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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

LIMITATIONS APPLICABLE TO FARM OWNERSHIP LOANS

Sections 311.21 through 311.29 in Title 6 of the Code of Federal Regulations (13 F. R. 9381) are amended and republished to read as herein set forth in order (1) to empower State Directors to authorize the approval of Farm Ownership loans with respect to farms in which the applicants may have total investments greater than $12,000 but not greater than $15,000, and to reserve to the Administrator the power to authorize the approval of Farm Ownership loans with respect to farms in which the applicants may have total investments greater than $15,000 but not greater than the county average value of farms as determined by the Secretary; and (2) to indicate a change in the title of Form FHA–493 from "Value of Applicant's Unit" to "Equity Determination and Tract Valuation."

Sec.

AUTHORITY: §§ 311.21 to 311.29 issued under sec. 41, 60 Stat. 1066; 7 U. S. C. 1015. Statutory provisions interpreted or applied are cited to text in parentheses.

DERIVATION: §§ 311.21 to 311.29 contained in FHA Instruction 401.2.

§ 311.21 *General.* The Secretary of Agriculture has determined "average values" and "investment limits" for most of the counties and parishes in the United States, its territories and possessions, in accordance with the Bankhead-Jones Farm Tenant Act, as amended. Direct or insured farm ownership loans will not be made in any county, parish, or locality until such determinations have been made for the county, parish, or locality (see § 311.30).

(Secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C. 1003, 1018)

§ 311.22 *Average value.* The "average value" for a county, parish, or locality means the average value, as determined by the Secretary of Agriculture for the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, of efficient family-type farm-management units situated in the county, parish, or locality.

(Sec. 3, 60 Stat. 1074; 7 U. S. C. 1003)

§ 311.23 *Investment limit.* The "investment limit" for a county, parish, or locality is the amount to which the total investment of a farm ownership applicant in a farm is limited, unless a greater total investment is authorized as provided in § 311.28. The total investment of a farm ownership applicant in a farm will be computed in accordance with § 311.25.

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

§ 311.24 *Fair and reasonable value of farm.* The fair and reasonable value of a farm is determined by the County Committee in accordance with §§ 321.41 to 321.44 of this chapter and is the amount certified by the Committee (on Form FHA–491, "County Committee Certification," or on Form FHA–499, "Recertification by County Committee") to be the fair and reasonable value of the farm, based upon its normal earning capacity, after contemplated improvements are made.

(Sec. 2, 60 Stat. 1074; 7 U. S. C. 1002)

§ 311.25 *Total investment in farm.* The computation of the total investment of a Farm Ownership applicant in a farm depends upon the type of Farm Ownership financial assistance for which application is made. In computing total investment, the cost of property insurance or the initial mortgage insurance charge is not included.

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

(a) For an initial direct or insured Farm Ownership loan (Tenant Purchase, Farm Enlargement, and Farm Development), the applicant's total investment in the farm will consist of the sum of the following items:

(1) The purchase price of all land or interests in land to be acquired by the applicant.

(2) The amount necessary for all planned repairs and improvements, both immediate and deferred.

(3) The amount of any necessary fees and expenses incident to making and closing the loan which are required to be paid by the applicant, whether included in the Farm Ownership loan as a service fee or paid by the applicant from personal funds.

(4) In the case of a Farm Enlargement or a Farm Development loan:

(i) The value, as determined by the County Committee (on Form FHA–493, "Equity Determination and Tract Valuation"), of the applicant's equity in the tract of land owned by the applicant which is to be enlarged or improved.

(ii) The amount necessary to refinance indebtedness against the tract of land owned by the applicant which is to be enlarged or improved, or to pay the balance due on a purchase contract covering such land.

(5) If a Tenant Purchase loan involves a tract of land in which the applicant owns an undivided fractional interest, by reason of inheritance or otherwise, and the applicant is to purchase the interests of the other heirs or joint owners (see § 316.4 of this chapter):

(i) The value of the applicant's interest in the tract.

(ii) The amount necessary to satisfy the applicant's share of liens or encumbrances against the tract.

(b) For a subsequent direct Farm Ownership loan (see §§ 333.1 to 333.10 of this chapter) not in connection with the voluntary transfer of a farm or the sale of land by the Farmers Home Administration, the applicant's total investment in the farm will consist of the sum of the following items:

(1) The unpaid amount of the applicant's Farm Ownership indebtedness.

(2) The amount of the requested subsequent loan, except such part, if any, of the requested subsequent loan as will be used for refinancing outstanding farm ownership indebtedness.

(3) The amount of any necessary fees and expenses incident to making and closing the subsequent loan which are required to be paid by the applicant and which are not included in the subsequent loan as a service fee.

(4) Any other amounts which will be paid by the applicant from personal funds in connection with accomplishing the purposes of the subsequent loan.

(5) The value, as determined by the County Committee (on Form FHA–493), of the applicant's equity in land owned by him.

(c) For a sale by the Farmers Home Administration of a family-type farm on terms and in a manner consistent with title I of the Bankhead-Jones Farm Tenant Act, as amended (see §§ 372.81 to 372.86 of this chapter), the applicant's total investment in the farm will be computed in a manner consistent with the computation of total investment for an initial tenant purchase loan.

(d) For a voluntary transfer of a farm which secures a direct Farm Ownership loan (see §§ 372.21 to 372.27 of this chapter), if a subsequent loan is requested in connection with the transfer, the applicant's total investment in the farm will be computed as in the case of an initial Tenant Purchase loan. If no subsequent loan is requested, the investment limit and the average value do not apply in connection with the transfer of a family-type farm.

(e) Each case involving a type of Farm Ownership financial assistance not described in this section will be referred to the Administrator for specific instructions.

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

§ 311.26 *Application of average values and investment limits.* No direct (initial or subsequent) or insured Farm Ownership loan for the acquisition, enlargement, or development of any farm, and no credit sale by the Farmers Home Administration of a farm on title I terms, will be approved:

(a) If the fair and reasonable value of the farm, as certified by the County Committee, exceeds the applicable average value, or

(b) If the applicant's total investment in the farm will exceed either:

(1) The investment limit (in the absence of authority from the Administrator or the State Director as provided in § 311.28), or

(2) The fair and reasonable value of the farm, as certified by the County Committee.

(Secs. 3, 43, 44, 51, 60 Stat. 1074, 1067, 1069, 1070; 7 U. S. C. 1003, 1017, 1018, 1025)

§ 311.27 *Limit on amount of insured loan.* In addition to the limitations contained in § 311.26, no insured Farm Ownership loan for the acquisition, enlargement, or development of any farm will be approved in an amount which exceeds either:

(a) Ninety percent (90 percent) of the fair and reasonable value of the farm, as certified by the County Committee, or

(b) Ninety percent (90 percent) of the applicant's total investment in the farm, if such investment is less than the certified value.

(Sec. 12, 60 Stat. 1076; 7 U. S. C. 1005b)

§ 311.28 *Action required regarding total investment in farm greater than $12,000 if county average value exceeds $12,000.* In a county where the average value exceeds $12,000, each case involving a proposed total investment in a farm greater than $12,000 may be submitted to the State Director by the State Field Representative for consideration and action in conformity with paragraphs (a) or (b) of this section, whichever is applicable. Each such request for action will be accompanied by a detailed statement of the circumstances necessitating the request, with his recommendations, together with the original loan docket and recommendations of the County Supervisor and the County Committee. Pending determination by the State Director or by the Administrator, no commitment or statement which might be interpreted as a commitment will be made with respect to the proposed loan.

(a) *Authorization by State Director of total investment greater than $12,000 but not greater than $15,000.* The State Director may authorize a total investment in the farm greater than $12,000 but not greater than $15,000, provided the State Director determines all of the following conditions are satisfied:

(1) The applicant's total investment in the farm will not exceed the fair and reasonable value of the farm, as certified by the County Committee.

(2) The fair and reasonable value of the farm, as certified by the County Committee, does not exceed the county average value, as determined by the Secretary.

(3) It is not possible for the applicant to acquire, enlarge, or improve the farm and make it an efficient family-type farm-management unit with a total investment of $12,000 or less.

(4) The proposed loan will be an unusually sound investment and is safely within the applicant's ability to repay as evidenced by one or more of the following factors:

(i) The proposed total investment is substantially less than the normal earning capacity value of the farm.

(ii) The applicant has assets or debt-paying ability greater than the minimum required for a Farm Ownership loan.

(iii) The applicant has clearly established managerial ability or farming experience superior to the minimum required for a Farm Ownership loan.

(iv) The proposed long-time farm and home plan indicates debt-paying ability substantially in excess of either the amount required for Farm Ownership payment, or the net income available for Farm Ownership payment as shown on the earning capacity report, whichever is the greater.

(b) *Authorization by Administrator of total invstment greater than $15,000.* Each case involving a proposed total investment in a farm greater than $15,000 which is submitted to the State Director may be submitted to the Administrator by the State Director for consideration if the State Director recommends a total investment greater than $15,000. In such a case, the loan docket and supporting statements submitted to the Administrator will include the State Director's recommendation. The Administrator may authorize a total investment in the farm greater than $15,000 provided the Administrator determines all of the conditions set forth in paragraph (a) (1) through (4) of this section are satisfied.

(c) *Authorization by the Administrator or the State Director of a total investment greater than $12,000 in a farm in no way constitutes approval of the loan.* The determination of the over-all fitness of the loan continues to be the responsibility of the loan approval officer, notwithstanding submission of the case to the State Director or Adminis-

trator for consideration of a proposed total investment greater than $12,000.

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

§ 311.29 *Farm situated in more than one county.* For the purposes of this subpart, if a farm lies in more than one county, parish, or locality, it will be deemed to be located in the county, parish, or locality in which the residence building of the farm is located or is to be constructed.

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

MARCH 19, 1951.

Approved: April 14, 1951.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-4569; Filed, Apr. 18, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

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

Subchapter C—Regulations and Standards Under the Farm Products Inspection Act

PART 53—MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

FEES FOR GRADING SERVICE

By virtue of the authority vested in me pursuant to § 53.35 of the regulations governing the grading and certification of meats, prepared meats, and meat products (7 CFR 1949 Supp. 53.35) under sections 203 and 205 of the Agricultural Marketing Act of 1946 (Secs. 203 and 205, 60 Stat. 1087; 7 U. S. C. 1622 and 1624) and the so-called Farm Products Inspection Act, consisting of provisions for the market inspection of farm products recurring in the annual appropriation act for the Department of Agriculture and currently found in the Department of Agriculture Appropriation Act, 1951 (Ch. VI, 64 Stat. 595, Pub. Law 759, 81st Cong.; 7 U. S. C. Supp. 414), the provisions appearing in 7 CFR 1949 Supp. 53.35a are hereby amended as follows:

1. Section 53.35a (a) is amended by changing the hourly rate for meat grading service from "$3.00" per hour to "$3.60" per hour and the minimum charge from "$1.50" to "$1.80."

2. Section 53.35a (b) is amended by changing the fees for meat grading on a weekly contract basis from "$102" to "$122.40" per calendar week as specified therein.

3. Section 53.35a (e) is amended by changing the hourly rate of "$3.00" for certain service as specified therein to "$3.60."

Fees for meat grading service are excepted from the General Ceiling Price Regulation by General Ceiling Price Regulation, Amendment 1, Supplementary Regulation 15, (16 F. R. 2903).

Since the statutory provisions under which the grading service is conducted authorize the collection of fees therefor which are reasonable and equal as nearly as may be to the cost of such service, and since the determination of the reasonableness of the fees and the cost of such service depends upon facts wholly within the knowledge of the United States Department of Agriculture, and it has been determined in the Department that the fees prescribed above are reasonable and necessary to provide revenue equal as nearly as may be to the cost of such service, it is found under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) upon good cause that notice and public procedure concerning this order are impracticable and unnecessary, and it is found under said section that good cause exists for issuance of this order effective less than 30 days after its publication.

This order shall become effective April 23, 1951.

(Sec. 205, 60 Stat. 1090, Pub. Law 759, 81st Cong.; 7 U. S. C. 1624. Interprets or applies sec. 203, 60 Stat. 1087; 7 U. S. C. 1622)

Done at Washington, D. C., this 16th day of April 1951.

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

[F. R. Doc. 51-4584; Filed, Apr. 18, 1951; 8:51 a. m.]

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

PART 962—FRESH PEACHES GROWN IN THE STATE OF GEORGIA

Notice was published in the FEDERAL REGISTER issue (16 F. R. 2441) of March 15, 1951, that the Department was giving consideration to the proposed revision of the rules and regulations (7 CFR 962.100 et seq.; Subpart—Rules and Regulations; 15 F. R. 4105) currently in effect pursuant to the amended marketing agreement and Order No. 62 (7 CFR Part 962), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order as the agency to administer the provisions thereof), it is hereby found and determined that the revision, as hereinafter set forth, of said rules and regulations is in accordance with the provisions of said amended marketing agreement and order and it is hereby approved:

SUBPART—INDUSTRY COMMITTEE REGULATIONS

DEFINITIONS

Sec.
962.100 Terms.
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SUBPART—MATURITY REGULATIONS

962.400 Maturity regulations.

AUTHORITY: §§ 962.100 to 962.400, issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c.

SUBPART—INDUSTRY COMMITTEE REGULATIONS

DEFINITIONS

§ 962.100 *Terms.* Terms used in this subpart shall have the same meaning as when used in the marketing agreement and order.

§ 962.101 *Order.* "Order" means Order No. 62, as amended (7 CFR Part 962; 15 F. R. 4105), regulating the handling of fresh peaches grown in the State of Georgia.

§ 962.102 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 99, as amended, regulating the handling of fresh peaches grown in the State of Georgia.

§ 962.103 *Adjacent market peaches.* "Adjacent market peaches" means peaches which, in accordance with a regulation issued pursuant to § 962.60 (b) of the marketing agreement and order, are permitted to be shipped only to destinations in adjacent markets.

COMMUNICATIONS AND NOTICES

§ 962.105 *Communications.* Unless otherwise provided in the marketing agreement and order or by specific direction of the Industry Committee, all communications (including, but not being limited to, reports, applications, submittals, and requests) in connection with the marketing agreement and order shall be addressed to Industry Committee, P. O. Box 1239, Macon, Georgia.

§ 962.106 *Notices.* The following newspapers are designated for the giving of notice as required by the marketing agreement and order:

Atlanta Journal, Atlanta, Ga.
Atlanta Constitution, Atlanta, Ga.
Macon News, Macon, Ga.
Albany Herald, Albany, Ga.

DISTRICT REPRESENTATION

§ 962.110 *Change in representation by districts on Industry Committee.* The

representation or membership on the Industry Committee is changed to provide for:

(a) Four (4) members to represent the South Georgia District;

(b) Three (3) members to represent the Central Georgia District; and

(c) One (1) member to represent the North Georgia District (14 F. R. 408, Jan. 29, 1949).

REGULATION OF SHIPMENTS

§ 962.120 *Adjacent market peaches, shipments of.* During each period when a grade or size regulation is in effect pursuant to § 962.60 (b) and prescribes separate requirements for shipments of adjacent market peaches, such shipments may be effected only if the adjacent market peaches are shipped in bulk (i. e. loose in the body of a truck, trailer, or other conveyance, or loose in containers, without being place-packed or ring-faced, and without liners or cushions).

§ 962.121 *Exemption certificates*—(a) *Application.* Each application (pursuant to § 962.62 *Exemption certificates*) for an exemption certificate to ship peaches of a particular variety shall be submitted to the Industry Committee on form "Grower Application for Exemption Certificate." Such form may be obtained from the Industry Committee; and the completed application shall contain the following information:

(1) Name and address of the applicant; and date;

(2) Variety of peaches for which exemption is requested;

(3) District in which the orchard where such peaches are grown is located;

(4) Location (by county, highway, rural route, distance from nearest town, etc.) of each of applicant's orchards of such variety in such district;

(5) Number and age of trees of the stated variety;

(6) Regulations from which exemption is requested;

(7) Estimated current crop (both harvested and unharvested) of such variety of peaches in such detail as required by the form of application for an exemption certificate;

(8) Estimated percentage of the aforesaid crop not meeting the requirements of the grade regulation then in effect and the reasons therefor;

(9) Estimated percentage of the aforesaid crop not meeting the minimum size requirements of the size regulation then in effect and the reasons therefor; and

(10) The aggregate number of bushels of the aforesaid crop which the applicant already (i) has shipped, and (ii) has had shipped for him.

(b) *Issuance of exemption certificate; non-issuance.* In the event the Industry Committee finds and determines, from proof satisfactory to the committee, that the applicant is entitled to an exemption certificate, the committee shall issue, or authorize the issuance of, an exemption certificate which shall permit the applicant to ship or have shipped the requisite quantity, as provided in § 962.62, of the particular variety of peaches. If the committee finds and determines that the applicant is not entitled to an exemption certificate, it shall so advise the applicant in writing, and give the reasons therefor.

(c) *Shipments pursuant to an exemption certificate.* Each grower who ships, or has shipped, any portion of his crop of such variety pursuant to an exemption certificate shall report the respective shipment promptly to the Industry Committee.

§ 962.122 *Shipments by truck.* Each handler who ships peaches in a truck during any period in which a regulation is in effect pursuant to § 962.54, § 962.55, § 962.60, or § 962.61 shall keep and maintain in the truck, until the shipment has been completed, a copy of the certificate or memorandum issued by the Federal Inspection Service or the Federal-State Inspection Service or any other inspection service designated by the Secretary, as the case may be, with regard to the respective shipment of peaches. Each such handler shall upon demand by an authorized agent or employee of the Industry Committee or any authorized agent or employee of the United States Department of Agriculture, make such copy of the certificate or memorandum available for examination by such agent or employee.

REPORTS AND SAFEGUARDS

§ 962.130 *Peaches shipped to adjacent markets.* Each handler who ships adjacent market peaches shall report daily to the Industry Committee, in such manner and on such forms as prescribed by that committee, the following information with respect to each such shipment:

(a) Name and address of the handler; and date;

(b) Originating point;

(c) Destination in adjacent markets;

(d) Truck license number, trailer license number, or other identification of the conveyance in which shipment was made;

(e) Number of bushels so shipped;

(f) The number of the inspection certificate or memorandum issued with respect to the shipment; and

(g) A certification that the information is complete and accurate.

§ 962.131 *Peaches not subject to regulation.* Each handler who ships peaches (except peaches shipped by express or parcel post, or peaches included in shipments of peaches to any person during any day by any handler if such shipments do not aggregate more than the equivalent of five (5) bushels) pursuant to § 962.71 shall report promptly to the Industry Committee, on forms provided by that committee, the following information with respect to each such shipment:

(a) Name and address of the handler; date;

(b) Shipping point;

(c) Name and address of consignee; destination;

(d) Truck license number, trailer license number, car initials and number; or other identification of the conveyance in which shipment was made;

(e) Signature of truck driver;

(f) Number and kind of containers;

(g) Total net weight of, or total number of bushels in, the shipment;

(h) Purpose for which shipped; and

(i) A certification that the information is complete and accurate.

SUBPART—MATURITY REGULATIONS

§ 962.400 *Maturity regulation.* (a) Unless otherwise indicated, terms used in this subpart shall have the same meaning as when used in the aforesaid marketing agreement and order.

(b) The regulatory provisions in § 962.54 are modified as follows: No handler shall ship peaches which do not meet the requirements for maturity set forth and defined in the U. S. Standards for Peaches (7 CFR 51.312) or as such standards may be modified, revised, or new standards promulgated: *Provided,* That not more than an average of 10 percent, by count, of the peaches contained in any bulk lot or in any lot of packages may fail to meet the said requirements for maturity, but not more than 15 percent, by count, of the peaches contained in any individual package in any lot may fail to meet the said requirements for maturity.

Done at Washington, D. C., this 16th day of April 1951, to become effective 30 days after publication in the FEDERAL REGISTER.

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

[F. R. Doc. 51-4582; Filed, Apr. 18, 1951; 8:50 a. m.]

PART 996—MILK IN THE SPRINGFIELD, MASSACHUSETTS, MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

§ 996.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and certain proposed amendments to the order regulating the handling of milk in the Springfield, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds

and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order, amending the order, effective May 1, 1951. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Any substantial consumer acceptance of concentrated milk would be reflected in a reduced volume of Class I sales in the marketing area and would result in a substantial reduction in the blend price of milk to producers. Accordingly, any further delay in the effective date of this order amending the order will seriously threaten the orderly marketing of milk in the Springfield marketing area. The provisions of the said order are well known to handlers, the public hearing having been held on March 12, 1951, the recommended decision having been published in the FEDERAL REGISTER (16 F. R. 2658) March 24, 1951, and the final decision having been executed by the Secretary on April 5, 1951. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4 (c), Administrative Procedure Act, Public Law 404, 79th Congress, 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of the milk covered by this order amending the order which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

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

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the determined representative period (February 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Springfield, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended and the aforesaid order is hereby amended as follows:

1. Amend § 996.1 (d) (4) by deleting the present language and substituting therefor the following:

(4) "Fluid milk products" means milk, flavored milk, cream, skim milk, flavored skim milk, cultured skim milk, buttermilk, and concentrated milk, either individually or collectively.

2. Amend § 996.1 (d) by adding a new subparagraph (7) as follows:

(7) "Concentrated milk" means any unsterilized liquid milk product, other than those products commonly known as evaporated milk and sweetened condensed milk, which is obtained by the evaporation of water from milk and milk to which any other milk product may be added in the process of manufacture. For purposes of this part the weight of the fluid milk products used to produce the concentrated milk shall be used rather than the actual weight of the concentrated milk.

3. Amend § 996.3 (a) (2) (i) by deleting the present language and substituting therefor the following:

(i) As being sold, distributed, or disposed of other than as or in milk, and other than as or in concentrated milk for fluid consumption, flavored milk or flavored skim milk, buttermilk, or cultured skim milk, for human consumption; and

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 16th day of April 1951, to be effective on and after the 1st day of May 1951.

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

[F. R. Doc. 51-4567; Filed, Apr. 18, 1951; 8:48 a. m.]

PART 999—MILK IN THE WORCESTER, MASSACHUSETTS, MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

§ 999.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and certain proposed amendments to the order regulating the handling of milk in the Worcester, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order, amending the order effective May 1, 1951. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Any substantial consumer acceptance of concentrated milk would be reflected in a reduced volume of Class I sales in the marketing area and would result in a substantial reduction in the blend price of milk to producers. Accordingly, any further delay in the effective date of this order amending the order will seriously threaten the orderly marketing of milk in the Worcester marketing area. The provisions of the said order are well known to handlers, the public hearing having been held on March 12, 1951, the recommended decision having been published in the FEDERAL REGISTER (16 F. R. 2658) March 24, 1951, and the final decision having been executed by the Secretary on April 5, 1951.

Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4 (c) Administrative Procedure Act, Public Law 404, 79th Congress, 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of the milk

covered by this order amending the order, which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

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

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the determined representative period (February 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Worcester, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended, and the aforesaid order is hereby amended as follows:

1. Amend § 999.1 (d) (4) by deleting the present language and substituting therefor the following:

(4) "Fluid milk products" means milk, flavored milk, cream, skim milk, flavored skim milk, cultured skim milk, buttermilk, and concentrated milk, either individually or collectively.

2. Amend § 999.1 (d) by adding a new subparagraph (7) as follows:

(7) "Concentrated milk" means any unsterilized liquid milk product, other than those products commonly known as evaporated milk and sweetened condensed milk, which is obtained by the evaporation of water from milk and milk to which any other milk product may be added in the process of manufacture. For purposes of this part the weight of the fluid milk products used to produce the concentrated milk shall be used rather than the actual weight of the concentrated milk.

3. Amend § 999.3 (a) (2) (i) by deleting the present language and substituting therefor the following:

(i) As being sold, distributed, or disposed of other than as or in milk, and other than as or in concentrated milk for fluid consumption, flavored milk or flavored skim milk, buttermilk, or cultured skim milk, for human consumption; and

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 16th day of April 1951 to be effective on and after the 1st day of May 1951.

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

[F. R. Doc. 51-4568; Filed, Apr. 18, 1951; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 6]

PART 6—ROTORCRAFT AIRWORTHINESS

SERVICE LIFE OF AUXILIARY ROTOR ASSEMBLIES AND MAIN ROTOR

The following interpretations and policies are hereby adopted:

§ 6.221-1 *Service life of auxiliary rotor assemblies (CAA interpretations which apply to § 6.221).* The requirement in § 6.221 that vibration stresses in highly stressed metal components of auxiliary rotors must not exceed safe values for continuous operation is interpreted to mean that the service life of such components should be determined by fatigue tests or by other methods found acceptable by the Administrator. The methods of service life determination for main rotor structure outlined under § 6.250-1 are considered to be acceptable in showing compliance with the pertinent portion of § 6.221.

§ 6.250-1 *Service life of main rotors (CAA policies which apply to § 6.250 (a)).* Several methods which have been found acceptable by the Administrator for determining the service life of main rotors are outlined in Appendix A[1] of this section for the guidance of the industry in complying with § 6.250 (a).

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 603, 52 Stat. 1009, as amended; 49 U. S. C. 553)

These interpretations and policies shall become effective May 1, 1951.

[SEAL] J. S. MARRIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-4580; Filed, Apr. 18, 1951; 8:50 a. m.]

[Supp. 3]

PART 33—FLIGHT RADIO OPERATOR CERTIFICATES

CONTENT AND SCOPE OF WRITTEN AND PRACTICAL EXAMINATIONS REQUIRED FOR FLIGHT RADIO OPERATOR AS PROOF OF AERONAUTICAL KNOWLEDGE AND SKILL

The following policies are hereby adopted:

§ 33.32-2 *The content and scope of the written examination required for a flight radio operator certificate as proof of aeronautical knowledge (CAA policies which apply to § 33.32).* The new policy of CAA-FCC coordination in preparing a single written examination for flight radio operator applicants is described in § 33.32-1. As a result of this change in examining procedure, United States citizens who are applicants for this certificate should take the written examination at FCC offices in the United States. This practice permits the applicant to take his written examination required by both FCC and CAA at one session, thereby avoiding duplication. FCC practices with regard to the actual administering of the examination apply in these cases.

The written examination is designed for the purpose of determining whether or not an applicant possesses the basic theoretical knowledge required for the safe performance of his duties as a flight radio operator. Since the desired aeronautical knowledge required of a flight radio operator is extensive in scope, complete coverage in the examination is not feasible. The written theoretical examination is, therefore, a sampling device wherein a limited number of questions are proposed for the purpose of determining this knowledge.

NOTE: The Administrator has compiled a study guide to aid applicants in preparing for the flight radio operator certificate written examination. This guide is contained in Appendix A[1] of Part 33.)

§ 33.33-1 *The content and scope of the practical examination required for a flight radio operator certificate in proof of aeronautical skill (CAA policies which apply to § 33.33).* All applicants for a CAA flight radio operator airman certificate must take the practical examination which is conducted by a CAA Aviation Safety Agent or a CAA designated flight radio operator examiner in the industry. The practical examination is designed for the specific purpose of determining whether or not an applicant possesses the necessary skill required for the safe performance of his duties as a flight radio operator.

NOTE: The Administrator has compiled a guide to aid applicants in preparing for the flight radio operator certificate practical examination. This guide is contained in Appendix B[1] of Part 33.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 602, 52 Stat. 1008, as amended; 49 U. S. C. 552)

These policies shall become effective May 1, 1951.

[SEAL] J. S. MARRIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-4579; Filed, Apr. 18, 1951; 8:50 a. m.]

[Civil Air Regs., Amdt. 61-4]

PART 61—SCHEDULED AIR CARRIER RULES

MECHANICAL INTERRUPTIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 13th day of April 1951.

Section 61.294 of the Civil Air Regulations currently provides that, in the event of any mechanical failure or interruption which may involve the safety of the flight, a pilot shall proceed to and land at the nearest place where a safe landing can be effected. In practice, this section has been strictly construed so that the air carriers and the pilots believe it to be obligatory for the pilot to land the aircraft at the nearest suitable airport even in those instances

[1] Not filed with the Federal Register Division.

where engines are stopped in flight for purely precautionary reasons, such as to eliminate roughness or to prevent any possible damage, and where flight beyond such an airport can be accomplished without prejudice to safety.

As a result, there is a strong compulsion on a pilot, on occasion, to fail to feather an engine as a precautionary measure because of the obvious desirability of continuing a flight to its destination. Such practice is undesirable not only because of possible engine damage but also because the failure to feather an engine as a precautionary measure might result in a fire or other serious hazard. We believe that in these and other circumstances a pilot of aircraft having four or more engines should have and, upon considerations of safety, should exercise discretionary authority to make an immediate landing or to proceed to an airport of his own selection.

To permit a pilot, where an engine fails or its rotation is stopped, to exercise such discretion, § 61.294a is added. In the proper exercise of this discretion, only factors bearing on the safe conduct of the flight may be considered; the economic convenience of continuing the flight to a base where repairs or replacements can easily be made is not a factor of safety and should not be considered. The regulations continue to require a pilot to make an immediate landing in those instances where a flight might not safely proceed to the point of next intended landing, and do not permit a pilot to land at an intermediate point after feathering an engine in flight and, without repairing the engine, to take off for a further point. It should be noted that no change has been effected in current procedure where mechanical failure other than powerplant failure is involved.

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

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 61 of the Civil Air Regulations as follows, effective May 18, 1951:

1. By amending § 61.294 to read as follows:

§ 61.294 *Mechanical failure in flight.* In the event of any mechanical failure or interruption which may involve the safety of the flight, except a powerplant failure, but including failure of a flight instrument, radio, or other essential component of the aircraft, the pilot shall proceed to and land at the nearest suitable airport in point of time where a safe landing can be effected.

2. By adding a new § 61.294a to read as follows:

§ 61.294a *Powerplant failure or precautionary stoppage.* (a) Except as provided in paragraph (b) of this section, when one engine of an aircraft fails or where the rotation of an engine of an aircraft is stopped in flight as a precautionary measure to prevent possible damage, a landing shall be made at the nearest suitable airport in point of time where a safe landing can be effected.

(b) The pilot in command of an aircraft having 4 or more engines may, if not more than one engine fails or the rotation thereof is stopped, proceed to an airport of his selection, if, upon consideration of the following factors, he determines such action to be as safe a course of action as landing at the nearest suitable airport:

(1) The nature of the malfunctioning and the possible mechanical difficulties which may be encountered if flight is continued,

(2) The altitude, aircraft weight, and useable fuel at the time of engine stoppage,

(3) The weather conditions on route and at possible landing points,

(4) The air traffic congestion,

(5) The type of terrain, and

(6) The familiarity of the pilot with the airport to be used,

(c) When engine rotation is stopped in flight, the pilot in command shall immediately notify the proper control station and shall keep such station fully informed regarding the progress of the flight.

(d) In cases where the pilot in command selects an airport other than the nearest suitable airport in point of time, he shall, upon completion of the trip, submit a written report, in duplicate, to his operations manager setting forth his reasons for determining that the selection of an airport other than the nearest (in point of time) was as safe a course of action. The operations manager shall, within 7 days after completion of the trip, furnish a copy of this report with his own comments thereon to the Administrator.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 605, 52 Stat. 1007, 1010; 49 U. S. C. 551, 554, 555)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-4593; Filed, Apr. 13, 1951; 8:51 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter C—Federal Savings and Loan System

[No. 4147]

PART 145—OPERATIONS

APPROVAL OF CHANGE IN OFFICE LOCATIONS INVOLVING A MOVE OF MORE THAN ONE MILE OR OUTSIDE OF MUNICIPALITY

APRIL 13, 1951.

Resolved, That pursuant to Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108) and § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1), notice and public procedure having been duly afforded (16 F. R. 1818), § 145.16 of the rules and regulations for the Federal Savings and Loan System (24 CFR 145.16) is hereby amended to read, effective May 19, 1951, as follows:

§ 145.16 *Change of office location.* A Federal association may not move any office from its immediate vicinity without prior approval by the Board. A move of more than one mile or move outside of the municipality in which the office is located will constitute a move of an office from its immediate vicinity. If a Federal association changes the location of its home office, as fixed in such association's charter, such charter shall be appropriately amended in accordance with the provisions thereof. Each application to the Board by a Federal association for permission to move any office of such association from its immediate vicinity shall be supported with a statement showing the need for such change of location, and the estimated expense of removal to and of maintenance at the new location. The provisions of the second sentence of this section shall not be applicable with respect to any Federal association which prior to April 19, 1951, in connection with a change of the location of any office not involving a move from the immediate vicinity of such office within the meaning of these rules and regulations and charter provisions in force and effect on such date, had purchased or leased or had legally bound itself to purchase or lease, the office quarters at the proposed new location of such office.

(Secs. 4, 5, 48 Stat. 129, 132, as amended, Reorg. Plan No. 3 of 1947, 12 F. R. 4981, 3 CFR, 1947 Supp., 61 Stat. 954; 12 U. S. C. and Sup., 1463, 1464, 5 U. S. C. Sup., 133y-16 note)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 51-4578; Filed, Apr. 18, 1951; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Supplementary Regulation 15, Amendment 1]

GCPR, SR 15 EXCEPTION FOR CERTAIN SERVICES

ADDED EXCEPTIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Supplementary Regulation No. 15 (16 F. R. 2908), is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment 1 to Supplementary Regulation 15 suspends the rates, fees, charges and compensation for, or excepts additional services from the General Ceiling Price Regulation. In formulating this regulation, the Director of the Office of Price Stabilization has given due consideration to the standards of the Defense Production Act of 1950 and has determined that the suspensions and exceptions contained in this amendment

are necessary and proper to effectuate the purposes of the act.

The amendment suspends the rates, fees, charges and compensation received by summer camps from the provisions of the General Ceiling Price Regulation for a period of six (6) months, but provides that such summer camps must maintain their customary current records to justify the rates and other charges they make during the 1951 season, during which period the Director of Price Stabilization will make continuing studies of the charges made by such summer camps. The services rendered by such camps, generally, are of a quasi-educational nature, and in many instances are operated by non-profit or charitable religious and governmental organizations for the underprivileged. Due to the seasonal nature of such operations, few, if any, were operating during the base period, December 19, 1950 to January 25, 1951, inclusive, established by the General Ceiling Price Regulation. In view of the foregoing factors, of the rapid increase in the cost of supplies and materials used in the operation of such camps since the last period in which they were operating, of the imminence of the 1951 summer camp season, and of the consequent limited time available for the establishing of proper and separate summer camp rates and the publication thereafter of such rates or rate charges, the Director of the Office of Price Stabilization has determined to suspend the rates, fees, charges and compensation of such summer camps from the provisions of the General Ceiling Price Regulation for a period of six (6) months from the effective date of this amendment to Supplementary Regulation 15 to the General Ceiling Price Regulation: *Provided nevertheless*, That such summer camps shall maintain during such period, or extension thereof, the current records required by the General Ceiling Price Regulation.

The amendment excepts from the provisions of the General Ceiling Price Regulation the rates, fees and charges which are regulated under the Packers and Stockyards Act, as amended, because these services are now subject to supervision by the United States Department of Agriculture.

It also excludes from the scope of the General Ceiling Price Regulation fees or charges for grading, inspecting, classing, testing, weighing, analyzing, or licensing that are fixed, approved, or collected by the United States Department of Agriculture. The purpose of this exclusion is to enable the Department of Agriculture to comply with the acts of Congress under which these services are rendered, which require that such fees and charges shall be reasonable and shall, as nearly as may be, cover the cost of services rendered. Since such services also are frequently carried on cooperatively with State Departments and through organizations under the authorization of the United States Department of Agriculture, and the fees so charged are subject to its confirmation, paragraph (5) (ii) of this amendment to Supplementary Regulation 15 also exempts fees of this type fixed or approved by the Department.

Fees collected or charges made by the United States Department of Agriculture under its program, for example service charges (fees) collected from producers and others under price support and other programs of CCC, and fees charged for the measurement of acreage prior to planting under certain acreage allotment programs also are exempt. Such fees and charges are based on the amounts required to reasonably defray the cost to the Government of the services rendered.

Fees and service charges for financing operations paid directly by the United States Department of Agriculture under its program such as payments made to banks and other financing institutions for services rendered in loan and other operations also are exempt. In many instances financing operations under these programs differ from normal commercial operations and rates are negotiated by the Government on the basis of the special services performed.

The Director of the Office of Price Stabilization has received inquiries concerning the applicability of the General Ceiling Price Regulation to contracts for the drilling of oil and gas wells and related services. By the custom of the trade, persons engaged in performing such services are frequently compensated not only in cash but by the transfer of an interest in the well. This is brought about by the fact that there are many unknown factors involved in these operations which create fluctuations in drilling costs. For example, the depth of the well to be drilled, the thickness or type of rock, or rock strata to be drilled through, uncontrollable hazards of lost or broken drilling equipment are among the unforeseeable items encountered in the drilling of oil wells. Accordingly, no price used or formula followed in a contract for drilling a well in one location would necessarily be applicable in an adjoining location.

Putting out oil or gas well fires is a specialized hazardous service. The occupation is of an extra-hazardous nature and the price charged is attributable to a large extent to the hazards inherent in the nature, and in the rendering of the services, and to the risk which persons participating in the work are prepared to assume. In large measure, the cost of any job is based on an imponderable factor—i. e., the value which persons engaged in the work place upon the risk to life and limb to which they are exposed. Moreover, there are only a few professional fire fighting organizations of this type throughout the country.

AMENDATORY PROVISIONS

1. Section 2 (a) of Supplementary Regulation 15 to the General Ceiling Price Regulation is hereby amended by adding subparagraph (2), as follows:

(2) *Summer camps.* The provision of the General Ceiling Price Regulation shall not apply to rates, fees, charges, and compensation for services rendered by summer camps for a period of six (6) months from the effective date of this amendment: *Provided however*, That during the period of this suspension, or any extension thereof, such summer camps shall maintain the current records required to be maintained by section 16 (b) of the General Ceiling Price Regulation.

2. Section 2 (b) of Supplementary Regulation 15 to the General Ceiling Price Regulation is hereby amended by adding sub-paragraphs (3) through (5), as follows:

(3) Drilling of oil and gas wells, including necessary operations in connection therewith, such as electrical logging services, preparation of locations, shot hole and diamond core drilling, fishing jobs, pulling, salvaging and plugging operations, fees and charges for.

(4) Fire fighting services in connection with oil and gas wells, fees and charges for.

(5) (i) Services, the rates for which are regulated by the United States Department of Agriculture under the Packers and Stockyards Act, as amended:

(ii) Grading, inspecting, classing, testing, weighing, analyzing, or licensing that are fixed, approved or collected by the United States Department of Agriculture; and fees collected or charged made by the United States Department of Agriculture under its programs, fees or charges for.

(iii) Financing operations paid directly by the United States Department of Agriculture under its programs, fees and service charges for.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

Effective date. This amendment 1 to Supplementary Regulation 15 to the General Ceiling Price Regulation shall become effective April 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

APRIL 18, 1951.

[F. R. Doc. 51-4655; Filed, Apr. 18, 1951; 10:45 a. m.]

[General Overriding Regulation 4]

GOR 4—EXEMPTIONS OF CERTAIN CONSUMER SOFT GOODS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation No. 4 is issued.

STATEMENT OF CONSIDERATIONS

This General Overriding Regulation 4 is an across-the-board regulation which creates exemptions of certain commodities from any ceiling price restrictions imposed by the Office of Price Stabilization.

The commodities exempted by this regulation are of minor significance which have but a trifling effect on the cost of living, the cost of the defense effort or general current industrial costs. These commodities are not so related to any other commodities which are important to the cost of living, the cost of

the defense effort or to general current industrial costs as to have any effect on the controls of other commodities remaining under ceiling price restrictions. Furthermore, any ceiling price restrictions imposed on these commodities would involve an administrative and enforcement burden out of all proportion to the importance of keeping them under price control.

In view of the nature of the commodities exempted, this regulation will not have any material effect on the general level of prices.

REGULATORY PROVISIONS

GENERAL PROVISIONS

Sec.
1. What this regulation does.
2. Exemption.

EXEMPTED COMMODITIES

3. Certain untanned skins of sheep or lamb.

AUTHORITY: Sections 1 to 3 issued under Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

GENERAL PROVISIONS

SECTION 1. *What this regulation does.* This regulation exempts all sales of the commodities hereinafter enumerated from any ceiling price restrictions imposed by the Office of Price Stabilization.

SEC. 2. *Exemption.* No ceiling price regulation heretofore issued or which may hereafter be issued by the Office of Price Stabilization shall apply to sales of the commodities covered by this regulation and amendments thereto.

EXEMPTED COMMODITIES

SEC. 3. *Certain untanned skins of sheep or lambs.* Untanned skins of sheep or lambs, whether domestic or foreign, with the wool still on, not including shearlings with up to one inch of wool.

Effective date. This General Overriding Regulation shall become effective on April 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

APRIL 18, 1951.

[F. R. Doc. 51-4654; Filed, Apr. 18, 1951; 10:45 a. m.]

[General Overriding Regulation 5]

GOR 5—EXEMPTIONS OF CERTAIN CONSUMER DURABLE GOODS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation No. 5 is issued.

STATEMENT OF CONSIDERATIONS

This General Overriding Regulation 5 is an across-the-board regulation which creates exemptions of certain commodities from any ceiling price regulations imposed by the Office of Price Stabilization.

The commodities exempted by this regulation are of minor significance which have but a trifling effect on the cost of living, the cost of the defense effort or general current industrial costs. These commodities are not so related to any other commodities which are important to the cost of living, the cost of the defense effort or to general current industrial costs as to have any effect on the controls of other commodities remaining under ceiling price restrictions. Furthermore, any ceiling price restrictions imposed on these commodities would involve an administrative and enforcement burden out of all proportion to the importance of keeping them under price control.

In view of the nature of the commodities exempted, this regulation will not have any material effect on the general level of prices.

REGULATORY PROVISIONS

GENERAL PROVISIONS

Sec.
1. What this regulation does.
2. Exemption of certain commodities.

EXEMPTED COMMODITIES

3. Sphygmo-oscillometers.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret of apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

GENERAL PROVISIONS

SECTION 1. *What this regulation does.* This regulation exempts all sales of the commodities hereinafter enumerated from any ceiling price restrictions imposed by the Office of Price Stabilization.

SEC. 2. *Exemption.* No ceiling price regulation heretofore issued or which may hereafter be issued by the Office of Price Stabilization shall apply to sales of the commodities covered by this regulation and amendments thereto.

EXEMPTED COMMODITIES

SEC. 3. *Sphygmo-oscillometers.* Devices for measuring blood pressure and patency of arteries, known as sphygmo-oscillometers.

Effective date. This General Overriding Regulation shall become effective on April 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

APRIL 18, 1951.

[F. R. Doc. 51-4653; Filed, Apr. 18, 1951; 10:45 a. m.]

Chapter XII—Defense Minerals Administration, Department of the Interior

[Mineral Order 2, Amdt. 1]

MO-2—MANGANESE ORE

Mineral Order 2, issued February 16, 1951, is hereby amended by deleting the phrase "DMA Form", wherever it appears in the order and substituting therefor the phrase "Form MF".

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies sec. 101, Pub. Law 774, 81st Cong., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61, 3 CFR, 1950 Supp.)

Effective upon publication in the FEDERAL REGISTER.

JAMES W. DOUGLAS,
Acting Administrator,
Defense Minerals Administration.

[F. R. Doc. 51-4675; Filed, Apr. 18, 1951; 11:53 a. m.]

Chapter XV—Federal Reserve System

[Regulation W, Interpretation 34]

REG. W—CONSUMER CREDIT

INT. 34—AUTOMOBILE APPRAISAL GUIDES

Automobile appraisal guides. In Interpretation 31 (16 F. R. 2037) the Board designated for purposes of Regulation W the specified editions and reprints of appraisal guides approved by the Office of Price Stabilization for purposes of ceiling price regulation. This designation was in addition to the Board's previous designation of regularly scheduled issues of the appraisal guides for purposes of Regulation W.

Since it is understood that some of the appraisal guide publishers propose to discontinue publication of their regularly scheduled issues for April and subsequent months, the Board's designation with respect to all such regular issues was withdrawn as of April 1, 1951, until further notice. Effective April 1, 1951, the Board's designation of appraisal guides for purposes of Regulation W is accordingly limited to those specified editions and reprints approved by the Office of Price Stabilization for purposes of the ceiling price regulation.

All other conditions of the Board's appraisal guide designations continue to apply, including the condition that the retail value to be used for purposes of Regulation W shall not include any added value for a radio or heater.

(Sec. 5, 40 Stat. 415, as amended, sec. 601, Pub. Law 774, 81st Cong.; 50 U. S. C. App. 5, E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-4553; Filed, Apr. 18, 1951; 8:46 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

ATLANTIC OCEAN OFF DELAWARE COAST; LAKE ERIE, WEST END

Pursuant to the provisions of Chapter XIX of the Army Appropriation Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), §§ 204.25 (b) (3) and 204.187 (b) are hereby amended, as follows:

§ 204.25 *Atlantic Ocean off Delaware coast; antiaircraft artillery firing areas, Second Army.* * * *

(b) *The regulations.* * * *

(3) Prior to the conducting of each firing practice, the danger zones will be

adequately patrolled to insure that no watercraft are within the danger zones and to warn any watercraft in a danger zone that firing practice is to take place. Any such watercraft shall, upon being so warned, immediately leave the area designated and shall remain outside the area until the conclusion of the firing practice.

* * * * *

§ 204.187 *Lake Erie, west end, north of Erie Ordnance Depot, Lacarne, Ohio.* * * *

(b) *Area for seasonal antiaircraft firing from Camp Perry and Locust Point, Ohio, by National Guard of Ohio and Pennsylvania, under jurisdiction of Headquarters, Second Army, Fort George G. Meade, Md.*—(1) *The danger zone.* That part of Lake Erie bounded as follows: Beginning at a point on the south shore of Lake Erie at longitude 83°05' 19", in the vicinity of Locust Point; thence to latitude 41°45'14", longitude 83°12'18"; thence to latitude 41°46'45", longitude 83°11'23"; thence to latitude 41°48'58", longitude 83°05'54"; thence to latitude 41°42'52", longitude 82°52' 47"; thence to latitude 41°38'36", longitude 82°56'49"; thence to latitude 41°35' 31", longitude 82°54'47"; thence approximately 241°15' true to a point on the south shore of Lake Erie at the pier at Camp Perry; and thence northwesterly along the shore to the point of beginning.

NOTE: The danger zone will be marked by buoys.

(2) *The regulations*—(i) *Antiaircraft firing periods.* Firing in the area will take place from 8:00 a. m. to 12:00 m. and from 1:30 to 5:00 p. m. on certain days other than Saturdays and Sundays between July 10 and August 10 of each year, as listed in public notice to be issued prior to July 1 of each year by the District Engineer, Corps of Engineers, Detroit, Michigan.

NOTE: Firing in the area will take place on the following days in 1951 (all dates inclusive): July 16 to 20, 23 to 27, 30 and 31; August 1 to 3, and 6 to 10.

(ii) *Navigation prohibited.* No vessel shall enter or remain in the danger zone during a firing period unless specific permission is granted in each case by one of the representatives of the enforcing agency policing the area in patrol boats. These boats will be in constant radio communication with the Safety Controls Station, Erie Ordnance Depot, and the danger zone will be under radar and visual surveillance when in use.

(iii) *Warning flag.* On days when antiaircraft firing is to be conducted a large red flag will be displayed from the range observation tower at the Erie Ordnance Depot from 7:00 a. m. until firing ceases for the day.

(iv) *Enforcing agency.* The danger zone and the patrolling thereof shall be under the control of the Commanding Officer, Erie Ordnance Depot, and such agencies as he may designate. Equipment used in clearing the area will fly or expose a square red flag.

(v) *Seasonal restrictions additional.* The restrictions imposed on navigation by this paragraph are additional to those imposed by paragraph (a) of this section.

[Regs. Mar. 28, 1951, 800.2121—ENGWO] (Sec. 4, 28 Stat. 362, as amended. 33 U. S. C. 1. Interpret or apply 40 Stat. 892; 33 U. S. C. 3)

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

[F. R. Doc. 51-4576; Filed, Apr. 18, 1951; 8:49 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS OF MOTOR CARRIERS

ANNUAL REPORTS OF CARRIERS OF PROPERTY OTHER THAN CLASS I CARRIERS

At a session of the Interstate Commerce Commission, Division 1, held in its office in Washington, D. C., on the 7th day of March A. D. 1951.

The matter of annual reports from Motor Carriers of Property other than Class I carriers being under consideration:

It is ordered, That the order dated February 14, 1950, in the matter of annual reports from Motor Carriers of Property other than Class I (49 CFR 205.3) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1950, and subsequent years, as follows:

§ 205.3 *Annual reports of carriers of property other than Class I carriers.* Each Common and Contract Motor Carrier of Property other than Class I carriers, § 181.02–1 of this subchapter, shall file an annual report for the year ending December 31, 1950, and for each succeeding year until further order, in accordance with Motor Carrier Annual Report Form B which is hereby approved and made a part of the order.[1] The annual report shall be filed in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before April 30 of the year following the one to which it relates.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

NOTE: Budget Bureau No. 60–R–266.2 Approval expires 8–30–51.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-4571; Filed, Apr. 18, 1951; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF HEARING BY DEPARTMENT OF THE INTERIOR IN CONNECTION WITH PROPOSED WITHDRAWAL FOR DEPARTMENT OF THE ARMY OF PUBLIC LANDS IN VICINITY OF GULKANA

APRIL 16, 1951.

Notice is hereby given that a public hearing will be held by Lowell M. Puckett, Regional Administrator, Bureau of Land Management, Department of the Interior, at 10 a. m. on May 19, 1951, in the U. S. Court Room, Federal Building, Anchorage, Alaska, with respect to the request of the Department of the Army for the withdrawal from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, of the public lands in the following-described area comprising approximately 771,920 acres in the vicinity of Gulkana, for use as an artillery range:

Beginning at corner common to secs. 18 and 19, T. 4 N., R. 1 W., and secs. 13 and 24, T. 4 N., R. 2 W., C. R. M. thence by metes and bounds:

North, 1 mile to SW corner sec. 7, T. 4 N., R. 1 W.
East, 2 miles to SE corner sec. 8.
North, ½ mile to ¼ corner common to secs. 8 and 9.
West, 1 mile to ¼ corner common to secs. 7 and 8.
North, ½ mile to NE corner sec. 7.
West, ½ mile to ¼ corner common to secs. 6 and 7.
North, ½ mile to center sec. 6.
West, ½ mile to West ¼ corner sec. 6, T. 4 N., R. 1 W.
North, 1 mile to West ¼ corner sec. 31, T. 5 N., R. 1 W.
East, 1 mile to ¼ corner common to secs. 31 and 32.
North, 1 mile to ¼ corner common to secs. 29 and 30.
West, ½ mile to center sec. 30.
North, 1 mile to center sec. 19.
East, 1¼ mile to west right-of-way line of Richardson Highway.
Northeasterly, 1½ miles along west right-of-way line.
West, 2 miles.
North, 33 miles.
West, 30 miles.
South, 40 miles.
East, 30 miles to point of beginning.

The Commanding General, United States Army, Alaska, represented by Lt. Colonel L. M. Stewart, Lt. Colonel S. L. Cone, and Major J. S. Merrell, will represent the Department of the Army at the hearing.

The hearing will be open to the attendance of all interested persons, including individuals, local officers, officers of Federal and Territorial agencies, and representatives of individuals or organizations.

All persons wishing to be heard with respect to the proposed withdrawal should inform one of the following persons before the time designated: Marion Clawson, Director, Bureau of Land Management, Washington 25, D. C., before May 9, 1951; or Lowell M. Puckett,

[1] Filed as part of the original document.

Regional Administrator, Bureau of Land Management, Federal Building, Anchorage, Alaska, before May 19, 1951. Those desiring to submit written statements should submit them as soon as possible prior to the hearing.

DALE E. DOTY,
Assistant Secretary of the Interior.

[F. R. Doc. 51-4595; Filed, Apr. 18, 1951; 8:51 a. m.]

Geological Survey

LOUISIANA AND WYOMING

DEFINITIONS OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of structures defined effective as of the dates shown:

NAME OF FIELD, EFFECTIVE DATE, AND ACREAGE

(*3a*) *Louisiana*

Romere Pass Field January 9, 1950, 1,520.

(*9*) *Wyoming*

Bison Basin Field (revision), July 19, 1947, 600.
Fiddler Creek Field, March 28, 1951, 9,160.
Happy Springs Field, May 16, 1950, 920.

W. E. WRATHER,
Director.

[F. R. Doc. 51-4549; Filed, Apr. 18, 1951; 8:45 a. m.]

National Park Service

DORCHESTER HEIGHTS NATIONAL HISTORIC SITE

DESIGNATION

Whereas, the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas, The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has declared that Dorchester Heights in the City of Boston, Massachusetts, is of national significance as commemorative of the evacuation of Boston by the British troops under General Howe on March 17, 1776, the first great military success of the Americans in the War of the American Revolution; and

Whereas, a cooperative agreement has been made between the City of Boston of the Commonwealth of Massachusetts and the United States of America, providing for the designation, preservation, and use of Dorchester Heights as a national historic site:

Now, therefore, I, Oscar L. Chapman, Secretary of the Interior, by virtue of and pursuant to the authority contained in the act of August 21, 1935 (49 Stat. 666; 16 U. S. C. sec. 462), do hereby designate the following described lands, together with all historic structures thereon and all appurtenances connected therewith, to be a national historic site, having the name "Dorchester Heights National Historic Site":

All that certain tract of land in the South Boston District of Boston, comprising approximately two hundred thirty-six thousand three hundred fifty-four square feet, and bounded southerly, westerly, and northerly by Thomas Park and easterly by land of Boston now occupied by the South Boston High School, as shown on plate 16 of the Atlas of South Boston published by G. W. Bromley & Co. in the year 1910, together with Memorial Tower at Dorchester Heights.

The administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the above-mentioned cooperative agreement and the act of August 21, 1935.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, at the City of Washington, this 12th day of April 1951.

[SEAL] OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 51-4550; Filed, Apr. 18, 1951; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

RESPECTIVE ALLOCATION AND PRIORITY RESPONSIBILITIES OF DEPARTMENT OF COMMERCE AND DEPARTMENT OF AGRICULTURE IN CONNECTION WITH FOODS WHICH HAVE INDUSTRIAL USES

MEMORANDUM OF AGREEMENT

Part A: General. The Administrator of the National Production Authority, United States Department of Commerce, and the Administrator of the Production and Marketing Administration, United States Department of Agriculture, adopt the following principles as the basis of this agreement:

1. Pursuant to Executive Orders Nos. 10161 and 10200 (15 F. R. 6105; 16 F. R. 61) and Defense Production Administration Delegation No. 1 (16 F. R. 738), the Department of Agriculture (hereinafter referred to as "Agriculture") has the responsibility for food which is defined to include all commodities and products, simple, mixed, or compound, or complements to such commodities or products, that are capable of being eaten or drunk by either human beings or animals, irrespective of other uses to which such commodities or products may be put, at all stages of processing from the raw commodity to the products thereof in vendible form for immediate human or animal consumption. In the case of food for human or animal consumption, these responsibilities include that of effective distribution. For those foods which have industrial uses, jurisdiction would normally pass to the Department of Commerce (hereinafter referred to as "Commerce") at the point where the foods are no longer capable of being eaten or drunk.

2. There are also included within the definition of food, for which Agriculture has responsibility, starches, sugars, vegetable and animal fats and oils, cotton, tobacco, wool, mohair, hemp, flax fiber, and naval stores. As a rule, jurisdiction over such commodities will pass to Commerce when they lose their identity as food or agricultural commodities or products.

3. The provisions of this agreement insofar as fibers are concerned are limited to those specifically mentioned in Executive Order No. 10161 and have the purpose of defining the points at which the items named lose their identity as agricultural commodities or agricultural products.

4. Some major food commodities in which both Agriculture and Commerce have an interest are indicated in Part B of this agreement. For each of these commodities the point at which the jurisdiction of Agriculture will end is indicated; and it is to be assumed, without specific mention in all cases, that the jurisdiction of Commerce will begin at that point.

5. The points at which the jurisdiction of Agriculture will end are expressed in terms of particular stages of production or processing. In most cases, the points are merely a specific definition of the division of authority as provided in Executive Order No. 10161; in others, they represent the division of responsibility considered to be most reasonable and workable from an administrative point of view. It is understood that imports and exports of commodities in any form prior to the cut-off stage will be within the authority of Agriculture, subject, in the case of exports, to the exercise of any licensing functions vested in any other agency.

6. Agriculture will, with noted exceptions, allocate and exercise priority controls to the cut-off point, taking into account claims presented by the claimant agency. However, the sub-allocation of food and agricultural commodities and products to the specific firms responsible for converting these items into non-food and non-agricultural commodities or products will be made in accordance with the recommendations of the claimant agency.

7. It is understood that relationships in connection with particular functions and particular commodities may have to be amplified later, but it is agreed that unnecessary exceptions to the basic cut-off point should be avoided. It is recognized that there will be situations in which operations of the same firm will be affected by the exercise of the respective authorities of the two agencies under this agreement. To avoid overlapping and duplication of reporting and related operations in such situations, it is agreed that the two agencies will work out specific cooperative arrangements whereby the facilities of one of the agencies shall be utilized by the other or that other efforts will be made to provide the most feasible arrangements for ad-

ministering necessary program controls. Nothing in this agreement is to be interpreted as precluding either agency from requesting revision hereof or from making such recommendations as it may deem desirable concerning matters within the jurisdiction of the other.

8. The allocation and priority functions of Commerce referred to above have been delegated to the Administrator of the National Production Authority by Department of Commerce Order 123 (as amended January 24, 1951). The allocation and priority functions of Agriculture referred to above have been delegated to the Administrator of the Production and Marketing Administration by Secretary's Memorandum No. 1270 (15 F. R. 6424), as amended (16 F. R. 2446).

Part B: Particular commodities. The following list identifies some major food and agricultural commodities and commodity groups in which both Agriculture and Commerce have some interest and gives the point at which Agriculture ceases to have jurisdiction and the jurisdiction of Commerce begins.

1. Commodities which are the responsibility of Agriculture until they enter any manufacturing process which results in their being neither food nor agricultural commodities or products (some examples of which are set forth in parentheses after the name of the commodity):

a. *Egg products.* (Shampoos, products used in printing, pharmaceuticals).

b. *Fats and oils.* (Paints, soap, varnishes, lacquers, printer's ink, cosmetics, pharmaceuticals).

c. *Grain and grain products, including dextrin, corn syrups, grain sugars, lactic acid, gluten, and low-grade wheat flour.* (Textiles, adhesives, leather, core binders, pharmaceuticals, nonbeverage alcohol).

d. *Molasses, including blackstrap and high-test, and potatoes.* (Non-beverage alcohol.)

e. *Spices.* (Cosmetics.)

f. *Starches.* (Adhesives, asbestos, textiles, explosives.)

g. *Sugars.* (Insecticides, plasticizing agents, adhesives.)

h. *Tartaric acid.* (Products used in photography, dyeing, textile printing.)

2. Commodities with specifically designated points of division of responsibility:

a. *Cotton lint and linters, hemp and flax fiber.* To be a responsibility of Agriculture until opening the bale for the purpose of processing in the mill in which it is opened. However, the responsibility of Agriculture shall extend to the delivery and distribution of soft types of cotton waste but shall not include control over the use of such waste in the mill producing it.

b. *Skim milk for casein.* To be a responsibility of Agriculture until it enters the precipitation process for manufacturing casein.

c. *Wool and mohair.* Agriculture shall be responsible for exercise of control over the delivery and distribution and inventories of wool and mohair (grease and scoured, shorn and pulled), except that inventories of scoured wool or scoured mohair held by manufacturers for their use in producing other products, whether by incorporation in to such products or otherwise, shall be controlled by Commerce. The responsibility of Agriculture shall extend to the delivery and distribution of noils but shall not include control over the use of noils in the mill producing them.

3. Commodities which are the sole responsibility of the designated Department:

a. *Ice.* To be a responsibility of Agriculture.

b. *Naval stores.* To be a responsibility of Commerce subject to prior consultation with Agriculture, provided that Agriculture has the responsibility for production of gum naval stores through the first processing of the gum.

c. *Tobacco and tobacco products.* To be a responsibility of Agriculture.

d. *Miscellaneous commodities.* Hides and leather, hair and bristles, feathers, soap, detergents, beeswax, pharmaceuticals (including medicines and vitamins), acetic acid, chemical leavening compounds (except as otherwise noted), salt—to be a responsibility of Commerce.

It is recognized that there may be needed for food use quantities of the commodities which, under this agreement, are the responsibility of Commerce, and that in connection with the production of some of these commodities raw materials may be needed which, under this agreement, are the responsibility of Agriculture. In cases of this kind and for other commodities which, for purposes of brevity, have not been mentioned in this list, cut-off points will be worked out as the need arises.

Part C: Explanatory Notes. This agreement deals only with food and agricultural commodities and products which involve industrial uses. The list of these commodities and products is not all-inclusive but it does cover the major items for which jurisdiction might become a problem. The agreement does not attempt to cover all relationships between the respective Departments.

Identification of basic point where responsibility is divided:

1. Commodities such as fats and oils, grain products, egg products, starch from all sources, spices, and tartaric acid are used for the manufacture of so many non-food or non-agricultural products that it seems impractical in a statement of policy to enumerate all of these products and to identify in each case the exact beginning process. Consequently, the principle for determining the respective jurisdiction of the two Departments in cases of this type is expressed broadly and supplemented by a few examples of non-food and non-agricultural products so as to clarify the application of the principle. These examples are not all-inclusive.

2. In determining the principle, consideration has been given wherever possible to the structure of the industry. The wet-milling industry, for example, is large and integrated and it is desirable that Agriculture have jurisdiction over the raw products while they are a part of this industry and until they enter the processes of other industries which result in their becoming non-food or non-agricultural products. As an illustration, corn starch for textile sizing would be under the jurisdiction of Agriculture while it is extracted from the corn and prepared for use by the textile industry. It would still be under the jurisdiction of Agriculture until it enters the textile manufacturing process which would be performed by a different industry and, in this case, a different plant.

3. In order to further clarify the dividing line on fats and oils, the following list shows major fats and oils and fat and oil products for which Agriculture has responsibility and the major products of fats and oils and products in the production of which fats and oils are used, which fall under the jurisdiction of Commerce:

a. *Fats and oils and edible fat and oil products under jurisdiction of Agriculture:*

i. *Animal and fish fats and oils:*

Cod oil.
Cod liver oil.
Dogfish oil.
Dogfish liver oil.
Fulachon oil.
Fatty acids.
Foots.
Herring oil.
Lard.
Marrow.
Menhaden oil.
Neat's-foot oil.
Oleic acid.
Oleo oil and oleo stearin.
Oleo stock.
Pilchard oil.
Sardine oil.
Salmon oil.
Seal oil.
Shark oil.
Shark liver oil.
Soap stocks.
Sod oil.
Stearic acids.
Swordfish liver oil.
Tallows and greases.
Tuna fish liver oil.
Whale oil.
Wool grease and lanolin.
Other animal fats and oils.
Other fish and marine fats and oils.
Other fish and marine liver oils.
Combinations and mixtures of animal and/or fish and/or marine oils, or any of them.

ii. *Vegetable fats and oils:*

Babassu nut oil.
Cashew nut oil and nut shell oil.
Castor oil.
Coconut oil.
Cocoa butter.
Cohune oil.
Corn oil.
Cottonseed oil.
Essential oils.
Fatty acids.
Hemp seed oil.
Kapok seed oil.
Lecithin.
Linseed oil.
Murumuru oil.
Mustard seed oil.
Oiticica oil.
Olive oil.
Ouricury oil.
Palm kernel oil.
Palm oil.
Peanut oil.
Perilla oil.
Poppy seed oil.
Rapeseed oil.
Safflower oil.
Sesame oil.
Soap stocks.
Soybean oil.
Stearic acids.
Sunflower seed oil.
Tallows and greases.
Tea seed oil.
Rubberseed oil.
Tucum oil.
Tung oil.
Other vegetable nut and seed fats and oils, not otherwise specified.
Combinations and mixtures of vegetable fats and oils, or any of them.

iii. Combinations and mixtures of animal, fish, marine, and vegetable nut and seed fats and oils, or any of them.

iv. Edible fat and oil products:

Cooking oil and compounds.
Lard compounds.
Margarine.
Salad oils.
Shortenings.
Other edible fat and oil products.

b. *Products of fats and oils and products in the production of which fats and*

oils are used, under the jurisdiction of Commerce:

Glycerine.
Paints, varnishes, lacquers.
Coated fabrics and floor coverings.
Soap.
Printer's ink.
Fatty alcohols, salts, gums.
Inedible products of fats and oils.

c. *Division of responsibility with regard to tall oil.* The production of tall oil shall be under the jurisdiction of Commerce and the distribution of tall oil shall be under the jurisdiction of Agriculture.

4. In the case of skim milk for casein, it is possible to identify more exactly the point at which responsibility is divided. Skim milk for casein would pass out of the jurisdiction of Agriculture when it enters the precipitation process.

5. Although it is provided that Commerce would be responsible for the overall allocation of all naval stores, it is recognized that Agriculture has, by reason of programs administered by it, a substantial interest in such allocations. Therefore, it is also provided that Commerce will consult with Agriculture in formulating policy in connection with any contemplated action in this field to insure to the extent possible the avoidance of conflict with programs administered by Agriculture. Agriculture will be responsible for the various functions relating to the production of gum naval stores until the gum is processed and the resultant rosin is in the drums ready for shipment and the turpentine is in bulk tanks. Commerce would be responsible for the production, distribution and processing of all wood naval stores.

6. While admittedly beyond the scope of Executive Order No. 10161, Agriculture is given jurisdiction over tobacco products. This assignment of responsibility reflects thinking on the part of tobacco specialists and apparent interests of the trade. However, salt, pharmaceuticals (including medicines and vitamines), hides and leather, and some other commodities and products named would be assigned to Commerce even though some of them have definite food implications.

In order to effectuate the provisions of this agreement, the parties hereto further agree to delegate to each other the requisite authority for the exercise of the allocation and priority functions vested in them in accordance with the understanding and agreement expressed herein.

PRODUCTION AND MARKETING ADMINISTRATION,
RALPH S. TRIGG,
Administrator.

MARCH 30, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

APRIL 13, 1951.

[F. R. Doc. 51-4577; Filed, Apr. 18, 1951; 8:49 a. m.]

DEPARTMENT OF COMMERCE

National Production Authority

FOODS WHICH HAVE INDUSTRIAL USES; MEMORANDUM OF AGREEMENT

CROSS REFERENCE: For memorandum of agreement concerning the respective allocation and priority responsibilities of the Department of Commerce and the Department of Agriculture in connection with foods which have industrial uses, see F. R. Doc. 51-4577 under Department of Agriculture, Production and Marketing Administration, *supra*.

[NPA Del. 7 is Amended Apr. 17, 1951]

DEL. 7—DELEGATION OF AUTHORITY TO DIRECTORS OF REGIONAL OFFICES AND MANAGERS OF DISTRICT OFFICES OF COMMERCE DEPARTMENT TO ADMINISTER NPA ORDER M-4

NPA Del. 7 is amended by redesignating the paragraphs and by adding a new paragraph 3.

Del. 7 as amended reads as follows:

1. Pursuant to the authority of section 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Delegation 1, January 24, 1951; and U. S. Department of Commerce Order 123 as amended, the following administrative functions to be performed pursuant to NPA Order M-4 are delegated to the Directors of the Regional Offices of the U. S. Department of Commerce, and the Managers of the District Offices of the U. S. Department of Commerce, specified in List A of this delegation:

(a) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for an authorization to commence construction pursuant to section 6 of NPA Order M-4.

(b) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for adjustment and exception based upon unreasonable hardship pursuant to section 11 of NPA Order M-4.

(c) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for exemption where the prohibition of such construction would not be in the interest of the national defense pursuant to section 11 of NPA Order M-4.

2. Actions taken by a Regional Director or District Manager pursuant to this delegation shall be signed as follows:

National Production Authority
By _____
(Name and Title)

3. Whenever the Regional Director or District Manager is absent from his office for a period longer than 3 days, he is authorized to delegate to the person placed in charge of the office during his absence the right to sign the name of the Regional Director or the District Manager to actions taken pursuant to this delegation.

This delegation as amended shall take effect on April 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

REGIONAL OFFICES TO WHOSE DIRECTORS THIS DELEGATION EXTENDS

Region I—1800 Customhouse, Boston 9, Mass.
Region II—42 Broadway, New York 4, N. Y.
Region III—Jefferson Building, 1015 Chestnut Street, Philadelphia 6, Pa.
Region IV—Room 2, Mezzanine, 801 East Broad Street, Richmond 19, Va.
Region V—418 Atlanta National Building, 50 Whitehall Street SW., Atlanta 3, Ga.
Region VI—410 Union Commerce Building, 925 Euclid Avenue, Cleveland 14, Ohio.
Region VII—1150 McCormick Building, 332 South Michigan Avenue, Chicago 4, Ill.
Region VIII—338 Midland Bank Building, 401 Second Avenue South, Minneapolis 1, Minn.
Region IX—2400 Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.
Region X—Room 1114, 1114 Commerce Street, Dallas 2, Tex.
Region XI—142 New Customhouse, Nineteenth and Stout Streets, Denver 2, Colo.
Region XII—306 Customhouse, 555 Battery Street, San Francisco 11, Calif.
Region XIII—809 Federal Office Building, 909 First Avenue, Seattle 4, Wash.

DISTRICT OFFICES TO WHOSE MANAGERS THIS DELEGATION EXTENDS

314 United States Appraisers' Stores Building, 103 South Gay Street, Baltimore 2, Md.
1038 Federal Building, 230 West Fort Street, Detroit 26, Mich.
Chamber of Commerce Building, 310 San Francisco Street, El Paso, Tex.
224 Post Office Building, 135 High Street, Hartford 1, Conn.
602 Federal Office Building, Houston 14, Tex.
425 Federal Building, 311 West Monroe Street, Jacksonville 1, Fla.
1546 United States Post Office and Court House, 312 North Spring Street, Los Angeles 12, Calif.
229 Federal Building, Memphis 3, Tenn.
947 Seybold Building, 36 Northeast First Street, Miami 32, Fla.
1508 Masonic Temple Building, 333 St. Charles Avenue, New Orleans, La.
1013 New Federal Building, 700 Grant Street, Pittsburgh 19, Pa.
217 Old United States Court House, 520 Southwest Morrison Street, Portland 4, Oreg.
327 Post Office Annex, Providence 3, R. I.
910 New Federal Building, 1114 Market Street, St. Louis 1, Mo.
508 Post Office Building, 350 South Main Street, Salt Lake City 1, Utah.
518 Bedell Building, 118 Broadway, San Antonio, Tex.
631 Federal Building, Louisville 2, Ky.

[F. R. Doc. 51-4623; Filed, Apr. 17, 1951; 1:51 p. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6350]

PUBLIC SERVICE COMMISSION OF MARYLAND ET AL.

NOTICE OF APPLICATION, COMPLAINT AND PETITION

APRIL 13, 1951.

Public Service Commission of Maryland v. Pennsylvania Water & Power Company, Susquehanna Transmission Company of Maryland, Safe Harbor Water Power Corporation, and Consol-

idated Gas Electric Light and Power Company of Baltimore; Docket No. E-6350.

Take notice that on April 10, 1951, the Public Service Commission of Maryland, pursuant to the Federal Power Act, filed its petition under section 10, its application under section 202 (a) and (b), and its complaint under section 207 in which it named the following parties: Consolidated Gas Electric Light and Power Company of Baltimore, Pennsylvania Water & Power Company, Susquehanna Transmission Company of Maryland, and Safe Harbor Water Power Corporation.

The Public Service Commission of Maryland prays that the Federal Power Commission take such action and issue such orders with respect to the Pennsylvania Water & Power Company and Safe Harbor Water Power Corporation hydroelectric plants on the Susquehanna River located at Holtwood and Safe Harbor, Pennsylvania, as may be necessary to assure development of the river for beneficial public uses; direct Pennsylvania Water & Power Company, Susquehanna Transmission Company of Maryland, and Safe Harbor Water Power Corporation to maintain the existing physical connections of their transmission facilities with each other and with Consolidated Gas Electric Light and Power Company of Baltimore in order that the economic operation of their facilities and the maximum integration of the resources of the river shall continue; issue orders to assure the Maryland public of the continued delivery of a fair portion of the energy generated on the river and to determine the proper service to be furnished by Pennsylvania Water & Power Company and Safe Harbor Water Power Corporation to Consolidated Gas Electric Light and Power Company of Baltimore; and issue orders to preserve to the public the economies heretofore achieved by the coordination of the facilities of the utilities listed above.

Any person desiring to be heard or make any response with reference to the application, complaint and petition should on or before May 13, 1951, file with the Federal Power Commission, Washington 25, D. C., an answer, petition or protest in accordance with the Commission's rules of practice and procedure. The application, complaint and petition is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-4552; Filed, Apr. 18, 1951; 8:46 a. m.]

[Docket Nos. G-1210, G-1236, G-1264]

EUGENE H. COLE ET AL.

ORDER GRANTING REHEARING IN PART AND WAIVING INTERMEDIATE DECISION PROCEDURE

APRIL 12, 1951.

In the matters of Eugene H. Cole (Erie Gas Service Company, Inc.), Docket No. G-1210; Lake Shore Pipe Line Company, Docket No. G-1236; Grand River Gas Transmission Company, Docket No. G-1264.

Grand River Gas Transmission Company (Grand River) on March 14, 1951, filed a petition for rehearing with respect to the Commission's Opinion No. 205 and accompanying order issued February 15, 1951, in which the Commission granted Lake Shore Pipe Line Company (Lake Shore) a certificate of public convenience and necessity, subject to certain conditions, to acquire, construct and operate natural-gas transmission facilities to provide natural-gas service in the Northeastern Ohio area. In the same opinion and order, the Commission denied the mutually exclusive applications of Grand River and Eugene H. Cole (Erie Gas Service Company, Inc.) for such certificate and dismissed the motion filed on January 29, 1951, by Grand River to reopen these proceedings for the purpose of taking additional evidence.

Eugene H. Cole (Erie Gas Service Company, Inc.) (Erie) on March 19, 1951, filed an application for reconsideration and vacation, or in the alternative, for a rehearing and vacation of the Commission's Opinion No. 205 and accompanying order.

In its petition, Grand River requests the Commission to reverse or vacate its Opinion No. 205 and accompanying order, and thereafter either: (1) Award a certificate of public convenience and necessity to Grand River, or (2) reopen these proceedings for the purpose of receiving evidence now required to be submitted by ordering paragraphs A (i) to A (iv) of the present order, and evidence of additional market requirements in the Painesville-Fairport (Ohio) area arising since the date of the hearing herein.

In its application, Erie requests the Commission to reconsider and vacate its Opinion No. 205 and accompanying order and thereafter either: (1) Grant a certificate of public convenience and necessity to Erie or (2) reopen the proceedings for the purpose of taking further evidence with respect to the proposed acquisition and operation by Lake Shore of the old pipe line between Ashtabula and Fairport, Ohio, together with the other issues raised by Erie in its application for reconsideration.

In their respective filings, both Grand River and Erie allege errors and omissions in the opinion and accompanying order relating to questions of fact. They also allege errors of law.

Grand River contends, among other things, that while the Commission's Opinion No. 205 and accompanying order purport to be a final decision, it cannot properly be so considered. In support of this contention, Grand River cites the caption of the Commission's order issued December 6, 1950, in these proceedings, "requiring certification of the record for initial decision;" and section (8) (a) of the Administrative Procedure Act, 60 Stat. 237, 5 U. S. C. 1001. No exceptions to the opinion and accompanying order, however, were filed by any party prusuant to § 1.31 of the Commission's rules of practice and procedure (18 CFR 1.31). It also alleges that the so-called "90-day provisions" of the opinion and accompanying order—which require Lake Shore to conduct proper tests of the existing pipe line facilities proposed to be acquired and to submit to the Commission under oath within 90 days from the issuance of the order complete information with respect to the tests, together with a showing satisfactory to the Commission that the cost of service which appears in this record will not be appreciably increased as the result of such information—are contrary to due process of law and to the Administrative Procedure Act unless a full additional hearing is held thereunder.

Among Erie's contentions are that the so-called "90-day provisions" are contrary to provisions of the Natural Gas Act, particularly sections 7 (c) and 7 (e) thereof, and the intent of Congress at the time of the enactment of the act inasmuch as they negate the finding required by section 7 (e) that the applicant "is able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the act and the requirements, rules, and regulations of the Commission thereunder."

Although it was our intention by the order issued on December 6, 1950, to require the certification of the record in these proceedings to us for final decision, the proper finding required by § 1.30 (c) (2) of our rules of practice and procedure was not made. However, the record in these proceedings showed and we now find that the public convenience and necessity required that natural-gas service be made available to the Northeastern Ohio area as soon as possible. Delay in reaching a decision in these proceedings would correspondingly have delayed the construction of the facilities proposed to the detriment of the public in the area. It was and is desirable and in the public interest that there be an end to these proceedings as soon as practicable in order that natural-gas service may be provided to the Northeastern Ohio area within the calendar year 1951 to meet that area's urgent need. In view of the foregoing, it is reasonable that we, upon our own motion pursuant to § 1.30 (c) (2) of the rules, omit the intermediate decision in the proceedings heretofore held.

Upon consideration of the petition for rehearing filed by Grand River and the application of Erie for reconsideration and vacation or in the alternative for a rehearing and vacation, and upon further consideration of the evidence and all matters of record, particularly our findings and order in Opinion No. 205 and accompanying order issued on February 15, 1951, the Commission further finds:

(1) No new facts have been presented or alleged and no new questions of law other than those stated above, have been presented by the various assignments of error by Grand River and Erie in their respective filings which were not fully considered by the Commission before it entered its Opinion No. 205 and accompanying order or which would justify a revision thereof.

(2) Good cause has been shown by both Erie and Grand River for the granting of their respective applications to the extent only that a rehearing should be held with respect to the following issues:

(i) Whether Lake Shore is able and willing properly to do the acts and to

perform the service proposed by means of the 27-year old pipeline extending from Ashtabula, Ohio, to Fairport, Ohio.

(ii) Whether such line is adequate to render the service proposed.

(iii) Whether the results of the tests required by the Commission to be made of such line show that Lake Shore's construction costs, rate base or cost of service will be higher than heretofore has appeared in the record.

(iv) In the event the results of the tests required by the Commission to be made of such line show that Lake Shore's construction costs, rate base or cost of service will be higher than heretofore has appeared in the record, whether the public convenience and necessity require the acquisition, construction and operation proposed by Lake Shore or the construction and operation proposed by Grand River or Erie.

(3) The applications of Grand River and Erie except to the extent herein granted should be denied.

(4) The Commission's Opinion No. 205 and accompanying order should be stayed, to the extent hereinafter provided.

(5) Due and timely execution of its functions imperatively and unavoidably required that the intermediate decision procedure in the proceedings already held in these consolidated dockets be omitted.

The Commission orders:

(A) A rehearing only on the issues enumerated in Finding No. 2 be and the same hereby is granted, such rehearing to be held at date and place to be fixed by the Commission.

(B) The petition of Grand River Gas Transmission Company for rehearing and the application of Eugene H. Cole (Erie Gas Service Company, Inc.) for reconsideration and vacation, or in the alternative, for a rehearing and vacation of the Commission's Opinion No. 205 and accompanying order, as to all matters other than those concerning which a rehearing is granted in paragraph (A) hereof, be and the same hereby are denied.

(C) The Commission's order accompanying Opinion No. 205, issued February 15, 1951, be and it is hereby stayed until further order of the Commission, except as to subsections (i) and (ii) of paragraph A.

(D) The intermediate decision in the proceedings herein already held is omitted in accordance with the provisions of § 1.30 (c) (2) of the Commission's rules of practice and procedure (18 CFR 1.30 (c) (2)).

Date of issuance: April 13, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-4551; Filed, Apr. 18, 1951; 8:46 a. m.]

[Docket No. G-1655]

ATHOL GAS CO.

NOTICE OF APPLICATION

APRIL 13, 1951.

Take notice that Athol Gas Company (Applicant), a Massachusetts corporation, with its principal place of business at Athol, Massachusetts, filed on April 5, 1951, an application pursuant to section 7 (a) of the Natural Gas Act, as amended, for an order of the Commission directing Northeastern Gas Transmission Company (Northeastern) to extend and to establish physical connection of its proposed transportation facilities, authorized by the Commission to be constructed and operated by Northeastern in Commission's Opinion No. 202 and accompanying order issued November 8, 1950, and to sell natural gas to Applicant.

Applicant is engaged in the business of manufacturing and distributing gas in the town of Athol, Massachusetts, by virtue of the acquisition on February 9, 1951, by Applicant of the gas properties of Athol Gas and Electric Company in connection with the separation of the latter's gas properties from its electric properties. Applicant serves approximately 1,654 customers in the Town of Athol only, which is in the territory proposed to be served by Northeastern in Docket No. G-1267 and Docket No. G-1568.

Applicant states that it is the contention of Northeastern that, although Athol Gas and Electric Company was among the companies Northeastern was authorized to serve in the Commission's Opinion No. 202 and accompanying order issued November 8, 1950, said order did not authorize any facilities with which to deliver gas to Athol.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 3d day of May 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-4559; Filed, Apr. 18, 1951; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26011]

ALUMINA, CALCINED, OR HYDRATED, FROM BATON ROUGE AND NORTH BATON ROUGE, LA., TO SOUTH AUGUSTA, GA.

APPLICATION FOR RELIEF

APRIL 16, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1167.

Commodities involved: Alumina, calcined or hydrated, carloads.

From: Baton Rouge and North Baton Rouge, La.

To: South Augusta, Ga.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1167, Supp. 30.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-4570; Filed, Apr. 18, 1951; 8:48 a. m.]

[Ex Parte No. 175, Ex Parte No. 175 (Sub-No. 1)]

INCREASED FREIGHT RATES, 1951

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 13th day of April A. D. 1951.

1. A petition was filed with the Interstate Commerce Commission on January 16, 1951, by the railroads listed in Appendix I thereof, being substantially all the class I railroads in the United States and many railroads of other classes, which requests the Commission to institute an investigation into the adequacy of railway freight rates and charges of the petitioners, with the object of effecting general increases in freight rates and charges as set forth in Appendix II thereof; and also seeks permission to make such increased rates and charges effective at the earliest possible date, upon less than statutory notice; and prays for the entry of a general order modifying all outstanding orders of the Commission to the extent necessary to enable the railroads to make the proposed increased rates and charges effective, and also for the entry of appropriate orders under sections 4 and 6 of the Interstate Commerce Act. A subsequent amendment modified the petition in certain matters of detail.

On January 19, 1951, the petitioners filed a "Motion for Immediate Increase in Freight Rates and Charges on an Interim Basis," which sought authority to put the increased freight rates and charges described into effect on an interim basis, on short notice, pending final determination of the proceeding. Other carriers concurred in the motion. After hearing, the Commission on March 12, 1951, sustained the motion in part, and, by its report and orders, authorized certain increases to be made by the petitioners and other carriers, parties to the proceeding. Tariff publications were filed by petitioners pursuant to the orders of the Commission.

By a "Petition of Railroads to Supplement and Amend Their Original Peti-

tion", filed with the Commission on March 28, 1951, the carriers named in Appendix B thereto asked leave to supplement and further amend their original petition, so as to seek authority to make effective much greater increases in their rates and charges than originally sought. By order April 12, 1951, leave to amend the petition was granted by the Commission, and the scope of the investigation under the above caption is understood to include such amended petition and any similar amended petitions that may be filed by interveners.

2. The proceeding has been assigned for further hearing at the offices of the Commission in Washington, D. C., commencing at 9:30 o'clock a. m., May 14, 1951. The Commission contemplates that at such hearing testimony will be produced on behalf of the petitioners and others in their behalf, and also testimony of a general or national character on the part of any party. Testimony will also be received with respect to particular commodities by parties who are prepared to proceed at that time. It is contemplated that additional hearings will be scheduled to be held as the progress of the proceeding indicates to be necessary or desirable.

3. Upon the further hearing, all matters of evidence already received will be considered as part of the record, and need not be reintroduced or duplicated.

4. For the orderly and convenient conduct of the proceeding: *It is ordered*, That in addition to the general rules of practice before the Commission, the appended special instructions and rules of procedure shall be followed.

By the Commission.

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

APPENDIX—SPECIAL RULES OF PROCEDURE AND INSTRUCTIONS GOVERNING THE FURTHER HEARING

Interventions. Petitions of intervention by carriers, other than the petitioners, seeking similar relief should comply with the general rules of practice, Rule 72. It is not necessary for carriers which have already intervened to ask similar relief to that sought in the petition (as initially amended), to refile or amend their petitions unless other relief is asked.

Persons appearing in opposition to the petition herein, or in opposition to similar petitions of carriers other than those filing the original petition, will be considered as protestants, and may be heard without the filing of petitions of intervention.

Simplification of presentations. To conserve time and avoid expense, it is strongly urged that persons with common interests in the proceeding shall, to the greatest extent possible, endeavor to consolidate their presentation of testimony, and arrange for cross-examination by as few counsel as possible.

Evidence offered should be prepared carefully with conciseness and clarity, and so as to avoid extraneous, immaterial, and irrelevent matter, and undue cumulation of testimony or of witnesses upon any point. It should be factual in character, and argument should be reserved for the oral argument stage, and not be incorporated in the testimony.

Basic data of a voluminous character should not be submitted in evidence if it is possible to make it available for inspection by other parties, for instance, by temporarily lodging it with the Commission.

Exhibits. In the preparation of exhibits, Rules of Practice 81 to 84, inclusive, should be followed. If possible, all documents to be submitted by a witness should be embraced in a single exhibit, with pages consecutively numbered, suitably bound together. In order to supply the State Commissioners, members of this Commission, and counsel in the proceeding, at least 250 copies of each exhibit should be prepared. So far as possible exhibits should be made self-explanatory, in order to minimize the amount of time required for explanation by oral testimony.

Use of portions of record made in other proceedings. Parties desiring to present for the record a portion of the record in any other proceeding before the Commission should comply with Rule 82 of the general rules of practice.

Stipulation as to use of Commission's records, and other data. The petitioners have stipulated and agreed in writing, for all purposes in the proceeding, various documents filed with or issued by the Commission may be noticed and considered by it. That stipulation is considered as in force throughout this proceeding. The documents were described in the Appendix to the Special Rules of Procedure upon the hearing of the motion for interim relief, January 24, 1951, to which reference is made for particularity.

Prepared statements. Witnesses who expect in the course of their oral testimony to read from a written statement should comply with Rule 77 of the rules of practice. They should have sufficient copies thereof to supply opposing counsel present, the presiding officers and the official reporter. Such written statements should be furnished counsel a reasonable time before the appearance of the witness on the stand. To conserve time, it is suggested that such statements be prepared and offered in the manner indicated in the paragraph below, relating to verified statements, instead of being submitted orally by a witness on the stand.

Witnesses who will use prepared statements should remember that extensive tabular matter should be submitted separately, as an exhibit. Extensive tabular matter cannot be copied into the transcript of oral testimony.

Verified statements (affidavits). Evidence in the form of verified statements (affidavits) without personal appearance of the affiant as a witness may be received in the absence of objection, as hereinafter specified.

The Commission desires for its own use 20 copies of each verified statement, with accompanying exhibit or exhibits firmly attached. Copies for the Commission should be filed with the Secretary of the Commission by the dates herein stated. Verified statements of evidence in chief on behalf of petitioners and parties in support of petitioners should be filed on or before April 30, 1951. Evidence on behalf of protestants (parties other than respondents) should be filed with the Commission at or before the opening of the hearing.

Parties other than petitioners should also furnish 75 copies of each verified statement to E. H. Burgess, B. & O. Building, Baltimore, 1, Md., for distribution by him to the petitioners in the three rate territories, and should furnish 5 copies to W. S. Jermain, 140 Cedar Street, New York 6, N. Y., for the use of the steamship lines, petitioners in Sub-No. 1, and should furnish 20 copies to Giles Morrow, 1220 Dupont Circle Building, Washington 6, D. C., for the use of the freight forwarders, interveners on behalf of the petitioners and themselves. In addition, the petitioners and all other parties should be prepared with a sufficient number of copies for general distribution of verified statements to counsel present at the hearing.

Verified statements received will be open to public inspection promptly upon filing, at the office of the Commission in Washington, D. C.

Notice of objections to the receipt in evidence of any verified statement should be filed with the Commission and a copy be given to the affiant promptly, and if not so given, it will be considered that objection is waived. But objection to the weight to be accorded the statement of facts is reserved.

If cross-examination of a witness is desired by any party, written request therefor must be given to the Commission or to the witness or his attorney as promptly as circumstances permit, and in time to enable the witness to reach Washington not later than the third day of the hearing, otherwise the privilege of cross-examination will be deemed to be waived.

Witnesses receiving such notice of desire for cross-examination must report at the hearing, or their verified statements cannot be received.

Verified statements should conform to the rules of practice in respect of style, mimeographing or printing, etc. They should be limited strictly to statements of fact, and contain no argument, and if not so limited may be excluded. The Commission on its own motion or on objection may exclude a verified statement or any portion thereof which (a) is not material or relevant to the questions presented in this proceeding, (b) is obviously incompetent, or (c) is argumentative in character. If the affiant is produced and gives oral testimony at the hearing, in the discretion of the Commission the verified statement may be excluded. In the absence of objection to introduction of the verified statement it will be unnecessary for the affiant to appear personally at the hearing.

All verified statements previously or hereafter received in evidence will be part of the record in the proceeding, upon which the Commission will base its decision.

Notice of intention to produce testimony. Persons who desire to be heard will facilitate necessary arrangements by sending notice of their intention by letter or telegram to the Commission at Washington, so as to reach the Commission before May 8, 1951, which shall state the number of witnesses, and the approximate amount of time considered necessary for presentation of direct testimony.

Correspondence. Correspondence relative to this matter should be addressed to the Interstate Commerce Commission at Washington 25, D. C., and not to a particular Commissioner, with a reference to the docket number, Ex Parte No. 175 or Ex Parte No. 175 (Sub-No. 1) or both, as the case may be.

[F. R. Doc. 51-4572; Filed, Apr. 18, 1951; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

F. M. ANDREWS ET AL.

MEMORANDUM OPINION AND ORDER REVOKING REGISTRATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of April A. D. 1951.

In the matter of F. M. Andrews, 258 Merchant Street, Abilene, Texas; Owen R. Cafferkey, 806 Ratcliffe Avenue, Shreveport Louisiana; W. H. Carraher, 218 East Third Street, Wichita, Kansas; Lum Clay d/b/a Clay Investment Company, 240 Key Building, Oklahoma City, Oklahoma; J. F. Colley, 660 First National Building, El Paso, Texas; L. B. Embrey, Rex Hotel, Shreveport, Louisi-

ana; John C. McKeel, 625 Northwest Eighteenth Street, Oklahoma City, Oklahoma; Floyd S. Nelson d/b/a Floyd S. Nelson & Company, 606 Southwestern Life Building, Dallas, Texas.

These are proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("the act") to determine whether the registrants named above, each of whom is registered as a broker and dealer or as a dealer only, willfully violated section 17 (a) of the act and Rule X-17A-5 thereunder and, if so, whether it is in the public interest to revoke their registrations.[1]

The proceedings were instituted by separate notices and orders for hearing issued on January 12, 1951. On the same day copies of the notices and orders were sent by registered mail to the addresses last furnished us by the registrants. These registered notices were returned to us by the Post Office Department with notations indicating that the registrants could not be found at the addresses given.[2]

On November 28, 1942, we promulgated Rule X-17A-5 under section 17 (a) of the act, which provides, among other things, that every registered broker or dealer must file with this Commission a report of financial condition during each calendar year commencing with the year 1943. Promulgation of the rule was announced by publication in the FEDERAL REGISTER, by release to the press, and by distribution to persons on our mailing list.

The registrations of the registrants became effective prior to 1943, and have not been withdrawn, cancelled, revoked or suspended. Our records show that none of the registrants filed the required reports during any year from 1943 through 1949.

Upon review of the records in these proceedings we have concluded that each of the registrants violated section 17 (a) of the act and Rule X-17A-5 thereunder as a result of his failure to file such reports. We conclude also that such violations were willful within the meaning of section 15 (b).[3]

We conclude, on the basis of the foregoing, that it is necessary in the public interest to revoke the registration of each of the registrants. However, in view of the fact that our records do not show whether any of them actually received personal notice of the scheduled hearings, and to avoid any possible prejudice to them, our order will provide that the revocation of registrations be without prejudice to a motion on the part of any registrant to reopen the proceedings and to seek, upon a proper showing, to set aside the order of revocation applicable to said registrant.[4]

Accordingly it is ordered, That the registrations of F. M. Andrews, Owen R. Cafferkey, W. H. Carraher, Lum Clay, doing business as Clay Investment Company, J. F. Colley, L. B. Embrey, John C. McKeel and Floyd S. Nelson, doing business as Floyd S. Nelson & Company, be, and they hereby are, revoked without prejudice to a motion by any of the said registrants to reopen the record in the proceeding and, upon a proper showing, to set aside the order of revocation applicable to said registrant.

By the Commission.

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

[F. R. Doc. 51-4556; Filed, Apr. 18, 1951; 8:46 a. m.]

[File No. 54-192]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of April A. D. 1951.

Bartholomew A. Brickley, Trustee of International Hydro-Electric System ("IHES"), a registered holding company, having filed on March 26, 1951, an application pursuant to section 11 (d) of the Public Utility Holding Company Act of 1935 ("the act") seeking authorization to make quarterly payments of 87½ cents per share to the holders of the Convertible $3.50 Series of Preferred Stock of IHES, pending determination of plans and proposals now before the Commission for compliance with the Commission's order of July 21, 1942, for the liquidation and dissolution of IHES; and

The Commission having on March 26, 1951, issued a notice of filing of said application, fixing April 9, 1951, as the last day for the filing of objections to the granting thereof; and

Paul H. Todd and B. W. Simpson, Class A stockholders, and the Class A Stockholders Protective Committee of IHES having filed objections to the granting of said application and having requested that a hearing be held with respect thereto; and

The Commission deeming it appropriate that a hearing be held:

It is ordered, That a hearing on said application be held on the 26th day of April 1951 at 10 o'clock a. m., e. s. t., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 193 will designate the room in which such hearing will be held.

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

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

(1) Whether it is fair and equitable to the other security holders of IHES to make such payments to the preferred stockholders;

(2) Whether the granting of the Trustee's application is compatible with expeditious compliance with the Commission's order for the liquidation and dissolution of IHES.

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

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Bartholomew A. Brickley, Trustee, and to all other persons who have entered their appearance in behalf of preferred or Class A stockholders of IHES in this proceeding or in the reorganization proceeding, File No. 54-164, or to their several attorneys of record, and that notice be given to all other persons by publication of a copy of this notice and order in the FEDERAL REGISTER, and by general release of the Commission distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935.

By the Commission.

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

[F. R. Doc. 51-4557; Filed, Apr. 18, 1951; 8:46 a. m.]

[File No. 2415]

NATIONAL FUEL GAS CO. ET AL.

SUPPLEMENTAL ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of April, A. D. 1951.

In the matter of National Fuel Gas Company, United Natural Gas Company, Ridgeway Natural Gas Company, St. Marys Natural Gas Company, Smethport Natural Gas Company, Mercer County Gas Company; File No. 70-2415.

By interim order dated June 30, 1950 (Holding Company Act Release No. 9956) this Commission granted and permitted to become effective, in part, a joint application-declaration filed by National Fuel Gas Company ("National"), a registered holding company, and its subsidiaries, United Natural Gas Company ("United"), Ridgeway Natural Gas Company ("Ridgeway"), St. Marys

[1] Section 15 (b) provides in part: "The Commission shall, after appropriate notice and opportunity for hearing, by order * * * revoke the registration of any broker or dealer if it finds that such * * * revocation is in the public interest and that (1) such broker or dealer * * * (D) has willfully violated any provision * * * of this title, or of any rule or regulation thereunder.

[2] Our orders and notices instituting these proceedings provided that the same be published in the FEDERAL REGISTER not later than 15 days prior to February 15, 1951. Pursuant to this provision the orders and notices were published in the FEDERAL REGISTER of January 18, 1951. 16 F. R. 479-483.

[3] Sidney Ascher, — S. E. C. — (1950), Securities Exchange Act Release No. 4474.

[4] Ibid.

Natural Gas Company ("St. Marys"), Smethport Natural Gas Company ("Smethport") and Mercer County Gas Company ("Mercer"); and

Said interim order of the Commission permitted consummation of the following transactions as steps preliminary to the consolidation and merger of all of the applicants-declarants other than National, i. e., (i) the payment by Mercer and the receipt by National of a dividend of $3,707.48 constituting Mercer's "paid in" surplus; and (ii) the sale by National and the repurchase by Ridgeway, St. Marys and Smethport of 8,300, 3,550 and 1,200 shares, respectively, of their common stock; and

Said interim order reserved jurisdiction over all other aspects of the proposed transactions, including the exchange by National of the balance of the common stocks of the merging companies for new common stock of United and the proposed consolidation and merger which was subject to the approval of the Public Utility Commission of Pennsylvania and which approval had not then been obtained; and

The applicants-declarants having filed, as a further amendment in these proceedings, a copy of an order of the Public Utility Commission of Pennsylvania dated March 19, 1951, approving said consolidation and merger, and applicants-declarants having requested the Commission to enter its supplemental order granting and permitting the joint application-declaration to become effective for all purposes as soon as possible; and

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective with respect to all the transactions proposed:

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

By the Commission.

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

[F. R. Doc. 51-4554; Filed, Apr. 18, 1951; 8:46 a. m.]

[File No. 70-2598]

NEW ENGLAND GAS AND ELECTRIC ASSN. AND ALGONQUIN GAS TRANSMISSION CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of April A. D. 1951.

New England Gas and Electric Association ("Negea"), a registered holding company, and one of its subsidiaries, Algonquin Gas Transmission Company ("Algonquin"), having filed a joint application-declaration and amendments thereto pursuant to sections 6 (b), 7, 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 ("the act") and Rule U-43 promulgated thereunder with respect to the following proposed transactions:

Algonquin proposes to issue and sell not more than 77,500 additional shares of its $100 par value common stock by means of an offering to its stockholders, pursuant to preemptive rights, at a price of $100 per share, and under an arrangement which would permit Algonquin to receive the consideration from its accepting stockholders in the form of temporary, noninterest bearing advances on open account, to be subsequently converted into such common stock.

Negea proposes to acquire such number of shares of Algonquin's common stock as will increase the investment of Negea in such stock to an amount not exceeding $3,000,000, but in no event representing, in the aggregate, more than 37½ percent of Algonquin's presently authorized 100,000 shares of common stock.

The Commission having issued a notice of filing pursuant to Rule U-23 which directed that any interested person might, not later than April 11, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert; and

A request for a hearing having been received on behalf of certain unnamed persons who are said to hold in excess of 500 common shares of Negea; and

The Commission having considered such request and not deeming it appropriate in the public interest or the interest of investors and consumers to issue an order for a hearing on said application-declaration; and

The Commission finding with respect to this application-declaration, as amended, that all of the applicable statutory standards are satisfied and that there is no basis for any adverse findings, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith:

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

It is further ordered, That the request for a hearing be, and the same hereby is, denied.

By the Commission.

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

[F. R. Doc. 51-4555; Filed, Apr. 18, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

[Vesting Order 17602]

CREDIT SUISSE

In re: Accounts maintained in the name of Credit Suisse, Lausanne, Switzerland, and owned by persons whose names are unknown. F-63-60 (Lausanne).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A attached hereto and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts, excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country.

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Suisse Lausanne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
1. Bankers Trust Co. 16 Wall St., New York, N. Y.	(a) Custodian cash account, (b) Custodian cash account general ruling No. 6 account, and (c) miscellaneous stocks; as described by the Bankers Trust Co. in its report on form OAP-700, bearing its serial No. CU 21.
2. Guaranty Trust Co. of New York, 140 Broadway, New York 15, N. Y.	(a) Deposit account Credit Suisse general ruling No. 6 account Case St., Francois No. 1152, Lausanne, Switzerland, as described by Guaranty Trust Co. of New York in its report on form OAP-700, bearing its serial No. FB 152; (b) Miscellaneous portfolio of stocks and bonds a/c XC-4654, as described by Guaranty Trust Co. of New York in its report on form OAP-700, bearing its serial No. CU 0017.
3. The National City Bank of New York, 55 Wall St., New York 5, N. Y.	(a) Current account, as described by The National City Bank of New York in its report on form OAP-700, bearing its serial No. 0087; (b) Miscellaneous portfolio of stocks, as described by The National City Bank of New York in its report on form OAP-700, bearing its serial No. B 20.
4. Credit Suisse, New York Agency, 30 Pine St., New York 5, N. Y.	(a) Current account, (b) blocked general ruling No. 5 account, (c) blocked general ruling No. 6 account, and (d) Miscellaneous portfolio of bonds; as described by Credit Suisse New York Agency in its report on form OAP-700, bearing its serial No. 22.

[F. R. Doc. 51-4586; Filed, Apr. 18, 1951; 8:51 a. m.]

[Vesting Order 17591]

DR. LUDWIG RIECHELMANN ET AL.

In re: Securities owned by and debts owing to Dr. Ludwig Riechelmann and others. F-28-31094.

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

1. That the persons, whose names and addresses are as follows:

Names and Addresses

Dr. Ludwig Riechelmann, Gotha, Germany.
Max Welz, Frankfort-on-Main, Germany.
Rudolph Kaul, Cologne, Germany.
F. Anton Mettel, Minden, Westphalia, Germany.
Anna Knoetzke, Berlin, N. W., Germany.
Fritz Ortenbach and Sophie Ortenbach, Heidelberg, Germany.
Karl Erich Dubuse, Eifel, Germany.
Johann Peter Arns, Remscheid, Germany.
Oskar de Roche, Wiesbaden, Germany.
Dr. Max Ott, Winsen on the Aller, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

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

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

4. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Hallgarten & Co., presently in the custody of Hallgarten & Co., 44 Wall Street, New York, New York, and constituting a portion of the securities held by said Hallgarten & Co., in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

b. Those certain shares of stock, described in Exhibit B, attached hereto and by reference made a part hereof, registered in the name of Wertheim & Co., presently in the custody of Wertheim & Co., 120 Broadway, New York, New York, and constituting a portion of the securities held by said Wertheim & Co., in a blocked account entitled "Banque Commerciale, S. A., Luxembourg", together with all declared and unpaid dividends thereon,

c. Those certain bonds, in bearer form, described in Exhibit C, attached hereto and by reference made a part hereof, presently in the custody of Hallgarten & Co., 44 Wall Street, New York, New York, and constituting a portion of the securities held by said Hallgarten & Co., in an account entitled "Banque Commerciale, S. A.", together with any and all rights thereunder and thereto,

d. Twenty-three (23) shares of $5.00 par value common stock of Crown Central Petroleum Corp., American Building, Baltimore, Maryland, a corporation organized under the laws of the State of Maryland, being a part of those shares evidenced by certificate numbered C 09037 for 73 shares of the above described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

e. Forty-six (46) shares of $100.00 par value common stock of Texas & Pacific Railroad Company, Dallas, Texas, being a part of those shares evidenced by a certificate numbered F 19505 for 59 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon.

f. Seventy-three (73) shares of common capital stock of Atlas Corporation, 33 Pine Street, New York, New York, a corporation organized under the laws of the State of Delaware, being a part of those shares evidenced by a certificate numbered C 47376 for 100 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon.

g. Seventy and sixty one-hundredths ($70^{60}/_{100}$) shares of $15 par value common stock of Socony Vacuum Oil Co., Inc., 26 Broadway, New York, New York, a corporation organized under the laws of the State of New York, being a part of those shares evidenced by a certificate numbered NYB 406020 for 100 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon.

h. Forty-five and one hundred eighty two-hundredths ($45^{180}/_{200}$) shares of $25 par value capital stock of Standard Oil Company of New Jersey, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, being a part of those shares evidenced by a certificate numbered GC 914112 for 54 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon.

i. Seven and one hundred twenty-five two-hundredths ($7^{125}/_{200}$) shares of $25 par value capital stock of The Texas Company, 135 E. 42d Street, New York, New York, a corporation organized under the laws of the State of Delaware, being a part of those shares evidenced by a certificate numbered TO 332633 for 10 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New

York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

j. Twenty-seven (27) shares of $5.00 Dividend Convertible Preferred stock no par value of Gillette Safety Razor Company, 15 W. 1st Street, Boston, Massachusetts, a corporation organized under the laws of the State of Delaware, being a part of those shares evidenced by a certificate numbered NPO 45004 for 32 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

k. Forty-six (46) shares of $10 par value common capital stock of General Motors Corporation, 3044 W. Grand Blvd., Detroit, Michigan, a corporation organized under the laws of the State of Delaware, being a part of those shares evidenced by a certificate numbered G 104371 for 98 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

l. Thirty-six (36) shares of no par value common stock of International Nickel Company of Canada, Ltd., Copper Cliffs, Ontario, Canada, being a part of those shares evidenced by a certificate numbered NA 420556 for 100 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

m. Forty-six (46) shares of no par value capital stock of Kennecott Copper Corporation, 120 Broadway, New York, New York, a corporation organized under the laws of the State of New York, being a part of those shares evidenced by a certificate numbered C 355473 for 100 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

n. Twenty (20) shares of no par value common stock of Wheeling Steel Corporation, Wheeling, West Virginia, a corporation organized under the laws of the State of Delaware, being a part of those shares evidenced by a certificate numbered NCO 42212 for 58 shares of the above-described stock, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

o. Nine (9) shares of $20 par value capital stock of Detroit Edison Company, 60 Broadway, New York, New York, a corporation organized under the laws of the State of New York, being a part of those shares evidenced by a certificate numbered 35112 for 10 shares of the above-described stock, registered in the name of Wertheim & Co., and presently held by Wertheim & Co., 120 Broadway, New York, New York, in an account entitled "Banque commerciale, S. A.", together with all declared and unpaid dividends thereon,

p. One (1) share of $8.75 par value common stock of the Kansas Power & Light Co., 808 Kansas Avenue, Topeka, Kansas, a corporation organized under the laws of the State of Kansas, being a part of those shares evidenced by a certificate numbered 73640 for five (5) shares of the above-described stock, registered in the name of Wertheim & Co., and presently held by Wertheim & Co., 120 Broadway, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

q. Four (4) shares of no par value common stock of West Kentucky Coal Company, 444 S. Main Street, Madisonville, Kentucky, a corporation organized under the laws of the State of New Jersey, being a part of those shares evidenced by a certificate numbered 42952 for 36 shares of the above described stock, registered in the name of Wertheim & Co., and presently held by Wertheim & Co., 120 Broadway, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with all declared and unpaid dividends thereon,

r. Five (5) Canadian Pacific Railroad Company, perpetual 4 percent consolidated debenture bonds, each of $1,000 face value, numbered 25692, 36262, 77959, 26940 and 16563, respectively, in bearer form, presently held by Wertheim & Co., 120 Broadway, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with any and all rights thereunder and thereto, and

s. Cash in the sum of $4,000 representing the redemption value of Republic of Argentine 4 percent Bonds, bearing certificate numbers M 25261, M 49553, M 63038 and M 25262, series due February 15, 1972, presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with any and all accruals thereto 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, Dr. Ludwig Riechelmann, Max Welz, Rudolph Kaul, F. Anton Mettel, Anna Knoetzke, Fritz Ortenbach, Sophie Ortenbach, Karl Erich Dubuso, Johann Peter Arns, Oskar de Roche, the personal representatives, heirs, next of kin, legatees and distributees of Simon Roos, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of Otto Knoetzke, deceased, the aforesaid nationals of a designated enemy country (Germany);

5. That the property described as follows:

a. Fifty (50) shares of capital stock of The Pennsylvania Railroad Company, 380 Seventh Avenue, New York, New York, a corporation organized under the laws of the State of Pennsylvania, evidenced by certificate numbered F-12971, registered in the name of Hallgarten & Co., and presently held by Hallgarten & Co., 44 Wall Street, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with any and all declared and unpaid dividends thereon.

b. Three (3) Illinois Central Railroad Company 5 percent Joint First Refunding Gold Bonds, Series A and B, due 1963, of $1,000 face value each, numbered 46926, 46927 and 46932, in bearer form, presently held by Wertheim Co., 120 Broadway, New York, New York, in an account entitled "Banque Commerciale, S. A.," together with any and all rights thereunder and thereto,

c. Two (2) Southern Railway Company 4 percent Development and General Gold Bonds, Series A, due 1956, of $1,000 face value each, numbered 52379 and 58296, respectively, in bearer form, presently held by Wertheim & Co., 120 Broadway, New York, New York, in an account entitled "Banque Commerciale, S. A.," together with any and all rights thereunder and thereto,

d. Two (2) Republic of Uruguay 3¾ percent External Readjustment Bonds of November 1, 1937, due May 1, 1979, of $1,000 face value each, numbered 4573 and 4574, respectively, in bearer form, presently held by Wertheim & Co., 120 Broadway, New York, New York, in an account entitled "Banque Commerciale, S. A.", together with any and all rights thereunder and thereto,

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

6. That the property described as follows:

a. That certain debt or other obligation of Wertheim & Co., 120 Broadway, New York, New York, in the amount of $20,000.00, as of June 29, 1950, representing a portion of the sum of money on deposit with the aforesaid company, in a blocked account, entitled "Banque Commerciale, S. A.", maintained at the aforesaid Wertheim & Co., and any and all accruals thereto, constituting income from and accumulations on the securities described in the aforesaid Exhibit B, subparagraphs 4–o through 4–r, inclusive, and subparagraphs 5–b through 5–d, inclusive, hereof, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of Hallgarten & Co., 44 Wall Street, New York, New York, in the amount of $30,000.00, as of June 29, 1950, representing a portion of the sum of money on deposit with the aforesaid company, in a blocked account, entitled "Banque Commerciale, S. A.", maintained at the aforesaid Hallgarten & Co., and any and all accruals thereto, constituting income from and accumulations on the securities described in the aforesaid Exhibits A and C, subparagraphs 4–d through 4–n, inclusive, and subparagraphs 5–a hereof, and any and all rights to demand, enforce and collect the same, and

c. That certain debt on other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in the amount of $23,117.12, as of June 29, 1950, representing a portion of the sum of money on deposit with the aforesaid company, in a blocked account, entitled "Banque Commerciale, S. A., Blocked Account, Custody Cash Account XC–19031," maintained at the aforesaid company, and any and all accruals thereto, 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, Dr. Ludwig Riechelmann, Max Welz, Rudolph Kaul, F. Anton Mettel, Anna Knoetzke, Fritz Ortenbach, Sophie Ortenbach, Karl Erich Dubuso, Johann Peter Arns, Oskar de Roche, Dr. Max Ott, the personal representatives, heirs, next of kin, legatees and distributees of Simon Roos, deceased, and the personal represntatives, heirs, next of kin, legatees and distributees of Otto Knoetzke, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

7. 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);

8. That to the extent that the personal representatives, heirs, next of kin, legatees, and distributees of Simon Roos, deceased, referred to in subparagraph 2 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany); and

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

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

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

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

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address of issuing corporation	State of incorporation	Type of stock	Number of shares	Certificate Nos.
Florida Power & Light C o., 25 Southeast 2d Ave., Miami, Fla.	Florida	Capital	11	013665
Minnesota Power & Light Co., Duluth, Minn.	Minnesota	Common	3	N010480
Montana Power Co., Butte, Mont.	New Jersey	do	11	N012783
Texas Utilities Co., 1506 Commerce St., Dallas, Tex.	Texas	do	20	N014290
American International Corp., 40 Wall St., New York, N. Y.	New York	do	16	C024524
			74	24419
American Power & Light Co., 2 Rector St., New York, N. Y.	Maine	Capital	11	09914
Colgate-Palmolive-Peet Co., 105 Hudson St., Jersey City, N. J.	Delaware	Common	27	NC0122708
			19	NC0124228
General Electric Co., 1 River Rd., Schenectady, N. Y.	New York	do	37	NYE688127
			8	NYE732273
International Paper Co., 220 East 42d St., New York 17, N. Y.	do	do	100	N41170
			58	N010808
Montgomery Ward & Co., 619 West Chicago Ave., Chicago, Ill.	Illinois	do	37	NC0743392
Phillips Petroleum Co., 80 Broadway, New York 5, N. Y.	Delaware	do	37	0574264
			30	0548744
Phelps Dodge Corp., 40 Wall St., New York 5, N. Y.	New York	Capital	38	0220401
			8	0209981
Shell Oil Co. (formerly Shell Union Oil Corp.), 50 West 50th St., New York 20, N. Y.	Delaware	Common	45	NY0375171
Ohio Edison Co., Akron, Ohio.	Ohio	do	3	N47418
Southern Co., 20 Pine St., New York, N. Y.	Delaware	do	16	N053059
United States Steel Corp., 71 Broadway, New York, N. Y.	New Jersey	do	100	X143823
			45	P513847
Waldorf System, Inc., 169 High St., Boston, Mass.	Massachusetts	do	25	Z44413
			50	Z44424
			16	Z44013
F. W. Woolworth Co., Woolworth Bldg., New York 7, N. Y.	New York	Capital	5	WTF 698475
			19	WTF 694155
			10	WTF 686383
General Foods Corp., 250 Park Ave., New York, N. Y.	Delaware	Common	14	NC091538
			2	NC082623
			6	0387584
The Texas Co., 135 East 42d St., New York, N. Y.	do	Capital	50	T0434838
International Nickel Co. of Canada, Ltd., Copper Bluff, Ontario, Canada.		Common	100	NA420555
Wheeling Steel Corp., Wheeling, W. Va.	do	do	70	NC050477
Atlas Corp., 33 Pine St., New York, N. Y.	do	do	100	C47379
			100	C47380

EXHIBIT B

Name and address of issuing corporation	State of incorporation	Type of stock	Certificate Nos.	Number of shares
Arkansas Natural Gas Corp., Shreveport, La.	Delaware	6 percent cumulative preferred.	6708/9	[1]1
			6892/4	[1]1
			6711/12	[1]5
			6895	5
			6713	25
National Dairy Products Corp., 230 Park Ave., New York 17, N. Y.	do	Common	832314	1
		do	843405	45
North American Co., 60 Broadway, New York 4, N. Y.	New Jersey	do	140070/76	[1]1
Pacific Gas & Electric Co., 245 Market St., San Francisco, Calif.	California	do	137831	28
		do	436783/85	1
		do	423274/75	2
		do	436782	5
Standard Brands, Inc., 595 Madison Ave., New York 22, N. Y.	Delaware	do	180201	1
		do	180204	5
		do	180239	5
Wisconsin Electric Power Co., Public Service Bldg., Milwaukee, Wis.	Wisconsin	do	65565	1
		do	49403/5	[1]1
		do	7856	3
		do	46658	5
Potomac Electric Power Co., 929 E St. NW., Washington, D. C.		do	42438	1
		do	39616/17	[1]5
The Kansas Power & Light Co., Topeka, Kans.	Kansas	do	829449	34
		do	73639	10
West Kentucky Coal Co., 444 South Main St., Madisonville, Ky.	New Jersey	do	24442	3/10

[1] Each.

EXHIBIT C

Description of issue	Certificate No.	Face value
Atchison, Topeka & Santa Fe Ry. Co., 4 percent General Gold Bonds, due Oct. 1, 1995.	D03535	$500.00
	D31409	500.00
Illinois Central R. R. Co., 4¾ percent 40 Year Gold Bonds, due 1966.	M14916	1,000.00
	M16995	1,000.00
Northern Pacific Ry. Co., 3 percent General Lien Gold Bond due 2047.	M44752	1,000.00
New York Central Ry. Co., 4½ percent Refunding and Improvement Gold Bonds, Series A, due 2013.	59061	1,000.00
	93151	1,000.00
City of New York 3 percent Bond, due 1980.	M133881R–3	1,000.00
Southern Pacific Co., 4½ percent Gold Bond, due 1969.	49051	1,000.00

[F. R. Doc. 51–4585; Filed, Apr. 18, 1951; 8:51 a. m.]

[Vesting Order 17609]

EXPLORATION BODEN-UNTERSUCHUNGS UND VERWERTUNGSGESELL-SCHAFT M. B. H.

In re: Funds owned by Exploration Boden-Untersuchungs und Verwertungsgesell-Schaft M. B. H. F–28–7572.

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 Exploration Boden-Untersuchungs und Verwertungsgesell-Schaft

M. B. H., the last known address of which is Rheinischestrasse 173, Dortmund, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: All funds presently on deposit with the Bureau of Accounts, Treasury Department, Washington, D. C., for the credit of Exploration Boden-Untersuchungs und Verwertungsgesell-Schaft M. B. H., in the amount of $267.02, as of September 30, 1948, said funds representing the proceeds of a tax refund authorized by the Bureau of Internal Revenue and maintained in a special deposit account, entitled "Secretary of the Treasury, Proceeds of Withheld Foreign Checks", together with any and all accruals since September 30, 1948, and any and all rights to demand, enforce and collect the aforesaid funds,

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 referred to in subparagraph 1 hereof is not with 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 April 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4588; Filed, Apr. 18, 1951; 8:52 a. m.]

[Vesting Order 17603]

CREDIT SUISSE

In re: Accounts maintained in the name of Credit Suisse, Lausanne, Switzerland, and owned by persons whose names are unknown. F-63-60 (Lausanne).

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A attached hereto and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all property, rights and interests which are expressly excluded in Exhibit A, set forth below, and all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

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

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, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Credit Suisse, Lausanne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account	Column III Property, rights and interests in the account as of Oct. 2, 1950, excluded from this vesting order [1]
Swiss American Corp., 30 Pine St., New York 5, N. Y.	General ruling No. 6 account, as described by Swiss American Corp. in its report on form OAP-700, bearing its serial No. 7.	$330.00 which, according to the report on form OAP-700 filed by Swiss American Corp., bearing its serial No. 7, is beneficially owned by Mrs. Erna Christiani-Onken.

[1] Also excluded from this vesting order are (a) any accumulations or accruals to, changes in form of, or substitutions for, any such property, rights and interests, since Oct. 2, 1950, and (b) any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), and any and all declared and unpaid dividends on any shares of stock, listed in column III or excluded under (a) of this footnote.

[F. R. Doc. 51-4587; Filed, Apr. 18, 1951; 8:52 a. m.]

[Vesting Order 17617]

YOKOHAMA SPECIE BANK, LTD.

In re: Funds owned by the Yokohama Specie Bank, Ltd., Rio de Janeiro, Brazil. F-39-775-C-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 The Yokohama Specie Bank, Ltd., the last known address of which is Japan, is a corporation organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan, and is a national of a designated enemy country (Japan);

2. That The Yokohama Specie Bank, Ltd., Rio de Janeiro Office, is a corporation, partnership, association or other business organization organized under the laws of Brazil, whose principal place of business is located at Rio de Janeiro,

Brazil and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act, directly or indirectly, for the benefit or on behalf of the aforesaid Yokohama Specie Bank, Ltd., and is a national of a designated enemy country (Japan);

3. That the property described as follows: Cash in the sum of $401 presently on deposit in the Treasury Department of the United States in an account entitled Secretary of the Treasury Miscellaneous Deposits held pending final disposition—Treasury symbol 891–801 (Special Deposit Account No. 3), and any and all rights to demand 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 Yokohama Specie Bank, Ltd., Rio de Janeiro Office, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

4. That The Yokohama Specie Bank, Ltd., Rio de Janerio Office, is controlled by or acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

5. That to the extent that The Yokohama Specie Bank, Ltd., and the Yokohama Specie Bank, Ltd., Rio de Janeiro Office, 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 April 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–4589; Filed, Apr. 18, 1951; 8:52 a. m.]

[Vesting Order 17640]

META GLANDORF ET AL.

In re: Mortgage, bank account, claim and bond owned by Meta Glandorf and others. F–28–30889–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 Meta Glandorf, Johann Pape, Hinrich Pape, Hinrich Abbenseth, Senior, Klaus Abbenseth, Hinrich Abbenseth, Junior, Anna Droge, nee Abbenseth, Wilhelm Abbenseth and Sophie Abbenseth, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. A mortgage executed on December 11, 1935, by Anna Katherine Sturcke, as mortgagor, to Meta Glandorf and others, as mortgagees, and recorded in the Office of the Clerk of Suffolk County, State of New York, on December 23, 1935, in Liber 979 of Mortgages, at page 105, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of the aforesaid mortgage, and any and all notes, bonds and other instruments evidencing such obligations,

b. That certain debt or other obligation of the Bank of Huntington and Trust Company, 250 Main Street, Huntington, New York, arising out of Interest Account No. 14353, entitled Elsie Lopes by Frederick W. Bickman, Jr., her attorney for credit to blocked account of Meta Glandorf, Johann Pape, Heinrich Pape, Heinrich Abbenseth, Klaus Abbenseth, Heinrich Abbenseth (son), Anna Droge (nee Abbenseth), Wilhelm Abbenseth, Sophie Abbenseth—nationals of Germany, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of the Treasurer of Suffolk County, State of New York, Riverhead, New York, in the amount of $840.97, as of January 1, 1951, arising out of a cash deposit made on September 18, 1941, in the Suffolk County Court of New York, in an action entitled "In the matter of the Application of Sussi Schweizer for an order under section 333–b of the Real Property Law, cancelling and discharging of record the mortgage recorded in Liber 979 of Mortgages, page 113 in the office of the Clerk of Suffolk County, New York," together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, and

d. One (1) 2½ percent United States Treasury Bond in bearer form dated April 15, 1943, of $500 face value, due June 15, 1964/69, numbered 49384 D, and presently in the custody of the Treasurer of Suffolk County, State of New York, Riverhead, New York, which bond represents a portion of a cash deposit made on September 18, 1941, in the Suffolk County Court of New York, in an action entitled "In the matter of the Application of Sussi Schweizer for an order under section 333–b of the Real Property Law, cancelling and discharging of record the Mortgage recorded in Liber 979 of Mortgages, page 113 in the office of the Clerk of Suffolk County, New York," together with any and all rights thereunder and thereto,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on April 11, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–4592; Filed, Apr. 18, 1951; 8:53 a. m.]