \$10,000,000 in the common stock of Southern by the purchase of one million additional shares of Southern \$5 par value common stock. Southern in turn proposes to use the proceeds of the sale of its common stock to purchase 30,000 shares of no par value common stock of Alabama for \$3,000,000 and to purchase 250,000 shares of no par value common stock of Georgia for \$4,000,000.

Southern proposes to restate its investment in securities of subsidiaries from "fair value" to "underlying book value" as of January 1, 1948, and also proposes the discontinuance and reversal since September 1, 1947, of the appropriation from consolidated net income to consolidated general reserve for investments, including that part thereof made in the corporate accounts of Southern.

Commonwealth proposes to issue and sell its 2 1/4% promissory notes in principal amount of up to but not exceeding \$10,000,000 pursuant to the terms of a loan agreement dated as of July 21, 1948, for the purpose of paying the purchase price of Southern common stock.

The proposed issuance and sale of the securities by Alabama and Georgia having been expressly authorized by the Alabama Public Service Commission and the Georgia Public Service Commission, the State Commissions of the States in which Alabama and Georgia, respectively, are organized and doing business.

A public hearing having been held after appropriate notice, oral argument

having been heard, and the Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and the interest of investors and consumers to grant said amended joint applications and permit said amended joint declarations to become effective;

*It is ordered*, That said applications-declarations, as amended, be, and the same hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

*It is further ordered*, That jurisdiction be and the same hereby is reserved over all fees and expenses and other remuneration incurred and to be incurred in connection with the transactions proposed herein.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-8281; Filed, Sept. 15, 1948;  
8:46 a. m.]

[File No. 70-1902]

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

ORDER EXEMPTING PROPOSED SALE FROM COMPETITIVE BIDDING AND PERMITTING DECLARATION TO BECOME EFFECTIVE

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

In the matter of the Commonwealth & Southern Corporation (Delaware) Southern Indiana Gas and Electric Company, the Commonwealth & Southern Corporation (New York) File No. 70-1902.

The Commonwealth & Southern Corporation (of Delaware), referred to hereinafter as "Commonwealth" a registered holding company, The Commonwealth & Southern Corporation (of New York) a mutual service company subsidiary of Commonwealth, hereinafter referred to as the "Service Company" and Southern Indiana Gas and Electric Company ("Southern Indiana"), a direct public utility subsidiary of Commonwealth, having filed joint applications-declarations, with amendments thereto, regarding, among other things,

(a) The investment by Commonwealth in Southern Indiana of approximately \$1,500,000, but not more than \$1,750,000, by the purchase of shares of common stock of Southern Indiana in such amounts and on such terms as may be authorized by the Public Service Commission of Indiana,

(b) The issuance and sale by Commonwealth of its 2 1/4% promissory notes in principal amount of up to but not exceeding \$1,750,000 pursuant to the terms of a loan agreement dated as of July 21, 1948 for the purpose of obtaining funds with which to make the proposed purchase of the common stock of Southern Indiana,

(c) The proposed sale by Commonwealth of the 400,000 shares of the common stock of Southern Indiana now

owned by Commonwealth and of any additional shares of common stock of Southern Indiana to be issued as proposed herein, and

(d) The transfer by Southern Indiana to the Service Company of all of Southern Indiana's holdings of the capital stock of the Service Company at a price of \$100 per share; and

Commonwealth having requested that the proposed sale by it of the common stock of Southern Indiana which it owns be exempted from the competitive bidding requirements of Rule U-50; and

Service Company having requested permission to continue to perform services to Southern Indiana following the consummation of the proposed sale; and

A public hearing having been held after appropriate notice, oral argument having been heard, and the Commission having considered the record and having entered its findings and opinion herein:

*It is ordered*, That the proposed sale by Commonwealth of all of its holdings of the common stock of Southern Indiana be, and the same hereby is, exempted from the competitive bidding requirements of Rule U-50, subject to the terms and conditions prescribed by Rule U-24, and that this order shall become effective forthwith.

*It is further ordered*, That the declaration of Commonwealth with respect to proposed issuance and sale by Commonwealth of its 2 1/4% promissory notes in the principal amount of up to and not exceeding \$1,750,000 be, and the same hereby is, permitted to become effective forthwith, subject however to the terms and conditions prescribed by Rule U-24.

*It is further ordered*, That jurisdiction be, and it hereby is, reserved to pass upon all other aspects of the proposed transactions, including all fees and expenses incurred and to be incurred in connection therewith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-8280; Filed, Sept. 15, 1948;  
8:46 a. m.]

[File No. 70-1905]

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

ORDER GRANTING JOINT APPLICATIONS-DECLARATIONS AND PERMITTING THEM 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 September A. D. 1948.

In the matter of the Commonwealth & Southern Corporation (Delaware) Ohio Edison Company, Pennsylvania Power Company. File No. 70-1905.

The Commonwealth & Southern Corporation ("Commonwealth") a registered holding company, Ohio Edison Company ("Ohio") a public utility subsidiary of Commonwealth and also a registered holding company, and Pennsylvania Power Company ("Pennsylvania"), a direct public utility subsidiary of Ohio, having filed joint applications-declarations, with amendments thereto, pursuant

## NOTICES

ant to the provisions of the Public Utility Holding Company Act of 1935 (the "act") regarding, among other things.

(a) The issuance and sale by Ohio in accordance with the competitive bidding requirements of Rule U-50, of \$12,000,000 principal amount of its First Mortgage Bonds of a series bearing interest at a rate not to exceed 3½% per annum and maturing in 30 years;

(b) The issuance and sale by Ohio of 285,713 shares of its authorized but unissued \$8 par value common stock at a price of \$27.50 per share by means of the issuance of transferable subscription warrants to its common stock holders;

(c) The acquisition by Commonwealth of 256,549 shares of common stock of Ohio to which Commonwealth will be entitled to subscribe by reason of its being the holder of 1,795,847 shares of the issued and outstanding common stock of Ohio;

(d) The issuance and sale by Commonwealth of its 2¼% promissory notes pursuant to the terms of a loan agreement dated as of July 21, 1948, in the principal amount of up to but not exceeding \$7,055,097.50 for the purpose of paying the purchase price of Ohio common stock, and

(e) The issuance to Ohio by Pennsylvania of 50,000 shares of its \$30 par value common stock and in connection therewith the payment by Ohio to Pennsylvania of \$900,000 and the transfer by Pennsylvania of \$600,000 from its earned surplus account to its common stock capital account; and

A public hearing having been held after appropriate notice, oral argument having been heard and the Commission having considered the record, and having entered its findings and opinion herein, and deeming it appropriate in the public interest and the interest of investors and consumers to grant said amended joint applications, and permit said amended joint declarations to become effective;

*It is ordered*, That said joint applications-declarations as amended be, and the same hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24, and subject to the following additional conditions:

(1) That the proposed sale of bonds of Ohio shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding, and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

(2) That so long as any of the new bonds or any of the bonds of the 3% series of 1944 due 1974 or any of the 2¾% series of 1945, due 1975, or any of the 4.40% preferred stock shall remain outstanding, Ohio will not declare or pay any dividends on its common stock (other than dividends payable in common stock) or make any distribution of assets to holders of common stock by purchase of shares or otherwise, in an amount which, when added to the aggregate of all such dividends and distributions subsequent to September 30,

1944 (that is the last day of the month in which the bonds of the 3% series of 1944 due 1974 and the 4.40% preferred stock were issued) would exceed 75% of the consolidated net income of Ohio and subsidiary companies earned subsequent to September 30, 1944, if, after the payment of any such dividend or the making of any such distribution, the aggregate of the par value of, or stated capital represented by, the outstanding shares of common stock of Ohio and of the consolidated surplus of Ohio and subsidiary companies would be less than an amount equal to 25% of the total consolidated capitalization and consolidated surplus of Ohio and subsidiary companies as defined in the registration statement in respect of the First Mortgage Bonds 2¾% series of 1945, due 1975, filed by Ohio under the Securities Act of 1933, as amended.

(3) That jurisdiction be reserved with respect to all fees and expenses of counsel to be paid in connection with the transactions proposed herein.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-8278; Filed, Sept. 15, 1948;  
8:45 a. m.]

[File No. 70-1914]

COMMONWEALTH & SOUTHERN CORP.  
(DEL.) AND CONSUMERS POWER CO.

ORDER GRANTING JOINT APPLICATIONS-DECLARATIONS AND PERMITTING THEM 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 September A. D. 1948.

The Commonwealth and Southern Corporation ("Commonwealth") a registered holding company, and one of its public utility subsidiaries, Consumers Power Company, ("Consumers"), having filed a joint application-declaration and amendments thereto regarding, among other things,

(a) The issuance and sale by Consumers of up to but not exceeding 458,158 additional shares of its authorized but unissued no par value common stock at the price of \$33 per share by means of transferable subscription warrants proposed to be issued to its common stock holders; and

(b) The investment by Commonwealth in Consumers of approximately \$13,285,899 by the subscription for and purchase of 402,603 shares of common stock of Consumers to which it would be entitled by reason of its present holding of 3,623,432 shares of issued and outstanding common stock of Consumers, and to exercise its right to over-subscribe to the extent of 9,456 additional shares thereof by an investment of \$312,048; and

(c) The proposed issuance and sale by Commonwealth of its 2¼% promissory notes in principal amount of up to but not exceeding \$13,600,000 pursuant to the terms of a loan agreement dated as of July 21, 1948 for the purpose of obtaining

funds with which to make the proposed investments in the common stock of Consumers; and

A public hearing having been held after appropriate notice, oral argument having been heard, and the Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said amended joint applications and permit said amended joint declarations to become effective:

*It is ordered*, That said joint amended applications-declarations be, and the same hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24.

*It is further ordered*, That jurisdiction be, and it hereby is, reserved over the fees and expenses of counsel incurred and to be incurred in connection with the transactions proposed herein.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-8278; Filed, Sept. 15, 1948;  
8:45 a. m.]

[File No. 70-1942]

BROCKTON EDISON CO. AND EASTERN  
UTILITIES ASSOCIATES

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 September A. D. 1948.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Brockton Edison Company ("Brockton"), a public utility subsidiary company of Eastern Utilities Associates ("EUA"), a registered holding company, and by said EUA. Applicants-declarants have designated the first sentence of section 6 (b) and section 12 of the act and Rules U-42 (b) (2) U-44 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than September 22, 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 nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after September 22, 1948, 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 transaction as provided in Rules U-20 (a) and U-100 thereof

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

Brockton proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$4,000,000 principal amount of First Mortgage and Collateral Trust Bonds, -----% Series due 1978, the interest rate (which shall be a multiple of 1/8th of 1%) and the price (which shall be not less than 100% or more than 102 3/4% of the principal amount thereof, together with accrued interest from September 1, 1948 to the date of payment and delivery) to be determined by such competitive bidding. The net proceeds from such issue and sale are to be used to retire \$2,625,000 principal amount of promissory notes of Brockton presently outstanding and to obtain funds for that company's construction purposes. Said bonds are to be secured by an Indenture of First Mortgage and Deed of Trust to State Street Trust Company, as Trustee, mortgaging and pledging all the assets of Brockton (with certain specified exceptions) including its investment in the securities of Montaup Electric Company, a subsidiary company of Brockton and EUA. The application-declaration states that such issue and sale is subject to the jurisdiction of the Department of Public Utilities of the Commonwealth of Massachusetts, the State Commission of the State in which Brockton is organized and doing business.

Applicants-declarants request that the Commission's order become effective forthwith upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-8276; Filed, Sept. 15, 1948; 8:45 a. m.]

[File Nos. 70-1925, 70-1926]

WISCONSIN POWER AND LIGHT CO. AND  
MIDDLE WEST CORP.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS 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 September A. D. 1948.

Wisconsin Power and Light Company ("Wisconsin") and The Middle West Corporation ("Middle West") a registered holding company and parent of Wisconsin, having filed applications-declarations and amendments thereto pursuant to sections 6 (b) 9, 10 and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and the Rules and Regulations promulgated thereunder regarding the issuance and sale by Wisconsin of \$5,000,000 principal amount, First Mortgage Bonds, Series C, --% due September 1, 1978, pursuant to the competitive bidding requirements of Rule U-50, and the issuance and sale of 320,232 shares of common stock (par value \$10

No. 181—3

per share) at \$13.50 per share and the acquisition by Middle West of its pro rata share of the common stock proposed to be issued and sold by Wisconsin, and

The Commission having ordered the aforementioned applications-declarations, as amended, consolidated for purposes of hearing and the Commission having considered the record and having made and filed its findings and opinion herein:

*It is hereby ordered*, That applications-declarations, as amended, be, and hereby are, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24, and subject to the further conditions that the proposed issuance and sale of bonds shall not be consummated until a further order of the Public Service Commission of Wisconsin expressly authorizing the issuance and sale of said bonds be filed herein and until the results of competitive bidding with respect to said bonds pursuant to Rule U-50 shall have been made a matter of record in these proceedings, and a further order shall have been entered in the light of the record so completed which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for such purposes.

*It is further ordered*, That, in accordance with the request of Wisconsin Power and Light Company, the ten day period for inviting bids as provided in Rule U-50 be, and hereby is, shortened to a period of not less than six days.

*It is further ordered*, That jurisdiction be, and hereby is, reserved to make such further orders as may appear appropriate with respect to the issuance and sale of the common stock (\$10 par value) of Wisconsin Power and Light Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-8284; Filed, Sept. 15, 1948; 8:46 a. m.]

[File No. 70-1927]

MILWAUKEE SOLVAY COKE CO.

ORDER GRANTING APPLICATION

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 September A. D. 1948.

Milwaukee Solvay Coke Company ("Solvay") a non-utility indirect subsidiary of American Light & Traction Company ("American Light") a registered holding company, having filed an application pursuant to the provisions of section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transactions:

Solvay proposes, during October and November 1948, to borrow from two Milwaukee banks \$825,000 and to issue to the banks 120-day notes bearing interest at the rate of not more than 2% per annum. The application states that the proceeds of the loan, together with \$175,000 to be borrowed during September 1948, pursuant to the exemption

available under section 6 (b) of the act, are to be used to finance coal purchases and maintain working capital necessary to carry the company's operations through the first quarter of 1949.

It is stated that no regulatory agency other than this Commission has jurisdiction over the proposed transactions.

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

The Commission finding with respect to the application that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that it is not necessary to impose any terms or conditions, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted and deeming it appropriate to grant the request of applicant that the order become effective forthwith upon issuance:

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the application be, and the same hereby is, granted and become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 48-8232; Filed, Sept. 15, 1948; 8:46 a. m.]

[File No. 812-565]

BANKERS SECURITIES CORP. AND ALBERT M.  
GREENFIELD & Co., Inc.

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 9th day of September A. D. 1948.

Notice is hereby given that Bankers Securities Corporation ("Bankers") located at No. 1315 Walnut Street, Philadelphia 7, Pennsylvania, a registered investment company, and Albert M. Greenfield & Co., Inc. ("Greenfield Company, Inc.") a real estate brokerage company located at No. 521 Fifth Avenue, New York, New York, have jointly filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (e) (1) of the act, the receipt by Greenfield Company, Inc., of a real estate commission in connection with the sale by Asset Holding Company ("Holding Company"), a controlled company of Bankers, located at No. 972 Broad Street, Newark, New Jersey, to Roosevelt Gardens, Inc., New York, New York, of certain real estate located at No. 1155 East Jersey Street, Elizabeth, New Jersey, known as the Elizabeth Carteret Hotel.

Bankers is a closed-end, non-diversified, management investment company and is registered under the Investment Company Act of 1940. Bankers owns more than 43% of the issued and outstanding voting securities of Bankers Bond & Mortgage Guaranty Company of America, located at No. 972 Broad Street, Newark, New Jersey which, in turn owns all of the issued and outstanding voting stock of Holding Company.

Greenfield Company, Inc., a New York corporation, is a duly licensed real estate broker under the laws of New York and is a wholly-owned subsidiary of Albert M. Greenfield & Co., a Delaware corporation, Greenfield Company, Inc., is an affiliated person of Albert M. Greenfield, who, in turn, is an affiliated person of Bankers.

On July 30, 1948, Greenfield Company, Inc., negotiated an agreement for the sale by Holding Company of the real estate referred to above for the sum of \$550,000 payable \$150,000 in cash and the balance of \$400,000 represented by a ten-year purchase money mortgage with constant payments of 9% per annum on the face amount of the mortgage, of which 4½% represents interest. On the same date the purchaser and Greenfield Company Inc. agreed that Greenfield Company, Inc., shall manage the hotel property for an initial three-year period beginning September 1, 1948, at a fee of \$275 per month.

Holding Company has agreed to pay Greenfield Company, Inc. for services in negotiating the sale of the said real estate a real estate commission of \$27,500 being 5% of the sale price. Of such commission, Greenfield Company, Inc. has agreed to pay the sum of \$4,000 to Mr. Elias Nathanson of New York, New York, for his services in helping to negotiate the sale.

The receipt by Greenfield Company, Inc. of such a real estate commission is prohibited by section 17 (e) (1) of the act unless an exemption therefrom is granted by the Commission pursuant to section 6 (c) of the act.

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

Notice is further given that an order granting the application may be issued by the Commission at any time after September 22, 1948 unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act.

Any interested person may, not later than September 20, 1948, at 5:30 p. m., eastern daylight saving time, submit in writing to the Commission his views or any additional fact bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues

of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-8277; Filed, Sept. 15, 1948;  
8:45 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

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

[Vesting Order 11659]

WILLIAM STUEDEMANN

In re: Estate of William Stuedemann, deceased. File No. D-28-11222; E. T. sec. 15595.

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 Karl Becker, Ludwig Murr and William Murr, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the sum of \$1,325.72 was paid to the Attorney General of the United States by Otto C. Rentner, Executor of the estate of William Stuedemann deceased;

3. That the said sum of \$1,325.72 was accepted by the Attorney General of the United States in April 26, 1948 pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$1,325.72 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:

5. 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.

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 July 19, 1948.

For the Attorney General.

[SEAL]

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

[F. R. Doc. 48-8301; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11663]

JOHN WEBER

In re: Estate of John Weber, deceased. File No. D-69-295; E. T. sec. 12252.

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 Elizabeth Riesz (Rless), 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 \$354.13 was paid to the Alien Property Custodian by Jacob Haller, administrator of the estate of John Weber, deceased;

3. That the sum of \$354.13 was accepted by the Alien Property Custodian on October 8, 1946, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$354.13 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 July 19, 1948.

For the Attorney General.

[SEAL]

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

[F. R. Doc. 48-8302; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11904]

EMIL APPENZELLER

In re: Estate of Emil Appenzeller, deceased. File No. D-66-1631, E. T. sec. 10094.

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 Anna Barbara Stoll, 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 Emil Appenzeller, 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 the Public Administrator of New York County, 31 Chambers Street, New York, New York, as Administrator, acting under the judicial supervision of the Surrogate Court, New York County, State of New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON  
Acting Deputy Director  
Office of Alien Property.

[F. R. Doc. 48-8303; Filed, Sept. 15, 1948; 8:48 a. m.]

[Vesting Order 11907]

EBERHARD BOY

In re: Trust Agreement, dated October 30, 1938, between Eberhard Boy, by Eberhard Faber acting as Agent and Attorney in Fact for Eberhard Boy, Grantor, and R. D. W. Clapp, Trustee, and amendment thereto, dated July 8, 1940. File F-28-9343 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 Eberhard Boy, 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 and arising out of or under that certain trust agreement dated October 30, 1938, between Eberhard Boy, by Eberhard Faber acting as Agent and Attorney in Fact for Eberhard Boy, Grantor, and R. D. W. Clapp, Trustee, and amendment thereto, dated July 8, 1940, presently being administered by R. D. W. Clapp, Trustee, 1700 North Cascade Avenue, Colorado Springs, Colorado,

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 August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8304; Filed, Sept. 15, 1948; 8:48 a. m.]

[Vesting Order 11917]

CHARLES KRAUTIN

In re: Estate of Charles Krautin, a/k/a Carl F. Krautien, deceased. File No. D-28-8356; E. T. sec. 9652.

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 Frederick (Friedrich) Krautin, Gerhard Krautien, Albert Krautin, Helene Alberts nee Krautien, and Auguste Elizabeth Biebler nee Krautien, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Frederick (Friederich) Krautin, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Albert Krautin, 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 Charles Krautin, also known as Carl F. Krautien, 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 Augusta Krautin, as administratrix, acting under the judicial supervision of the Surrogate's Court of New York County, New York City, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Frederick (Friedrich) Krautin, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Albert Krautin, 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 August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8305; Filed, Sept. 15, 1948; 8:48 a. m.]

[Vesting Order 11919]

WILHELMINA HOPPE

In re: Estate of Wilhelmina Hoppe, deceased. File No. D-28-12384.

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 August Hoppe, Carl Hoppe, Clara Hoppe and Olga Hoppe, whose last

known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Wilhelmina Hoppe, 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 the Director of Finance of Monroe County, as Depository, acting under the judicial supervision of the Surrogate's Court of Monroe County, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director,*  
*Office of Alien Property.*

[F. R. Doc. 48-8306; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11920]

SEIBEI MATSUDA

In re: Estate of Seibe Matsuda, deceased. D-39-19169. E. T. Sec. 16586.

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 Toyono Matsuda, Matsuji Matsuda and Tadayoshi Matsuda, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan)

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 Seibe Matsuda, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Japan)

3. That such property is in the process of administration by Kenichi Umemoto, as administrator, acting under the ju-

dicial supervision of the Circuit Court, Fifth Circuit, Territory of Hawaii, Lihue, Kauai County, Territory of Hawaii;

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 (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 August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*  
*Office of Alien Property.*

[F. R. Doc. 48-8307; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11941]

MAGDALENA DISCHNER

In re: Rights of Magdalena Dischner under Insurance Contract. File No. D-28-12103-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 25458, issued by the Woman's Benefit Association, Port Huron, Michigan, to Mary Meyer, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 September 2, 1948

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director,*  
*Office of Alien Property.*

[F. R. Doc. 48-8308; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11944]

MARTHA OLGA HUPFER

In re: Rights of Martha Olga Hupfer under Insurance Contract. File No. F-28-3667-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 2598 041, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Martha Olga Hupfer, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8309; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11945]

EIJI IKEDA

In re: Rights of Eiji Ikeda under insurance contract. File No. F-39-4976-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 9 414 476, issued by the New York Life Insurance Company, New York, New York, to Eiji Ikeda, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director  
Office of Alien Property.

[F. R. Doc. 48-8310; Filed, Sept. 15, 1948;  
8:48 a. m.]

[Vesting Order 11946]

MRS. SHIGE IWATA

In re: Rights of Mrs. Shige Iwata under Insurance Contract. File No. F-39-6263-H-1.

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

1. That Mrs. Shige Iwata, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1031215, issued by The Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Shige Iwata, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director  
Office of Alien Property.

[F. R. Doc. 48-8311; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Vesting Order 11947]

EMILIE LUDWIG KLEIN

In re: Rights of Mrs. Emilie Ludwig Klein under Insurance Contract. File Nos. F-28-24812-H-1 and F-28-24812-H-2.

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

1. That Mrs. Emilie Ludwig Klein, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies Nos. 5402825 and 5832194, issued by The Prudential In-

urance Company of America, Newark, New Jersey, to Miss Emilie Ludwig (now Mrs. Emily Klein), together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8312; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Vesting Order 11948]

EMMA MILLER

In re: Rights of Emma Miller under Insurance Contract. File No. F-28-23336-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 94900739, issued by the Metropolitan Life Insurance Company, New York, New York, to Emma Miller, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

## NOTICES

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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*  
*Office of Alien Property.*

[F. R. Doc. 48-8313; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Vesting Order 11952]

(Mrs.) CHIKANO SAKATA

In re: Rights of (Mrs.) Chikano Sakata under Insurance Contract. File No. D-39-10529-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1,059,670, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Chikano Sakata, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise 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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*,  
*Office of Alien Property.*

[F. R. Doc. 48-8314; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Vesting Order 11953]

MARIA SPORK

In re: Rights of Maria Spork under Insurance Contract. File No. D-28-12162-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 7761020, issued by the New York Life Insurance Company, New York, New York, to Reverend Leo Oelmann, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*,  
*Office of Alien Property.*

[F. R. Doc. 48-8315; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Vesting Order 11955]

ANNE L. DORNER

In re: Bank account owned by Anne L. Dörner. F-28-18697-E-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 Anne L. Dörner, whose last known address is Hindenburgstrasse 25, Hannover, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Anne L. Dörner by The Detroit Bank, 46 State Street, Detroit, Michigan, arising out of a savings account, Account Number 234512, entitled Anne L. Dörner, maintained at the main office of the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*,  
*Office of Alien Property.*

[F. R. Doc. 48-8316; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Vesting Order 11957]

DRESDNER BANK

In re: Debts owing to Dresdner Bank. F-28-176-E-11.

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 Dresdner Bank, the last known address of which is Berlin, Germany, is a

corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended has had its principal place of business in Berlin, Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows: All those debts or other obligations owing to Dresdner Bank, by Superintendent of Banks of the State of New York in Trust for Depositors and Creditors of The Bank of United States, in Liquidation, 80 Spring Street, New York, New York, including particularly but not limited to the sum of money on deposit with Superintendent of Banks of the State of New York in Trust for Depositors and Creditors of The Bank of United States, in Liquidation, 80 Spring Street, New York, New York, in unclaimed liquidating dividend accounts, entitled Dresdner Bank, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8317; Filed, Sept. 15, 1948; 8:49 a. m.]

[Vesting Order 11958]

FRANZ HOFFELNER

In re: Bank account owned by Franz Hoffelner. F-28-22930-E-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 Franz Hoffelner, whose last known address is 42 Ruebezahstrasse,

Munich 56, Waldperlach, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Dade Federal Savings and Loan Association of Miami, 45 N. E. 1st Avenue, Miami, Florida, arising out of a savings account, account number 8548, entitled August Czurda in Trust for Franz Hoffelner, 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, Franz Hoffelner, 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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8318; Filed, Sept. 15, 1948; 8:49 a. m.]

[Vesting Order 11961]

ALBERT KIEPER ET AL.

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Albert Kieper, deceased. F-55-915-E-1.

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

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

2. That the property described as follows: That certain debt or other obligation of the United States Savings Bank, 772-774 Broad Street, Newark 2, New Jersey, arising out of a savings account, account number 111599, entitled Albert Kieper, maintained at the aforesaid

bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Albert Kieper, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Albert Kieper, 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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
Acting Deputy Director,  
Office of Alien Property.

[F. R. Doc. 48-8319; Filed, Sept. 15, 1948; 8:49 a. m.]

[Vesting Order 11965]

NOBUYOSHI TAMAI AND SATAKO TAMAI

In re: Bank accounts owned by Nobuyoshi Tamai, also known as N. Tamai, and Satako Tamai, also known as S. Tamai. D-39-12317-E-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 Nobuyoshi Tamai, also known as N. Tamai, and Satako Tamai, also known as S. Tamai, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligations owing to Nobuyoshi Tamai, also known as N. Tamai, and Satako Tamai, also known as S. Tamai, by California Bank, 625 South Spring Street, Los Angeles, California, arising out of a savings account, Account Number 5547, entitled N. Tamai or S. Tamai, maintained at the branch office of the aforesaid bank located at 21530 Sherman Way, Conoga Park, California, 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 nationals of a designated enemy country (Japan),

3. That the property described as follows: That certain debt or other obligation owing to Satako Tamai, also known as S. Tamai, by California Bank, 625 South Spring Street, Los Angeles, California, arising out of a checking account entitled (Mrs.) S. Tamai, maintained at the branch office of the aforesaid bank located at 21530 Sherman Way, Conoga Park, California, 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 Satako Tamai, also known as S. Tamai, the aforesaid national of a designated enemy country (Japan)

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 (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 September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*  
*Office of Alien Property.*

[F. R. Doc. 48-8321; Filed, Sept. 15, 1948;  
8:49 a. m.]

[Return Order 175]

ETIENNE AUGUSTIN HENRI HONORE

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

*It is ordered*, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement there-

of, be returned after adequate provision for conservatory expenses:

*Claimant and Claim Number Notice of Intention to Return Published, and Property.*

Etienne Augustin Henri Honore, Bethune, France, 35524; July 23, 1948 (13 F. R. 4246); Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to the United States Letters Patent No. 2,148,267. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 10, 1948.

For the Attorney General:

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director,*  
*Office of Alien Property.*

[F. R. Doc. 48-8326; Filed Sept. 15, 1948;  
8:50 a. m.]

[Return Order 178]

RAOUL BLANCHARD

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

*It is ordered*, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

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

Raoul Blanchard, 5 Grande Rue, La Tronche (Isere) France, 4442; July 21, 1948 (13 F. R. 4171); Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the literary work "Geography of Europe" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$2,624.45.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 13, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director*  
*Office of Alien Property.*

[F. R. Doc. 48-8327; Filed, Sept. 15, 1948;  
8:50 a. m.]

[Return Order 184]

LOUISE MARY HARDY

Having considered the claim set forth below and having issued a determination

allowing the claim, which is incorporated by reference herein and filed herewith,

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

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

Louise Mary Hardy, a/k/a Louise Hardy, New York, N. Y., 5588; July 29, 1948 (13 F. R. 4373); \$4527.24 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Louise Hardy in and to a trust created under the will of Katherine E. Carter, deceased; Trustee, Fidelity-Philadelphia Trust Company, Philadelphia, Pennsylvania.

Appropriate documents and papers effectuating this order will issue,

Executed at Washington, D. C., on September 10, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director,*  
*Office of Alien Property.*

[F. R. Doc. 48-8329; Filed, Sept. 15, 1948;  
8:51 a. m.]

[Return Order 183]

WALERY RUDNICKI

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

*It is ordered*, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

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

Walery Rudnicki, Proprietor, d/b/a "Jastrzab" & "WJR", Chmielna Street 25 m. 15, Warsaw, Poland, 5738; July 30, 1948 (13 F. R. 4409); Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4033 (9 F. R. 13269, November 8, 1944) relating to certain copyrights identified by assignments in the United States Copyright Office (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$921.08.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 10, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,  
*Acting Deputy Director,*  
*Office of Alien Property.*

[F. R. Doc. 48-8328; Filed, Sept. 15, 1948;  
8:50 a. m.]