

FEDERAL REGISTER

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TITLE 3—THE PRESIDENT EXECUTIVE ORDER 9839

TRANSFERRING TO THE FEDERAL WORKS ADMINISTRATOR CERTAIN FUNCTIONS, POWERS, AND DUTIES RELATING TO THE GRAND RIVER DAM PROJECT (PWA DOCKET OKLAHOMA 1097-P-DS)

WHEREAS in accordance with a certain Settlement Agreement dated as of August 1, 1946, executed by and between the Secretary of the Interior and Grand River Dam Authority pursuant to the act of July 31, 1946, 60 Stat. 743, the Secretary of the Interior has returned possession and control of and conveyed to the Grand River Dam Authority the Grand River Dam Project (Licensed Project No. 1494), and has adjusted and settled certain accounts between the United States and the said Authority resulting from the taking, occupation, and use by the United States of that Project; and

WHEREAS in the administration of the Grand River Dam Project (PWA Docket Oklahoma 1097-P-DS) the Secretary of the Interior has accepted as a part of such adjustment and settlement certain Refunding and Project Bonds known as "Grand River Dam Authority 2½% Revenue Bonds, Series A", in the aggregate principal amount of \$14,000,000; and

WHEREAS the said Grand River Dam Project (PWA Docket Oklahoma 1097-P-DS) was transferred from the Federal Works Administrator to the Secretary of the Interior by Executive Order No. 9373 of August 30, 1943, under the authority of Title I of the First War Powers Act, 1941, and upon the expiration of that Title the functions, powers, and duties of the Secretary of the Interior with respect to that Project, including the said bonds, would by operation of law be vested in the Federal Works Administrator, who is custodian for the United States of all other revenue bonds of like character; and

WHEREAS it appears that it would be in the interest of administrative convenience and continuity to effect an immediate transfer to the Federal Works Administrator of the functions, powers, and duties previously transferred to the Secretary of the Interior by the said Executive Order No. 9373 with respect to the said Grand River Dam Project (PWA Docket Oklahoma 1097-P-DS) and the

contracts, records, and accounts relating thereto, including the said bonds:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the statutes of the United States, including Title I of the First War Powers Act, 1941, 55 Stat. 838, and in the interest of the internal management of the Government, it is hereby ordered as follows:

1. All functions, powers, and duties previously transferred by Executive Order No. 9373 of August 30, 1943, from the Federal Works Administrator to the Secretary of the Interior with respect to the Grand River Dam Project (PWA Docket Oklahoma 1097-P-DS), including the functions, powers, and duties of the Secretary of the Interior with respect to the said Refunding and Project Bonds, are hereby transferred to and vested in the Federal Works Administrator, to be exercised by him or by such person or persons as he may designate.

2. The said Refunding and Project Bonds and all contracts, records, and accounts used primarily by the Secretary of the Interior in the administration of any function, power, or duty transferred by this order or primarily relating thereto are hereby transferred to the Federal Works Administrator for use in the administration of such functions, powers, and duties.

3. Nothing in this order shall be construed to derogate or affect (a) the authority of the Secretary of the Interior to continue the completion of the adjustment and settlement of accounts between the United States and the Grand River Dam Authority under the said act of July 31, 1946, and the Settlement Agreement executed in pursuance thereof, and under all other applicable statutes; or (b) the functions, powers, and duties of the Secretary of the Interior with respect to the project for the acquisition of an additional five feet of reservoir storage for the Grand River Dam Project (Federal List No. 584; N. I. R. A.) transferred by the said Executive Order No. 9373 to the Secretary of the Interior from the Federal Works Administrator.

HARRY S. TRUMAN

THE WHITE HOUSE,
April 14, 1947.

[F. R. Doc. 47-3679; Filed, Apr. 15, 1947;
9:47 a. m.]

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FEDERAL REGISTER

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¹ E. O. 9839.

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TITLE 7—AGRICULTURE

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

PART 904—MILK IN GREATER BOSTON, MASS., MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937 (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

1. Subdivisions (i), (ii), and (iii) of § 904.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said subparagraph, with the exception of the words "Class I Price (dollars per cwt.)," and the figure or price "4.33,"

do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the months of May and June 1947; and

2. It is impracticable and contrary to the public interest to comply with the specific notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) in that the time intervening between the date when the conditions necessitating the foregoing finding became apparent and May 1, 1947 is insufficient to permit compliance with such specific notice, public rule making procedure, and effective date requirements, and in that any delay in the effective date of this action beyond May 1, 1947, will seriously jeopardize the orderly marketing of milk produced for the Greater Boston, Massachusetts, milk marketing area.

It is therefore ordered, That subdivisions (i), (ii), and (iii) of § 904.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said subparagraph, with the exception of the words "Class I price (dollars per cwt.)" and the figure or price "4.33," be and they hereby are suspended with respect to all milk subject to the provisions of the order during the months of May and June 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 9th day of April 1947.

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

[F. R. Doc. 47-3586; Filed, Apr. 15, 1947;
8:48 a. m.]

PART 927—MILK IN NEW YORK METROPOLITAN MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937 (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

1. The entire table contained in § 927.5 (a) (1) of the order, with the exception of the words "Dollars per cwt." and the figure or price "4.14," does not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the months of May and June 1947; and

2. It is impracticable and contrary to the public interest to comply with the specific notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) in that the time intervening between the date when the conditions necessitating the foregoing finding became apparent and May 1, 1947 is insufficient to permit

compliance with such specific notice, public rule making procedure, and effective date requirements, and in that any delay in the effective date of this action beyond May 1, 1947, will seriously jeopardize the orderly marketing of milk produced for the New York metropolitan milk marketing area.

It is therefore ordered, That the entire table contained in § 927.5 (a) (1) of the order, with the exception of the words "Dollars per cwt." and the figure or price "4.14," be and it hereby is suspended with respect to all milk subject to the provisions of the order during the months of May and June 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 9th day of April 1947.

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

[F. R. Doc. 47-3587; Filed, Apr. 15, 1947;
8:48 a. m.]

PART 934—MILK IN LOWELL-LAWRENCE, MASS., MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937 (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, milk marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

1. Subdivisions (i), (ii), and (iii) of § 934.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said subparagraph with the exception of the words "Class I Price (dollars per cwt.)" and the figure or price "4.77," do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the months of May and June 1947; and

2. It is impracticable and contrary to the public interest to comply with the specific notice, public rule-making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) in that the time intervening between the date when the conditions necessitating the foregoing finding became apparent and May 1, 1947, is insufficient to permit compliance with such specific notice, public rule making procedure, and effective date requirements, and in that any delay in the effective date of this action beyond May 1, 1947, will seriously jeopardize the orderly marketing of milk produced for the Lowell-Lawrence, Massachusetts, milk marketing area.

It is therefore ordered, That subdivisions (i), (ii), and (iii) of § 934.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said subparagraph, with the exception of the words "Class I Price (dollars per cwt.)" and the figure or price "4.77," be and they

hereby are suspended with respect to all milk subject to the provisions of the order during the months of May and June 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C. this 9th day of April 1947.

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

[F. R. Doc. 47-3585; Filed, Apr. 15, 1947;
8:47 a. m.]

PART 947—MILK IN FALL RIVER, MASS., MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937 (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and of the order, as amended regulating the handling of milk in the Fall River, Massachusetts milk marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

1. Subparagraphs (1), (2), and (3) of § 947.4 (a) of the order and the entire table contained in subparagraph (4) of said paragraph, with the exception of the words "Class I price (dollars per cwt.)" and the figure or price "5.08," do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the months of May and June 1947; and

2. It is impracticable and contrary to the public interest to comply with the specific notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) in that the time intervening between the date when the conditions necessitating the foregoing finding became apparent and May 1, 1947, is insufficient to permit compliance with such specific notice, public rule making procedure, and effective date requirements, and in that any delay in the effective date of this section beyond May 1, 1947, will seriously jeopardize the orderly marketing of milk produced for the Fall River, Massachusetts milk marketing area.

It is therefore ordered, That subparagraphs (1), (2), and (3) of § 947.4 (a) of the order and the entire table contained in subparagraph (4) of said paragraph with the exception of the words "Class I price (dollars per cwt.)" and the figure or price "5.08," be and they hereby are suspended with respect to all milk subject to the provisions of the order during the months of May and June 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C. this 9th day of April 1947.

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

[F. R. Doc. 47-3584; Filed, Apr. 15, 1947;
8:47 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

Subchapter D—Approved Forms, Federal Power Act

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

FILING OF POWER SYSTEM STATEMENTS

The Commission, on April 4, 1947, adopted its Order No. 136,¹ amending Orders Nos. 133, 134 and 135 to extend time for filing Power System Statements, FPC Forms Nos. 12, 12-A and 12-D, for the year 1946, amending §§ 141.51, 141.52 and 141.55 of the Code of Federal Regulations by adding to paragraph (b) of each of the aforesaid sections the following: "Said statements for the year 1946 shall be filed on or before June 1, 1947".

[SEAL] Leon M. FUQUAY,
Secretary.

[F. R. Doc. 47-3614; Filed, Apr. 15, 1947;
8:50 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority

PART 631—WAR HOUSING PROGRAM; POLICY

DISPOSITION OF FEDERALLY OWNED WAR HOUSING PROJECTS

Section 631.4 (c), (11 F. R. 177A-913), is hereby amended, effective upon publication in the FEDERAL REGISTER, by adding subparagraph (8) thereto, as follows:

§ 631.4 *Disposition of federally owned war housing projects.* * * *

(c) *Disposition of temporary projects not used for Veterans' Emergency Housing.* * * *

(8) *Sale for on-site, non-residential use.* Dwelling structures of temporary character may, with FPHA Central Office approval, be sold for on-site, non-residential use when the community recommends in its disposition plan, or any amendment thereto, that sale for such use is desirable, and the prospective purchaser submits plans and specifications to the FPHA for remodeling for non-residential use which will clearly eliminate any possibility of the structures being used as housing.

FPHA funds shall not be used for alterations. Sales shall be effected with such legal safeguards as are necessary to give the Government the right to enforce the purchaser's agreement that the required changes will be made.

(54 Stat. 1125; 42 U. S. C. 1521)

Approved: April 9, 1947.

[SEAL] D. S. MYER,
Commissioner.

[F. R. Doc. 47-3565; Filed, Apr. 15, 1947;
8:45 a. m.]

¹ See F. R. Doc. 47-3399, under Federal Power Commission in notices section, *infra*.

Chapter VIII—Office of Housing Expediter

[Suspension Order S-3]

PART 807—SUSPENSION ORDERS

BEN ROGOFF

Ben Rogoff, doing business as Duffy's Tavern, 10526 St. Clair Avenue, Cleveland, Ohio, on or about September 1, 1946, without authorization of the Civilian Production Administration or the Office of the Housing Expediter, and at an estimated cost in excess of \$1,000 began and carried on construction in the remodeling of a storeroom into a restaurant-bar, at 10526 St. Clair Avenue, Cleveland, Ohio, in willful violation of Veterans' Housing Program Order 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration or the Office of the Housing Expediter. In view of the foregoing, it is hereby ordered that:

§ 807.3 *Suspension Order No. S-3.* (a) Neither Ben Rogoff, his successors or assigns, nor any other person shall do any further construction on the storeroom used as a restaurant-bar located at 10526 St. Clair Avenue, Cleveland, Ohio, including completing or further altering said premises unless hereafter authorized in writing by the Office of the Housing Expediter.

(b) Ben Rogoff shall refer to this order in any application or appeal which he may file with the Office of the Housing Expediter relating to the above premises.

(c) Nothing contained in this order shall relieve Ben Rogoff, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 14th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,

By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-3643; Filed, Apr. 14, 1947;
2:48 p. m.]

[Suspension Order S-11]

PART 807—SUSPENSION ORDERS

SONS OF ITALY-GARABALDI CLUB AND ANDREW C. SABELLA

Sons of Italy-Garabaldi Club maintain club quarters at 311-315 Eleventh Street, New Kensington, Pa., and is the local chapter of the National order. Andrew C. Sabella, 305 Tenth Street, New Kensington, Pa., is a contractor and builder. On or about November 1, 1946, Sons of Italy-Garabaldi Club and Andrew C. Sabella began the construction of a two-story addition to the club house at 311-315 Eleventh Street, New Kensington, Pa., without authorization of the Civilian Production Administration or the Office of the Housing Expediter, at an estimated cost in excess of \$1,000. This construction was carried on after Contractor Sabella, the President of the Club, and other members actively en-

gaged in the building program, had been informed of the restrictions of Veterans' Housing Program Order 1, and after the Club, by its duly authorized officials, had executed a voluntary statement to restrict the construction to the \$1,000 limitation for that type of construction allowed under Order VHP-1. The beginning and carrying on of this construction at an estimated cost in excess of \$1,000, subsequent to March 26, 1946, constituted a willful violation of the Veterans' Housing Program Order 1. This violation has diverted critical materials to uses not authorized by the Office of the Housing Expediter. In view of the foregoing it is hereby ordered that:

§ 807.11 *Suspension Order No. S-11.* (a) Neither Sons of Italy-Garabaldi Club, Andrew C. Sabella, their successors or assigns, nor any other person, shall do any further construction on the building located at 311-315 Eleventh Street, New Kensington, Pa., including putting up, completing or altering the structure, unless hereafter authorized in writing by the Office of the Housing Expediter.

(b) Sons of Italy-Garabaldi Club, and Andrew C. Sabella shall refer to this order in any application or appeal which they may file with the Office of the Housing Expediter for authorization to carry on the construction.

(c) Nothing contained in this order shall be deemed to relieve Sons of Italy-Garabaldi Club, Andrew C. Sabella, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 14th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,

By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-3644; Filed, Apr. 14, 1947;
2:49 p. m.]

[Suspension Order S-1079, Revocation]

PART 807—SUSPENSION ORDERS

T. R. JOHNSON

T. R. Johnson, 235 South Dock Street, Sharon, Pennsylvania, engaged in the manufacture of prefabricated houses and sections, was suspended by Suspension Order No. S-1079 on February 7, 1947, from use of preference ratings or certifications to obtain plywood. In view of the fact that the revocation of Order L-358 on March 31, 1947 withdrew from all prefabricators the authority to use ratings or certifications for plywood, the Chief Compliance Commissioner has directed that the suspension order be revoked. In view of the foregoing:

It is hereby ordered, That: § 1010.1079, Suspension Order No. S-1079, be revoked.

Issued this 11th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,

By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-3645; Filed, Apr. 14, 1947;
2:49 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs,
Department of the InteriorSubchapter L—Irrigation Projects: Operation and
MaintenancePART 130—OPERATION AND MAINTENANCE
CHARGESSALT RIVER INDIAN IRRIGATION PROJECT,
ARIZONA

On February 6, 1947, there was published in the daily issue of the *FEDERAL REGISTER* a notice of intention to modify § 130.105 of Title 25 CFR and to issue a separate order for the Salt River Indian irrigation project, Arizona, as therein set forth. Interested persons were given opportunity to participate in the proceedings by submitting data or written arguments within 30 days from the date of publication of the notice.

A petition opposing the proposed \$3.50 annual per acre rate was filed by the Salt River Pima-Maricopa Indian Community Council. The Community Council was given a hearing by the District Director at Phoenix, Arizona. Objections of the Community Council pointed (1) to the failure of the Government to complete the project; (2) inability to irrigate certain high areas of land; (3) areas alleged inadequately drained; and (4) that \$3.50 per acre is an excessive rate.

With respect to objection No. 1, the failure to complete the project by extending facilities to irrigate the ultimate irrigable area, it would require the appropriation and expenditure of additional funds for construction purposes with which the proposed order is not concerned. The fact that all construction work has not been completed is not a valid reason why operation and maintenance assessments should not be paid on lands which can be served water through the existing project works.

As to objections 2 and 3, ordinarily the work of leveling and conditioning land for the application of water for irrigation farming is the job of the individual farmer. Because of the inability of the Indian landowners of the Salt River project to meet the expense of the work, large sums of appropriated funds have been expended under Government supervision in leveling and conditioning their lands. Any high places of appreciable area which have not been leveled so that water may be applied, and any lands which may need project drainage facilities and which cannot be served with irrigation water are not assessed.

Regarding the fourth objection, it was pointed out that the delivery of water would not be refused to Indian farmers utilizing their own lands who could not pay the entire basic rate, upon the partial payment of not less than \$1.00 per acre of that rate; and that such Indian farmers unable to pay any part of the basic rate might arrange to do work on the project and apply the proceeds of their labor to the payment of as much as \$1.00 per acre of that rate, the balance to stand as a charge against their lands without penalty for delinquency. It was also explained that when the Superin-

tendent is of the opinion that an Indian is unable to pay any part of the basic charge, either in cash or by work on the project, water would be delivered to irrigate as much as ten (10) acres of his land. It was also pointed out that the 1947 rate for lands of the Salt River Valley Water Users Association which surrounds the Salt River project has been increased to \$4.50 for two acre feet of water per acre and \$2.00 per acre foot for additional water, and that operation and maintenance collections on the Salt River project are running below actual costs.

The objections having been carefully considered, it has been determined that in view of the excess costs over collections the increased rate should be established. The order is accordingly promulgated as follows:

Sec.

- 130.120 Basic charge.
130.121 Payment.
130.122 Delivery of water.

AUTHORITY: § 130.120 to § 130.122 issued under 38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387.

§ 130.120 *Basic charge.* Pursuant to provisions of the acts of Congress approved August 1, 1914 and March 7, 1928 (38 Stat. 583; 45 Stat. 210, 25 U. S. C. 385, 387), the basic operation and maintenance charge against the lands under the Salt River Indian irrigation project in Arizona to which water can be delivered through the irrigation project works is hereby fixed at \$3.50 per acre per annum until further notice.

§ 130.121 *Payment.* The annual basic charge fixed in § 130.120 shall be due and payable on or before May 1, 1947, and on April 1 of each year thereafter until further notice. Charges not paid on the due date shall stand as a first lien against the lands until paid.

§ 130.122 *Delivery of water.* Delivery of water shall be refused to all tracts of land for which the basic charge remains unpaid on the due date except that water may be delivered (a) to irrigate Indian owned lands that are not under lease, permit, or other form of use by someone other than the Indian owner, upon the partial payment on or before the due date of not less than \$1.00 per acre per annum of the basic charge; (b) to irrigate Indian owned lands not under lease, permit, or other form of use by someone other than the Indian owner when said owner is unable to pay any part of the basic charge, upon the performance of labor on project works and the prior agreement that he will pay from the proceeds received for such work at least an amount equal to \$1.00 per acre per annum; and (c) to irrigate not to exceed 10 acres of Indian owned land when the Superintendent is of the opinion that an Indian landowner is unable to meet the requirements of paragraphs (a) or (b) of this section, when the Superintendent certifies to that fact. The Superintendent shall promptly furnish the Director of the District, for approval or rejection, all such certifications. In such cases, covered by paragraphs (a), (b) and (c) of this section, the unpaid charges shall be entered on the accounts and will stand

as a first lien against the land until paid, without penalty.

J. W. HUTCHISON,
Acting Commissioner.

[F. R. Doc. 47-3570; Filed, Apr. 15, 1947;
8:45 a. m.]

TITLE 29—LABOR

Chapter X—National Mediation
BoardPART 1206—NOTICES IN RE RAILWAY LABOR
ACT

SUBSTANTIVE RULES

Section 1206.4 *Substantive rules* (11 F. R. 177A-924) is amended to read as follows:

§ 1206.4 *Substantive rules.* The only substantive rules issued by the National Mediation Board are those authorized under section 2, Ninth, of the Railway Labor Act to implement the procedure of determining employee representation.

(Sec. 2, Ninth, 44 Stat. 577 as amended by 48 Stat. 1188; 45 U. S. C. 152)

[SEAL]

ROBERT F. COLE,
Secretary.

APRIL 10, 1947.

[F. R. Doc. 47-3571; Filed, Apr. 15, 1947;
8:45 a. m.]

TITLE 31—MONEY AND
FINANCE: TREASURYChapter I—Monetary Offices, Depart-
ment of the Treasury

[1947 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

QUARTER BEGINNING APRIL 1, 1947

APRIL 1, 1947.

§ 129.10 *Calendar year 1947.* * * *

(b) *Quarter beginning April 1, 1947.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter, beginning April 1, 1947, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

* 12 F. R. 1190.

RULES AND REGULATIONS

The value of foreign monetary units, as shown below in terms of United States money, is the ratio between the legal gold content of the foreign unit and the legal gold content of the United States dollar. It should be noted that this value, with respect to most countries, varies widely from the present exchange rates. Countries not having a legally defined gold monetary unit, or those for which current information is not available, are omitted.

Country	Monetary unit	Value in terms of U. S. money	Remarks
Brazil	Cruzeiro	\$0.2025	Decree law of Oct. 6, 1942, established the cruzeiro as the unit of currency, replacing the milreis. Conversion of notes into gold suspended Nov. 22, 1930.
Canada and Newfoundland	Dollar	1.6931	Redemption of notes into gold suspended. Export of gold prohibited except under license.
Colombia	Peso	.5714	Present gold content of .56424 grams of gold 9/10 fine established by law of Nov. 19, 1938, effective Nov. 30, 1938. Obligation to sell gold suspended Sept. 24, 1931.
Cuba	Peso	1.0000	Gold content of .9873 gram 9/10 fine established by Law No. 244 of May 22, 1934, and confirmed by Law No. 410 of Aug. 10, 1934.
Egypt	Pound (100 piasters)	8.3692	Conversion of notes into gold suspended Sept. 21, 1931.
Ethiopia	Dollar	.4025	New unit established by Proclamation of the Emperor on May 25, 1945, effective July 23, 1945.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
Great Britain	Pound sterling	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Guatemala	Quetzal	1.0000	Decree No. 203 of Dec. 10, 1945, defined the monetary unit as 15 5/21 grains gold 9/10 fine. Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Hungary	Forint	.0852	New unit based on 13,210 forint per kilogram fine gold, effective July 1946.
Ireland	Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Nicaragua	Cordoba	1.6933	Embargo on gold exports Nov. 13, 1931.
Panama	Balboa	1.0000	U. S. money principal circulating medium.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932; exchange control established Jan. 23, 1945.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Union of South Africa	Pound	8.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Socialist Republics	Ruble	.1981	On basis of 5.6807 rubles per gram of fine gold.
Uruguay	Peso	.6583	Present gold content of .585018 grams fine established by law of Jan. 18, 1938. Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U. S. C. 372)

[SEAL]

E. H. FOLEY, Jr.,

Acting Secretary of the Treasury.

[F. R. Doc. 47-3588; Filed, Apr. 15, 1947; 8:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 323]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The list of commodities set forth in paragraph (b) is amended by adding a qualifying footnote reference meaning "Requires individual license for export to all areas except the Philippine Islands, and all countries in North and South America as listed in Schedule C of the Bureau of the Census, U. S. Department of Commerce" with respect to the following commodities:

Dept. of Comm. Sched. B No.	Commodity
009900	Other edible animal products:
009900	Beef scraps dried.
009900	Bone scraps.
009900	Dog foods, chief ingredient meat.

Dept. of Comm. Sched. B No.

Commodity

Other inedible animals and animal products:
099998 Blood meal.
099998 Bone scrap.
099998 Liver meals.
Fodders and feeds, n. e. s.:
119900 Bone meal.
119900 Cull beans.

2. The following commodities are hereby deleted from the list of commodities:

Dept. of Comm. Sched. B No.

Commodity

Meat products:
Pork, except canned:
Pigs' feet, fresh or frozen.
Dry salted ears, tails, neck bones, neck ribs and pigs' feet.
003500 Liver cheese (including Lakewood liver cheese) and liverwurst (report canned in 003800).
003600 Beef tongue, beef tripe, oxtails, and ox tongue, canned.
003700 Pigs' feet and pork tongue, lunch, pickled, cooked or spiced, canned.
003800 Liver cheese (including Lakewood liver cheese) and liverwurst, canned.
003909 Meat paste, canned.
003909 Vegetables cooked with meat, canned.
Dairy products:
006000 Cream, fresh and sterilized.
006998 Plastic cream.
Grains and preparations:
103200 Cornmeal (bbl. 196 lbs.).
103300 Hominy and corn grits (include canned and brewers' flakes).
Vegetables and preparations, edible:
120213 Cowpeas, dry, ripe.
120213 Cowpea seed.
125911 Soybean flour, edible (report inedible in 299998).

Dept. of Comm. Sched. B No.

Commodity

Oilseeds:
222020 Poppy seed.
Fertilizers and fertilizer materials:
Phosphatic fertilizer materials:
Phosphate rock, Florida:
851510 High-grade rock, Florida.
851520 Land pebble.
851580 Phosphate rock, Tennessee, Idaho, and Montana.
Soap and toilet preparations:
Soap:
871000 Medicated.
871800 Shaving creams, retail packages only.
871900 Shaving powders, retail packages only.
871900 Shaving cakes and sticks.
872400 Abrasive types of pastes and powders (fat content above 10%).

Dated: April 4, 1947.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

FRANCIS MCINTYRE,
Deputy Director for Export Control, Commodities Branch.

[F. R. Doc. 47-3593; Filed, Apr. 15, 1947; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Reclamation, Department of Interior

PART 402—ANNUAL WATER CHARGES

GILA IRRIGATION PROJECT, ARIZONA, AND KLAMATH IRRIGATION PROJECT, OREGON-CALIFORNIA

CROSS REFERENCE: For additions to the tabulation contained in § 402.2 see F. R. Docs. 47-3566 and 47-3567 under Department of Interior, Bureau of Reclamation, in the Notices section, *infra*.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—National Wildlife Refuges; Individual Regulations

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

FISHING IN ARROWWOOD NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

Paragraph (a) of § 29.28 (50 CFR 29.28) is revised to read as follows:

§ 29.28 *Arrowwood National Wildlife Refuge, North Dakota; fishing.* * * *

(a) *Waters open to fishing.* The waters designated by suitable posting by the officer in charge of the refuge on Arrowwood Lake in the SE¼ of Section 7, the SW¼ of Section 8, and Section 30, T. 144 N., R. 64 W., and Section 25, T. 144 N., R. 65 W., and on Jim Lake in NE¼, S½NW¼, and S½, of Section 19, and Section 20, T. 143 N., R. 64 W., fifth principal Meridian, shall be open to fishing.

(Sec. 84, 43 Stat. 98, sec. 10, 45 Stat. 1224, sec. 401, 49 Stat. 383; 18 U. S. C. 145, 16

U. S. C. 7151, 715s; Reorg. Plans Nos. II, III, 3 CFR Cum. Supp.)

Dated: April 7, 1947.

[SEAL]

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 47-3569; Filed, Apr. 15, 1947;
8:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 369, Amdt. 12]

DEMURRAGE CHARGES ON CLOSED BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of April A. D. 1947.

Upon further consideration of Service Order No. 369 (10 F. R. 14030), as amended (10 F. R. 15073; 11 F. R. 639, 2383; 7857, 10304, 8453, 11013, 14522; 12

F. R. 1606, 1724, 2053), and good cause appearing therefor, it is ordered, that:

Section 95.369 *Demurrage charges on closed box cars*, of Service Order No. 369, as amended, be, and it is hereby, further amended by substituting the following paragraph (c) (3) for paragraph (c) (3) thereof:

(c) *Application.* * * *

(3) *Export, import, coastwise or inter-coastal traffic.* Except as shown below, import, export, coastwise (including Great Lakes) or intercoastal traffic is subject to this order.

Exceptions. Import, export, coastwise (including Great Lakes) or intercoastal bulk freight or explosives traffic, during the period such traffic is held in cars at ports for transfer to vessels or held at United States-Canadian border crossings, is not subject to this order. Bulk freight means any carload freight consisting of any non-liquid, non-gaseous commodity shipped loose or in mass and which in the unloading thereof is ordinarily shoveled, scooped, forked, or mechanically conveyed, or which is not

in containers or in units of such size as to permit piece by piece unloading.

It is further ordered, that this amendment shall become effective at 7:00 a. m., April 12, 1947, and the provisions of this amendment shall apply to cars on hand on or after the effective date hereof.

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

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

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-3575; Filed, Apr. 15, 1947;
8:46 a. m.]

NOTICES

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 8198, Amdt.]

HENKEL & CIE., A. G.

In re: Stock and bank accounts owned by Henkel & Cie., A. G., 2095-47.
Vesting Order 8198, dated February 11, 1947, is hereby amended as follows and not otherwise:

Description of issue and name in which shares are registered	Name of custodian bank	Number of shares	Certificate No.
\$5 par value common capital stock of Monsanto Chemical Co., St. Louis, Mo., a Delaware corporation, registered in the name of Schmidt & Co.	Guaranty Trust Co. of New York, 140 Broadway, New York, N. Y.	3,000	TNV 12632/61 for 100 shares each.

[Vesting Order 8613]

SHIGERU ASATO

In re: Bank accounts owned by Shigeru Asato. F-39-1018-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 Shigeru Asato, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Shigeru Asato, by Pacific

Bank, P. O. Box 1200, Honolulu, T. H., arising out of a blocked savings account, evidenced by Receiver's Liability No. 917, entitled Shigeru Asato, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Shigeru Asato, by Bishop National Bank of Hawaii, Honolulu, T. H., arising out of a block savings account, Account Number 6384, entitled Shigeru Asato, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation of Bishop National Bank of Hawaii, Honolulu, T. H., arising out of a blocked savings account, Account Number 47814, entitled Shigeichi Asato for Shigeru Asato, 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, Shigeru Asato, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

All other provisions of said Vesting Order 8198 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 8, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

[F. R. Doc. 47-3609; Filed, Apr. 15, 1947;
8:55 a. m.]

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 31, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. D. Doc. 47-3598; Filed, Apr. 15, 1947;
8:52 a. m.]

[Vesting Order 8623]

HANS WAGNER VERLAG ET AL.

In Re: Debts owing to Hans Wagner Verlag, Knorr and Hirth Verlag and Deutscher Verlag, A. G. F-28-4732-C-1, F-28-5348-C-1, F-28-5746-C-1, F-28-5746-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 Hans Wagner Verlag, Knorr and Hirth Verlag and Deutscher Verlag, A. G., the last known addresses of which are Germany, are corporations, partnerships, associations or other business organizations, organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany and are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Hans Wagner Verlag, by The American News Company, 131 Varick Street, New York 13, N. Y., in the amount of \$1,428.00, as of February 25, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Knorr and Hirth Verlag, by The American News Company, 131 Varick Street, New York 13, N. Y., in the amount of \$1,424.00, as of February 25, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation owing to Deutscher Verlag, A. G., by The American News Company, 131 Varick Street, New York 13, N. Y., in the amount of \$3,067.00, as of February 25, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

d. That certain debt or other obligation owing to Deutscher Verlag, A. G., by Black Star Publishing Company, Inc., 420 Lexington Avenue, New York, New York, in the amount of \$3,240.56, as of December 31, 1945, 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, 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 March 31, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3600; Filed, Apr. 15, 1947;
8:54 a. m.]

[Vesting Order 8618]

MISAO ISOBE

In re: Bank account owned by Misao Isobe. D-39-1088-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 Misao Isobe, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Misao Isobe, by Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 165209, entitled Misao Isobe, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

a national of a designated enemy country (Japan).

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

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

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

Executed at Washington, D. C., on March 31, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3599; Filed, April 15, 1947;
8:54 a. m.]

[Vesting Order 8627]

BERNHARD BUTHE

In re: Estate of Bernhard Buthe, deceased. File No. D-28-10094; E. T. sec. 14357.

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

1. That Anna Buthe, Bernhard Buthe, and Heinrich Buthe, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Bernhard Buthe, and the issue, names unknown, of Heinrich Buthe, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

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

4. That such property is in the process of administration by Henry Roth, as Executor of the Estate of Bernhard Buthe, deceased, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey; and it is hereby determined:

5. That to the extent that the above named persons and the issue, names unknown, of Bernhard Buthe, and the issue, names unknown, of Heinrich Buthe, 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 con-

sultation 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, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3601; Filed, Apr. 15, 1947;
8:54 a. m.]

[Vesting Order 8632]

THERESA HARTH

In re: Estate of Theresa Harth, deceased. File No. D-28-10344; E. T. sec. 14726.

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 Rosie Harth, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the sum of \$200.00 was paid to the Alien Property Custodian by Amelia Shasserre, Executrix of the estate of Theresa Harth, deceased;

3. That the said sum of \$200.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on July 17, 1946, pursuant to the Trading with the Enemy Act, as amended.

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

No. 75—2

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

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3602; Filed, Apr. 15, 1947;
8:55 a. m.]

[Vesting Order 8633]

DORA HATTENDORF

In re: Mortgage Participation Certificate No. 168862 in Mortgage #F 736 Guarantee No. 170,874, issued by Bond and Mortgage Guarantee Company to Dora Hattendorf. File F-28-18361; E. T. sec. 6155.

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 Dora Hattendorf whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all rights and interest evidenced by Mortgage Participation Certificate No. 168862 in Mortgage #F 736 issued and guaranteed by Bond and Mortgage Guarantee Company under guarantee No. 170,874 and the right to the transfer and possession of any and all instruments evidencing such rights and interest, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Manufacturers Trust Company, as trustee, acting under the judicial supervision of the Supreme Court of the State of New York, of Kings County, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3603; Filed, April 15, 1947;
8:55 a. m.]

[Vesting Order 8634]

FRANZ HERRMANN

In re: Trust u/w of Franz Herrmann, deceased. File No. F-28-2343; E. T. sec. 14958.

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 Maximiliana Herrmann, Franz Herrmann, Anita Mauve, Wilhelm Herrmann, Maria Herrmann, Felix Herrmann, Franz Herrmann (nephew) and Else Herrmann, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown of Franz Herrmann, Anita Mauve, Wilhelm Herrmann, Maria Herrmann, Felix Herrmann, Franz Herrmann (nephew), and Else Herrmann, and that the issue, names unknown, or Maria Herrmann, a deceased sister, and of Hauptman Carl Herrmann, a deceased brother, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

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

4. That such property is in the process of administration by Joseph S. Wall, as Executor and Trustee, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

5. That to the extent that the above named persons and issue, names unknown of Franz Herrmann, Anita Mauve, Wilhelm Herrmann, Maria Herrmann, Felix Herrmann, Franz Herrmann (nephew), Else Herrmann, Maria Herrmann, a deceased sister, and Hauptman Carl Herrmann, a deceased brother, 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 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3604; Filed, Apr. 15, 1947;
8:55 a. m.]

[Vesting Order 8662]

BERNHARD SIEFER

In re: Stock owned by and debt owing to Bernhard Siefer. F-28-8718-A-1, F-28-8718-D-1.

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

1. That Bernhard Siefer, whose last known address is c/o Adam Opel A. G., Russelsheim, A. G., Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Thirty-five (35) shares of \$10 par value common capital stock of General Motors Corporation, 1775 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered WC 74462 and WC 85870/1 for four (4) shares each, WC 145517 for five (5) shares and WC 145518/20 for six (6) shares each, registered in the name of Bernhard Siefer, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Bernhard Siefer by General Motors Corporation, 1775 Broadway, New York, New York, in the amount of \$29.22, as of December 31, 1945, evidenced by a dividend check in the sum of \$29.22, dated September 12, 1940, presently in the custody of General Motors Overseas Operations, Division of General Motors Corporation, 1775 Broadway, New York, New York, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of, the aforesaid dividend check,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3607; Filed, Apr. 15, 1947;
8:55 a. m.]

[Vesting Order 8637]

KATHERINE LETTMODEN

In re: Mortgage Participation Certificate No. 155214 in Mortgage F-935 (Guarantee No. 181453) issued by Bond & Mortgage Guarantee Company to Katherine Lettmuden. Mortgage Participation Certificate No. 155256 in Mortgage F-1122 (186084) issued by Bond & Mortgage Guarantee Company to Katherine Lettmuden. Mortgage Participation Certificate No. 168869 in Mortgage F-736 (Guarantee No. 170874) issued by Bond & Mortgage Guarantee Company to Katherine Lettmuden. File No. D-28-2562, E. T. sec. No. 3885.

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 Katherine Lettmuden, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all rights and interest evidenced by a Mortgage Participation Certificate No. 155214 issued and guaranteed by Bond & Mortgage Guarantee Company under Guarantee No. 181453 in Mortgage F-935 and Mortgage Participation Certificate No. 155256 issued and guaranteed by Bond & Mortgage Guarantee Company under Guarantee No. 186084 in Mortgage No. F-1122 and Mortgage Participation Certificate No. 168869 issued and guaranteed by Bond & Mortgage Guarantee Company under Guarantee No. 170874 in Mortgage F-736 and the right to the transfer and possession of any and all instruments evidencing such rights and interest, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, of Kings county, New York;

and it is hereby determined:

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

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

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

dealt with in the interest of and for the benefit of the United States.

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

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3605; Filed, Apr. 15, 1947;
8:55 a. m.]

[Vesting Order 8661]

EMMA SCHIRRMACHER

In re: Bank account and stock owned by Emma Schirmacher. F-28-18236-E-1, F-28-18236-D-1.

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

1. That Emma Schirmacher, whose last known address is Breslau Hundsfield-Hundselderst 275, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Emma Schirmacher, by First National Bank, Beatrice, Nebraska, arising out of a Savings Account, Account Number 1833, entitled Mrs. Emma Schirmacher, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. Thirty (30) shares of \$100.00 par value 5% cumulative preferred capital stock of Dempster Mill Manufacturing Company, Beatrice, Nebraska, a corporation organized under the laws of the State of Nebraska, evidenced by certificate numbered 5-213, dated January 16, 1936, and registered in the name of Emma Schirmacher, together with all declared and unpaid dividends thereon, and any and all rights acquired by virtue of a plan for the retirement of the preferred stock of the aforesaid Company, effective June 1, 1943,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the prop-

erty 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, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3606; Filed, Apr. 15, 1947;
8:55 a. m.]

[Vesting Order 8663]

KRAFT VON LEWINSKI

In re: Stock owned by Kraft Von Lewinski, F-28-22590-D-1.

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

1. That Kraft Von Lewinski, whose last known address is Koeln, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Fifty (50) shares of \$10.00 par value common capital stock of The American Rolling Mill Company, a corporation organized under the laws of the State of Ohio, evidenced by certificate number NY 49641, registered in the name of Kraft Von Lewinski, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in account number F86233, entitled Exportkreditbank A. G., Berlin, Germany—Customers account for Custody, together with all declared and unpaid dividends thereon.

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

and it is hereby determined:

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

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

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

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

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

Executed at Washington, D. C., on April 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3608; Filed, Apr. 15, 1947;
8:55 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[No. 3]

GILA IRRIGATION PROJECT, ARIZONA

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

MARCH 26, 1947.

1. *Water rental.* Irrigation water will be furnished, when available and where the progress of construction will permit, upon a rental basis under approved applications for temporary water service during the calendar year 1947, and thereafter until further notice, to lands within the North and South Gila Valleys, to public lands in the Yuma Mesa Division under pumping plant No. 1, and to the private lands in the Yuma Mesa Division under pumping plant No. 1 described below:

(a) Private lands for which water may now be furnished:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 22 W.,
Sec. 4, S $\frac{1}{2}$ lying south of Sou. Pac. R. R.;
Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$ lying south of Sou. Pac. R. R., and W $\frac{1}{2}$ SW $\frac{1}{4}$ lying south of Sou. Pac. R. R., and north of "B" canal;
Sec. 7, N $\frac{1}{2}$ S $\frac{1}{2}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 17, SE $\frac{1}{4}$ lying north of "A" canal except N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 8 S., R. 23 W.,
Sec. 34, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, S $\frac{1}{2}$ SW $\frac{1}{4}$ lying south "B 3.7" lateral.
T. 9 S., R. 23 W.,
Sec. 2, E $\frac{1}{2}$ lying south of "B 3.7" lateral;
Sec. 3, E $\frac{1}{2}$;
Sec. 4, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 10, NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 13, NW $\frac{1}{4}$;
Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 16, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$;
Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;
Sec. 26, W $\frac{1}{2}$ W $\frac{1}{2}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 35, W $\frac{1}{2}$.

(b) Private lands for which water may be furnished beginning with the latter part of the calendar year 1947:

T. 9 S., R. 22 W.,
Sec. 30, W $\frac{1}{2}$ NW $\frac{1}{4}$ lying N. and W. of "A" canal.
T. 9 S., R. 23 W.,
Sec. 2, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 25, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.

2. *Charges and terms of payment.* Water rental charges shall be payable

in advance of the delivery of water at rates as follows:

(a) For private lands and for public lands on the Yuma Mesa Division irrigated before July 1 of any year, the minimum charge shall be \$6.00 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to 8 acre-feet of water per acre. Additional water will be furnished at the rate of \$0.85 per acre-foot.

(b) For private lands on the Yuma Mesa Division not irrigated before July 1 of any year but receiving water after that date, and for public lands entered after July 1 of any year pursuant to the provisions of such public notice as may hereafter be issued opening public lands to entry on the Yuma Mesa Division, there will be a charge of \$0.75 per acre-foot for the first 4 acre-feet of water ordered during that year and a charge of \$0.85 per acre-foot for all additional water ordered during that year.

(c) For private lands and for leased public lands in the North and South Gila Valleys irrigated under the Gila Gravity Main Canal, the minimum charge shall be \$3.00 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to 4 acre-feet of water per acre. Additional water will be furnished at the rate of \$0.75 per acre-foot.

3. Applications for temporary water service may be made by the landowner or entryman or by anyone who presents evidence satisfactory to the Superintendent of the Gila Project that he is the tenant or lessee of the land for which water is requested, or that he has been authorized by the owner or entryman to make a water rental application for such land.

4. Applications for temporary water service and the payments required by this notice will be received at the office of the Superintendent, Gila Project, Yuma, Arizona.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented.)

MICHAEL W. STRAUS,
Commissioner.

[F. R. Doc. 47-3566; Filed, Apr. 15, 1947;
8:45 a. m.]

[No. 44]

KLAMATH IRRIGATION PROJECT, OREGON-CALIFORNIA

PUBLIC NOTICE OF ANNUAL WATER CHARGES

MARCH 31, 1947.

1. *Operation and maintenance.* The minimum operation and maintenance charge for the irrigation season of 1947 against all lands of the Main Division lying outside of the Klamath Irrigation District shall be \$2.52 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 2 $\frac{1}{2}$ acre-feet of water per irrigable acre. Additional water, if available, will be furnished during the irrigation season at the rate of \$0.50 per acre-foot.

2. The minimum operation and maintenance charge for the irrigation season

of 1947 against all lands under district or individual Warren Act contracts shall be \$1.26 per irrigable acre, whether water is used or not. Pending the final adjustment of differences between certain Warren Act contractors and the Bureau arising out of charges for additional water, the charge of \$0.25 per acre-foot for additional water announced in prior notices will not be made for this season.

3. *Water rental.* The minimum water rental charge for the irrigation season of 1947 against all lands of the Tule Lake Division lying outside of the Klamath Irrigation District and subject to Public Orders of January 22, 1927, March 30, 1928, February 6, 1929, September 10, 1930, October 16, 1931, September 9, 1937, and August 1, 1946, shall be \$2.80 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 2½ acre-feet of water per irrigable acre. Additional water will be furnished, if available, up to a limit of 3½ acre-feet per irrigable acre at a rate of \$0.50 per acre-foot and all further quantities for \$0.75 per acre-foot.

4. For irrigation or waste water furnished Tule Lake leased lands the charge, unless otherwise specified in the leases, shall be \$1.00 per acre-foot for the season of 1947.

5. For irrigation or waste water furnished private lands within the dry bed of or bordering Lower Klamath Lake, the charge shall be \$0.50 per acre-foot for the season of 1947.

6. For water furnished lands not subject to the operation and maintenance or water rental charges named above the charge shall be \$1.00 per acre-foot for the season of 1947.

7. *Time of payment.* For lands of the Tule Lake Division under public notice or public order lying outside of the Klamath Irrigation District, the minimum charge stated in paragraph 3 above shall be due and payable one-half before the delivery of water if water is delivered before July 1, and one-half on or before July 1. If no water is delivered before July 1, then the entire charge shall become due and payable on that date. For all other lands referred to herein the minimum charges announced shall be due and payable before the delivery of water and in any event not later than May 1 of the current irrigation season. Payment for all water used in addition to the allowance under the minimum charge shall be made on or before December 1 of the year in which used.

8. *Penalties.* On all payments not made on or before the due dates, there shall be added on the following day a penalty of one-half of one percent of the amount unpaid and a like penalty of one-half of one percent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue.

9. Where water rental application is made for public lands entered under the Reclamation Law after June 15 and where water rental application is made after August 1 for land in private ownership, no water rental charge shall be made for water delivered during the remainder of the irrigation season in which water rental application is made, but for

entered public lands for which water rental application is made after June 15 the minimum water rental charge required by paragraph 10 of public notice No. 43 dated August 1, 1946, to be paid shall apply as a credit on the minimum charge for the following irrigation season.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

MICHAEL W. STRAUS,
Commissioner.

[F. R. Doc. 47-3567; Filed, Apr. 15, 1947;
8:45 a. m.]

[No. 58]

YUMA AUXILIARY IRRIGATION PROJECT,
ARIZONA

PUBLIC NOTICE OF ANNUAL OPERATION AND
MAINTENANCE CHARGES

MARCH 21, 1947.

1. *Annual operation and maintenance charges.* The minimum operation and maintenance charge for the calendar year 1947, and thereafter until further notice, shall be \$9.35 per irrigable acre, whether water is used or not, payment of which will entitle the water user to 3 acre-feet of water per acre. Additional water, if available, will be furnished at the rate of \$2.20 per acre-foot; *Provided*, That, for lands entered subsequent to September 1 and prior to January 1 of any year no minimum operation and maintenance charge shall be assessed, but water actually delivered shall be paid for in advance at the rate of \$3.00 per acre-foot.

2. *Time of payment.* The minimum charge shall be due and payable April 15 of each year and charges for additional water shall be payable on the tenth of the month following that in which the additional quantity is used.

3. *Place of payment.* All charges due hereunder shall be payable to the Bureau of Reclamation, Yuma, Arizona.

4. The following lands shown on the farm unit plats approved October 3, 1919, are subject to the charges announced:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 23 W.,
Secs. 31 and 32.
T. 10 S., R. 23 W.,
Secs. 4, 5, 6, 7, 8, 9, and 17;
Sec. 18, E½SE¼, N½N½;
Sec. 19, NE¼NE¼;
Sec. 20, NW¼NW¼.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

MICHAEL W. STRAUS,
Commissioner.

[F. R. Doc. 47-3568; Filed, Apr. 15, 1947;
8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Dockets Nos. 1335, 1897]

CHICAGO AND SOUTHERN AIR LINES, INC.

NOTICE OF HEARING

In the matter of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and

the services connected therewith, of Chicago and Southern Air Lines, Inc., over routes Nos. 8 and 53.

Notice is hereby given that hearing in the above-entitled proceeding is assigned to be held on April 21, 1947, at 10:00 o'clock a. m. (eastern standard time), in Room 5132 in the Commerce Department Building, 14th Street between Constitution Avenue and E Street NW, Washington, D. C., before Examiner Charles J. Frederick.

Dated at Washington, D. C., April 11, 1947.

By the Civil Aeronautics Board.

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-3610; Filed, Apr. 15, 1947;
8:56 a. m.]

[Docket No. 2334]

PERUVIAN INTERNATIONAL AIRWAYS
NOTICE OF ORAL ARGUMENT

In the matter of the application of Peruvian International Airways pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit authorizing foreign air transportation with respect to persons, property and mail between Lima, Peru and Montreal, Canada via intermediate points including New York, New York.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that oral argument in the above-entitled matter is assigned to be held on April 30, 1947, at 10 a. m. (eastern standard time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue, Northwest, Washington, D. C., before the Board. Public hearing in the above-entitled matter was held commencing March 26, 1947, before an examiner of the Board, pursuant to public notice published in the FEDERAL REGISTER on March 21, 1947 (12 F. R. 1909), and all parties to the proceeding have waived the report of the examiner and the opportunity to file exceptions thereto.

Dated at Washington, D. C., April 11, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-3611; Filed, Apr. 15, 1947;
8:56 a. m.]

[Docket No. 2856]

BAHAMAS AIRWAYS, LTD.

NOTICE OF HEARING

In the matter of the application of Bahamas Airways, Limited pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit authorizing foreign air transportation with respect to persons, property, and mail between Nassau,

Bahama Islands, and the co-terminals Miami and Palm Beach, Florida via Cat Cay, Bahama Islands.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on April 17, 1947, at 10:00 a. m. (eastern standard time) in Room 1508, Commerce Building, 14th Street and Constitution Ave., N. W., Washington, D. C., before Examiner James S. Keith.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest, as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing and able to perform such transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States and the Government of the United Kingdom.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before April 17, 1947, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., April 11, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-3612; Filed, Apr. 15, 1947;
8:56 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-796]

SOUTHERN NATURAL GAS CO.

NOTICE OF AMENDED APPLICATION

APRIL 9, 1947.

Notice is hereby given that on March 18, 1947, Southern Natural Gas Company (Applicant), a Delaware corporation, having its principal place of business in Birmingham, Alabama, and authorized to do business in the States of Alabama, Georgia, Louisiana, Mississippi and Texas, filed an amendment to its application filed on October 7, 1946, striking out its entire previous application and all of the exhibits thereto, and substituting in lieu thereof an amended application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate the following facilities:

I. Additions to Applicant's present main line system as follows:

A. Loop lines:

(1) 3.5 miles of 20-inch line between the Reform and Tarrant compressor stations.

(2) 1.5 miles of 22-inch line between the Reform and Tarrant compressor stations.

(3) 11.0 miles of 22-inch line extending eastward from the Tarrant compressor station.

(4) 2.5 miles of 20-inch line between the DeArmanville compressor station and Atlanta.

Total main line loops, 18.5 miles.

B. Compressor station additions:

(1) 1,000 H. P. unit at the Louisville station.

(2) 1,000 H. P. unit at the Reform station.

(3) 1,000 H. P. unit at Tarrant station.

(4) 1,000 H. P. unit at the DeArmanville station.

Total H. P., 4,000.

Applicant recites that it intends to make certain tests of the feasibility and safety of increasing operating pressures in certain sections of its main line from the present pressure of 450 p. s. i. to approximately 475 p. s. i. In the event such tests indicate that pressures can be increased to such an extent, Applicant intends to install the facilities required for operation at such higher pressure. According to the application, on the basis of the present 450 p. s. i. operating pressures, the installation of the above facilities will increase the delivery capacity of Applicant's main line by 10,000 Mcf daily. On the basis of the increased 475 p. s. i. operating pressures, the installation of such facilities will provide an increase of 19,000 Mcf daily in delivery capacity.

II. Additions to present branch lines as follows:

A. Meridian (Mississippi) branch line—9 miles of 6½-inch loop line.

B. Columbus-West Point (Mississippi) branch line—6.5 miles of 6½-inch loop line.

C. Gadsden (Alabama) branch line—33 miles of 12¾-inch pipe line parallel to the present branch line.

Applicant states that installation of the above facilities will increase daily delivery capacities as follows:

Meridian line from 9,000 Mcf to 10,000 Mcf.
Columbus line from 12,000 Mcf to 14,000 Mcf.

Gadsden line from 30,000 Mcf to 76,000 Mcf.

Applicant proposes to sell gas directly to Alabama Power Company from the proposed Gadsden line for use at a new power plant presently under construction near Gadsden.

III. A new line from the Gwinville, Mississippi, gas field to Atlanta, Georgia. This will consist of approximately 375 miles of 24-inch pipe line and stream crossings, cross connections with Applicant's existing Montgomery branch line, measuring facilities and appurtenances.

When operated at an initial pressure of 1,000 p. s. i. this line will have, without the installation of compressing facilities, a daily delivery capacity of 215,000 Mcf at Atlanta, in addition to contemplated daily deliveries during periods of peak demands of 10,000 Mcf at intervening points.

Applicant notes that the total daily delivery capacity of this line could be

increased to approximately 540,000 Mcf by the installation of 5 compressor stations with a total of 108,000 H. P., and certain dehydration and other appurtenant facilities, application for which is not now made.

IV. Facilities to extend Applicant's system to new markets, as follows:

A. An extension to Chattanooga, Tennessee. This will comprise approximately 44 miles of 8½-inch pipe line, extending from a point on Applicant's existing Cedartown-Calhoun, Georgia branch line (at the end of the 6½-inch section of said line in Gordon County, Georgia) to a point of delivery in Catoosa County, Georgia, at or near the Georgia-Tennessee state line near Chattanooga. A new compressor station of 1,600 H. P. capacity is also to be installed at the end of the existing 12¾-inch section of the Cedartown-Calhoun branch line, near Rockmart, Georgia, together with a meter station and dwelling houses at said point of delivery and appurtenant facilities.

Applicant recites that this new line will be designed to operate at pressures up to 1,200 p. s. i. The line will have a capacity of about 2,000 Mcf per day without compression at Rockmart, and a capacity of 20,000 Mcf per day when operated at 1,200 p. s. i. with compression at Rockmart.

In the event Applicant makes contracts for the delivery of gas for distribution in Rossville, Dalton and other communities along the route of the Chattanooga extension, such facilities will also include lateral lines and measuring facilities, or such portions thereof as Applicant may agree to construct, of appropriate sizes to supply such communities.

Applicant is conducting negotiations with a group of individuals for supplying the requirements of a line to be constructed by a corporation (to be organized by said individuals) from the northern terminus of Applicant's proposed Chattanooga extension to Knoxville, Tennessee, with lateral lines to Cleveland, Athens, Niota, Maryville, Loudon, Sweetwater, Alcoa and Lenoir City.

In this connection, Applicant notes that the delivery capacity of its proposed Chattanooga extension could be further increased to 40,000 Mcf per day by looping the aforesaid 6½-inch section of the Cedartown-Calhoun branch line with 20 miles of 8½-inch line and the installation of 1,400 H. P. of additional compressors.

B. An extension to Lexington, Mississippi. This will comprise approximately 11 miles of 4½-inch pipe line, extending from a point north of Goodman, Mississippi, on the Goodman-Durant branch line in Holmes County, Mississippi, to the town of Lexington, Mississippi, together with a meter station and appurtenant facilities. This line will have a daily delivery capacity of approximately 2,000 Mcf. Gas is to be sold to Mississippi Power and Light Company for distribution in the town of Lexington.

C. An extension to various cities and towns in North Alabama, including Athens, Decatur, Florence, Hartselle, Huntsville, Sheffield and Tusculumbia.

This extension will consist of approximately 97 miles of 10 $\frac{3}{4}$ -inch pipe line, commencing at a point on Applicant's existing main line system east of its Reform compressor station and extending northward to Sheffield, together with lateral lines comprising approximately 39 miles of 8 $\frac{3}{8}$ -inch line, 23 miles of 6 $\frac{3}{8}$ -inch line and 28 miles of 4 $\frac{1}{2}$ -inch line extending to the other cities mentioned above.

This project also includes the installation of 1,000 H. P. of additional compressing facilities at Applicant's Reform compressor station, a river crossing consisting of two 6 $\frac{3}{8}$ -inch lines across the Tennessee River, meter stations at various points of delivery and appurtenant facilities.

In the event Applicant makes contracts for the delivery of gas for distribution in other communities along the route of this extension, the facilities will also include lateral lines and measuring facilities, or such portions thereof as Applicant may agree to construct, of appropriate sizes to supply such communities. Such communities include Fayette, Winfield, Hamilton, Haleyville, Russellville, Town Creek, Leighton, Courtland, Wheeler, Hillsboro and Trinity.

By means of this proposed extension, Applicant proposes to sell gas for resale to distributing companies in the above named municipalities, and, in addition, make direct sales to the following industrial customers: Reynolds Metals Company and Reynolds Alloy Company at Listerhill; Calumet & Hecla Copper Mining Company at Decatur; Tennessee Valley Authority Nitrate Plant No. 2 at Sheffield; and E. I. du Pont de Nemours Company at Huntsville.

This proposed extension is designed to operate at a pressure of 1,000 p. s. i., and will have a capacity of 25,000 Mcf per day.

D. Extensions to LaGrange, Georgia and adjacent communities. This will comprise approximately 6 miles of 4 $\frac{1}{2}$ -inch lateral lines and 6 miles of 6 $\frac{3}{8}$ -inch lateral lines extending from the new 24-inch pipe line described in Part III above to LaGrange and West Point, Georgia, and Lanett, Shawmut, Langdale, Fairfax and Riverview, Alabama.

Applicant proposes to sell gas for distribution in the City of LaGrange by the municipality, which presently operates a system distributing manufactured gas. Applicant also proposes to make direct sales to the following industrial customers: West Point Manufacturing Company at West Point, Georgia, and Lanett, Shawmut, Langdale, Fairfax and Riverview, Alabama; and Calloway Mills, Dunson Mills and Dixie Mills near LaGrange.

In the event Applicant makes contracts for delivery of gas for distribution in other communities adjacent to the new line this extension will also include lateral lines and measuring equipment, or such portions thereof as Applicant may agree to construct, of appropriate sizes to supply such communities.

E. An extension to White Plains, Alabama. This extension will comprise approximately 7.5 miles of 4 $\frac{1}{2}$ -inch line, commencing at a point on Applicant's existing main line system east of its

DeArmanville compressor station and extending northward to a point in Calhoun County known as White Plains, where said line will connect with lines extending to the towns of Jacksonville and Piedmont, Alabama (which latter lines and distribution systems within the towns are to be constructed and owned by the respective towns), together with a meter station and appurtenant facilities.

This line will have a daily delivery capacity of approximately 2,000 Mcf.

F. A connection at Tallassee, Alabama. This will consist of a tap and meter station at a point on Applicant's existing Montgomery-Columbus branch line in the town of Tallassee, Alabama. By means of such facilities, Applicant proposes to sell gas for distribution in Tallassee by a municipally or privately owned distribution system.

Applicant states that the estimated total over-all capital cost of the proposed facilities is \$24,533,350. Information with respect to Applicant's plans for financing such facilities is to be supplied by an amendment to the pending application.

Applicant recites that it does not propose to make any change in its present rates by reason of the construction of the facilities.

Applicant notes that it has made preliminary surveys as to the feasibility of extending its system to various other communities in the northern part of Florida, the southern parts of Alabama and Georgia and northeasterly along the Atlantic Seaboard. It presently has in contemplation a line extending southeasterly from the vicinity of Montgomery, Alabama or Columbus, Georgia toward Jacksonville, Florida, which line could supply the intervening area in southeast Alabama and Georgia. This same line may extend northeasterly, via Savannah, Georgia into the Charleston, South Carolina area. Applicant also contemplates the extension of its system from a point in the vicinity of Atlanta, Georgia, northeasterly through the Carolinas along the Eastern Seaboard to supply Augusta, Athens, and other northeast Georgia communities, Columbia, South Carolina and what is generally described as the Piedmont area of the Carolinas and Virginia.

Applicant contemplates filing an application for authorization of facilities required to deliver gas for distribution in the areas mentioned above.

Applicant states that installation of the facilities for which application is now made will increase the delivery capacity of Applicant's system to approximately 490,000 Mcf per day, an amount in excess of its estimated peak day requirements of 393,780 Mcf for the winter of 1949-1950. Applicant considers that the additional capacity resulting from the construction of the proposed new 24-inch line from the Gwinville field to Atlanta, which can deliver without compression approximately 225,000 Mcf per day, will be justified in view of Applicant's future plans just before mentioned.

To meet its 1947-48 peak day requirements, Applicant proposes to install propane standby equipment near its Ben Hill compressor station near Atlanta

and at its regulator station serving Phoenix City and Columbus, Alabama, capable of delivering 7,500 Mcf per day and 6,000 Mcf per day, respectively.

Applicant's system is presently connected to five gas fields: the Gwinville field in Mississippi, the Monroe and the Bear Creek fields in Louisiana, the Logansport field in Louisiana and Texas, and the Carthage field in Texas.

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

The application, as amended, of Southern Natural Gas Company is on file with the Commission and is open to public inspection. Any person (unless permission to intervene in the original application has already been granted by the Commission) desiring to be heard or to make any protest with reference to the application, as amended, shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the *FEDERAL REGISTER*, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure (effective September 11, 1946), and shall set out clearly and concisely the facts from which the nature of the petitioner or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceedings, so as to advise the parties and the Commission as to the issues of fact or law to be raised or controverted, by admitting, denying, or explaining specifically and in detail, each material allegation of fact or law asserted with respect to the application.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-3591; Filed, Apr. 15, 1947;
8:48 a. m.]

[Docket No. G-881]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 10, 1947.

Notice is hereby given that on April 1, 1947, an application was filed with the Federal Power Commission by El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal place of business in El Paso, Texas, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of certain natural gas pipeline facilities subject to the jurisdiction of the Federal Power Commission, all of which are hereinafter more fully described.

Applicant seeks authorization to construct and operate the following described facilities:

A 6-inch O. D. Loop Line beginning at Applicant's mile Post 35.3 miles located on Applicant's Globe-Miami Transmission Line, Hidalgo County, New Mexico, and from that point extending in a northwesterly direction 17 miles, parallel and adjacent to Applicant's 8½-inch transmission line, to another point in Hidalgo County, near Applicant's mile Post 52.3.

Applicant submits that the proposed construction will increase its capacity from Compressor Station No. 4, approximately 2½ million cubic feet per day over its present capacity for the purpose of supplying additional volumes of natural gas to the Phelps Dodge Corporation's Morenci smeltering plant, a customer now being served by Applicant. The Applicant further recites that the Morenci plant of the Phelps Dodge Corporation is engaged in the producing of copper and that due to the large demand for this product, the additional fuel is necessary in order that the plant may operate at capacity.

Applicant proposes to obtain its gas supply necessary to render the proposed service from its reserves located in Jal-Eunice Area in Lea County, New Mexico.

The estimated over-all cost of the proposed project is approximately \$78,100, which will be paid for in cash out of funds on hand.

The application of El Paso Natural Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure (effective September 11, 1946), and shall set out clearly and concisely the facts from which the nature of the petitioner or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering, specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-3592; Filed, Apr. 15, 1947;
8:48 a. m.]

[Order 136]

POWER SYSTEM STATEMENTS FOR 1946

EXTENSION OF TIME FOR FILING

On November 22, 1946, the Commission adopted the following three orders respecting the filing of Power System Statements by electric utilities, licensees, and others, to wit: Order No. 133 (11 F. R. 14173) regarding FPC Form No. 12 (Class I and Class II Systems) Order No.

134 (11 F. R. 14173) regarding FPC Form No. 12-A (Class III and Class IV Systems) and Order No. 135 (11 F. R. 14174) regarding FPC Form No. 12-D (Class III and Class IV Systems). Each of these orders requires that the Power System Statement referred to therein shall be filed with the Commission annually on or before the 15th of April;

It appearing that because of a delay in printing and distributing FPC Forms 12, 12-A and 12-D to the electric utilities concerned which will make it impossible for most utilities to file the required Form by April 15, 1947, an extension of time for filing the 1946 FPC Forms 12, 12-A and 12-D should be granted; and

Finding that the notice and public procedure provided for in section 4 (a) of the Administrative Procedure Act are impracticable and unnecessary with respect to amending Commission Orders Nos. 133, 134 and 135 as hereafter set forth;

And further finding that such action is necessary and appropriate for carrying out the provisions of the Federal Power Act;

The Commission, pursuant to the authority vested in it by the Federal Power Act, particularly sections 4 (a), 301 (a), 309 and 311 thereof, orders that:

(A) Commission Order No. 133, dated November 22, 1946 is hereby amended to provide that FPC Form No. 12 Power System Statement (Class I and Class II Systems) for the year 1946 shall be filed on or before June 1, 1947;

(B) Commission Order No. 134, dated November 22, 1946 is hereby amended to provide that FPC Form No. 12-A Power System Statement (Class III and Class IV Systems) for the year 1946 shall be filed on or before June 1, 1947;

(C) Commission Order No. 135, dated November 22, 1946 is hereby amended to provide that FPC Form No. 12-D Power System Statement (Class III and Class IV Systems) for the year 1946 shall be filed on or before June 1, 1947;

(D) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER, and further, shall cause to be published in the FEDERAL REGISTER a revision of § 141.51, 141.52 and 141.55, respectively, of Subchapter D-Approved Forms, Federal Power Act, Chapter I, Title 18, Code of Federal Regulations, in conformity with this order.

Date of issuance: April 4, 1947.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-3399; Filed, Apr. 15, 1947;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 620, Special Permit 3]

LIGHT-WEIGHING OF CARS LOADED WITH IMPORTED BAUXITE ORE AT NEW ORLEANS AND WESTWEGO, LA.

Pursuant to the authority vested in me by paragraph (f) of the first order-

¹ Sec. F. R. Doc. 47-3614 under Title 18 in Rules and Regulations section, *supra*.

ing paragraph of Revised Service Order No. 620 (12 F. R. 641), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the light-weighting:

At its Stuyvesant Docks Yard, New Orleans, Louisiana, by the Illinois Central Railroad Company, or at its Westwego, Louisiana Yards by the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans, of railroad freight cars to be loaded with imported bauxite ore, at the loading facilities of the above-named carriers at Stuyvesant Docks and Westwego, respectively, when consigned to The Permanente Metals Corporation, Baton Rouge, Louisiana.

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

Issued at Washington, D. C., this 8th day of April 1947.

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

[F. R. Doc. 47-3582; Filed, April 15, 1947;
8:47 a. m.]

[R. S. O. 620, Special Permit 4]

LIGHT-WEIGHING OF CARS LOADED WITH MANGANESE ORE AT SAVANNAH, GA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 620 (12 F. R. 641), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the light weighing at Savannah, Ga., of 50 gondola cars by the CofGa Ry. for loading with manganese ore to be discharged from steamship Allegheny Victory now due to arrive April 13, 1947.

The waybills shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of April 1947.

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

[F. R. Doc. 47-3583; Filed, Apr. 15, 1947;
8:47 a. m.]

[S. O. 396, Special Permit 164]

RECONSIGNMENT OF APPLES AT CHICAGO,
ILL.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Illinois, April 7, 1947, by E. S. Small Co., of car PFE 43885, apples, now on the C., B. & Q. RR., to Pittsburgh, Penna. (P. RR.).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 7th day of April, 1947.

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

[F. R. Doc. 47-3576; Filed, April 15, 1947;
8:46 a. m.]

[S. O. 396, Special Permit 165]

RECONSIGNMENT OF ONIONS AT LOS
ANGELES, CALIF.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Los Angeles, Cal., April 7, 1947, by Hines and Co. of car ART 20104, onions, now on the A., T. & S. F. Ry., to J. W. Williams Co., San Diego, Cal. (A. T. & S. F.).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 7th day of April, 1947.

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

[F. R. Doc. 47-3577; Filed, Apr. 15, 1947;
8:46 a. m.]

[S. O. 396, Special Permit 166]

RECONSIGNMENT OF LETTUCE AT ST.
LOUIS, MO.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at St. Louis, Missouri, April 8, 1947, by Justman-Frankenthal Company, of car SFRD 26347, lettuce, now on the St. Louis-San Francisco Railway, to National Tea Company, Milwaukee, Wisconsin (Alton-C. M. St. P. & P.).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 8th day of April 1947.

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

[F. R. Doc. 47-3578; Filed, Apr. 15, 1947;
8:46 a. m.]

[S. O. 396, Special Permit 167]

RECONSIGNMENT OF SPINACH AT
PHILADELPHIA

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Pa., April 9, 1947, by H. Rothstein, of car PFE 95466, spinach, now on the PRR to A. J. Weinstein Co., New York, N. Y. (PRR).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of April, 1947.

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

[F. R. Doc. 47-3579; Filed, Apr. 15, 1947;
8:47 a. m.]

[S. O. 396, Special Permit 168]

RECONSIGNMENT OF CARROTS AT JERSEY
CITY, N. J.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Jersey City, N. J., April 9, 1947, by Tassini & Salisch, Inc., of car PFE 73528, carrots, now on the Baltimore & Ohio RR., to Sweeney Lines Co., Boston, Mass. (N. Y., N. H. & H.).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of April 1947.

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

[F. R. Doc. 47-3580; Filed, Apr. 15, 1947;
8:47 a. m.]

[S. O. 396, Special Permit 169]

RECONSIGNMENT OF APPLES AT CHICAGO,
ILL.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., April 9, 1947, by Sam Krasnow Co., of car SFRD 14457, apples, now on the C&NW to Pittsburgh, Pa. (PRR).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 9th day of April 1947.

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

[F. R. Doc. 47-3581; Filed, Apr. 15, 1947;
8:47 a. m.]

OFFICE OF HOUSING EXPEDITER

[C-10]

BRADY HAULERS, INC.

CONSENT ORDER

Brady Haulers, Inc. has been constructing a one-story building located at McKinley Avenue and Main Street, Endicott, New York. It is charged by the Office of the Housing Expediter with violations of Veterans' Housing Program Order 1 in that (1) on or about November 15, 1946 it began construction, repairs, additions and alterations without authorization and at a cost in excess of \$1,000 of a commercial building located at McKinley Avenue and Main Street, Endicott, New York; (2) on and after November 15, 1946 it carried on construction, repairs, additions and alterations without authorization and at a cost in excess of \$1,000 of a commercial building located at McKinley Avenue and Main Street, Endicott, New York.

Brady Haulers, Inc. admits the violations charged and does not desire to contest the same and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Brady Haulers, Inc., the Regional Compliance Director and the Regional Attorney and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Brady Haulers, Inc., its successors and assigns, nor any other person shall do any further construction on the premises located at McKinley Avenue and Main Street, Endicott, New York, including the putting up, completing or altering of any of the structures located on said premises, unless hereafter specifically authorized in writing by the Office of the Housing Expediter.

(b) Brady Haulers, Inc. shall refer to this order in any application or appeal which it may file with the Office of the Housing Expediter for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Brady Haulers, Inc., its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 14th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,

By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-3640; Filed, Apr. 14, 1947;
2:48 p. m.]

[C-11]

MAY PLUMBING & APPLIANCE CO.

CONSENT ORDER

Herbert May, doing business as May Plumbing and Appliance Company is engaged in the plumbing and electrical appliance business at 324 North 21st Ave-

No. 75—3

nue, Hollywood, Florida. Subsequent to March 26, 1946, he began the construction of a one-story concrete building, 67.6' x 45' on Lot 5, Block "E", Little Ranches Subdivision, Hollywood, Florida, and known as No. 324 North 21st Avenue, to be used for commercial purposes and at an estimated cost in excess of \$1,000 exemption provided for in Veterans' Housing Program Order 1 and in violation of said order.

Herbert May, doing business as May Plumbing and Appliance Company admits the violation as charged and although denying willfulness, does not care to contest this issue, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Herbert May, doing business as May Plumbing and Appliance Company, the Regional Compliance Manager and the Regional Attorney, and upon approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Herbert May, individually, nor doing business as to the May Plumbing and Appliance Company, his administrators, executors, successors or assigns nor any other person, shall do any further construction on the premises known as 324 North 21st Avenue, Hollywood, Florida, including the putting up, completing or altering of the structure located on said premises, until hereafter specifically authorized in writing by the Office of the Housing Expediter, except nothing herein shall prevent Herbert May, doing business as May Plumbing and Appliance Company, from building to completion a structure not exceeding 1,000 square feet of floor space at a cost not to exceed \$5,000 at said location.

(b) Herbert May, doing business as May Plumbing and Appliance Company shall refer to this order in any application or appeal which they may file with the Office of the Housing Expediter for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Herbert May, doing business as May Plumbing and Appliance Company, his or its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 14th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,

By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-3641; Filed, Apr. 14, 1947;
2:48 p. m.]

[C-15]

CUNEO PRESS, INC.

CONSENT ORDER

Cuneo Press, Inc., a corporation, Canal, Cermak and Grove Streets, Chicago, Illinois, is engaged in the printing and publishing business. It is charged with having exceeded authorization on Form CPA-4423, dated April 23, 1946,

in the construction of a brick building approximately 100' x 369', at an estimated cost of approximately \$178,000, instead of the installation of a demountable airplane hangar 100' x 320' at an estimated cost of \$78,000, as set forth in said application. Cuneo Press, Inc., a corporation, does not wish to contest such charge and consents to the issuance of this order.

Wherefore, upon the agreement and consent of Cuneo Press, Inc., a corporation, the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Authorization to Cuneo Press, Inc., corporation, on Form CPA-4423, dated April 23, 1946, is hereby revoked.

(b) Neither Cuneo Press, Inc., a corporation, its successors or assigns, nor any other person, shall do any further construction on the premises at 2416 South Archer Avenue, Chicago, Illinois, unless specifically authorized by the Office of the Housing Expediter.

(c) Nothing contained in this order shall be construed as preventing the processing on its merits of any application for permission to complete the construction on the aforesaid premises heretofore or hereafter filed with the Office of the Housing Expediter.

(d) Nothing contained in this order shall be deemed to relieve Cuneo Press, Inc., a corporation, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 14th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,

By JAMES V. SARCONI,
Authorizing Officer.

[F. R. Doc. 47-3642; Filed, Apr. 14, 1947;
2:48 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-980]

GULF, MOBILE & OHIO RAILROAD CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of April A. D. 1947.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Gulf, Mobile & Ohio Railroad Company, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available

for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to April 30, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-3597; Filed, Apr. 15, 1947;
8:52 a. m.]

[File Nos. 54-106, 31-524, 54-107, 31-523,
59-52]

BUFFALO, NIAGARA AND EASTERN POWER
CORP. ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of April 1947.

In the matters of Buffalo, Niagara and Eastern Power Corporation, File Nos. 54-106, 31-524; Niagara Hudson Power Corporation, File Nos. 54-107, 31-523; Niagara Hudson Power Corporation and its Subsidiary Companies, respondents, File No. 59-52.

The Commission having by order dated October 28, 1946 extended for a period of six months the time within which Niagara Hudson Power Corporation must dispose of all its interest, direct or indirect, in Buffalo Niagara Electric Corporation and all the subsidiaries thereof, as provided by the amended plan of Niagara Hudson Power Corporation approved by Commission Order of October 4, 1945 issued in respect thereof; and

Niagara Hudson Power Corporation having filed an application requesting that an order be issued extending to November 1, 1947 the time within which Niagara Hudson may effect compliance with the disposition requirements of the amended plan referred to above; the applicant having stated that Niagara Hudson and three of its subsidiaries, i. e., Buffalo Niagara Electric Corporation, Central New York Power Corporation, and New York Power and Light Corporation, have pending before the Public Service Commission of the State of New York an application for approval of the consolidation of the three subsidiaries into Buffalo Niagara Electric Corporation as the single surviving corporation; and

Applicant having further stated that to date no hearings have been held by the

State Commission on the consolidation application but that applicant believes that such hearings will be held in sufficient time to permit determination of the matters therein involved prior to the expiration of the requested extension of time; and

Applicant having alleged that the interest of all its stockholders will be best and most equitably served through effectuation of the proposed consolidation and upon completion thereof applicant will proceed forthwith to present to this Commission a program designed to effectuate further simplification of Niagara Hudson's own capital structure through elimination of its own preferred stock and payment of its bank loans with a view to the eventual elimination of Niagara Hudson as a public utility holding company;

It appearing to the Commission that it is appropriate in the public interest and the interests of investors that notice of the filing of said application for extension of time and opportunity for requesting a hearing thereon be given to all interested persons;

It is ordered, That notice of the filing of Niagara Hudson's request for an extension to November 1, 1947 of the time within which to comply with the disposition requirements of the amended plan referred to above be given to Niagara Hudson Power Corporation, the Public Service Commission of the State of New York and the Federal Power Commission by mailing copies of this notice of filing by registered mail, and to all other persons by publication thereof in the FEDERAL REGISTER.

Any interested person may, not later than April 18, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after 5:30, April 18, 1947, the Commission may take such action as may be deemed appropriate with respect to Niagara Hudson's application.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-3594; Filed, Apr. 15, 1947;
10:09 a. m.]

[File No. 70-1482]

FEDERAL WATER AND GAS CORP. AND SCRANTON-SPRING BROOK WATER SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of April A. D. 1947.

Federal Water and Gas Corporation ("Federal"), a registered holding com-

pany, and its subsidiary, Scranton-Spring Brook Water Service Company ("Scranton"), having filed a declaration pursuant to section 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder regarding the following proposed transaction:

Federal proposes to sell to Scranton 975 shares of common stock, par value \$50 per share, of The Winton Water Company ("Winton") for a cash consideration of \$75,000. After the proposed sale, Scranton will own all of Winton's 1,975 shares of outstanding common stock; and

The declaration having been filed with this Commission on March 14, 1947, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated under said act, and this Commission not having received a request for a hearing with respect to said declaration within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the proposed sale that no adverse findings are necessary under section 12 (f) of the act and Rule U-43 promulgated thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective, and deeming it appropriate to grant the request of the declarants that the order become effective forthwith;

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

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-3595; Filed, Apr. 15, 1947;
10:10 a. m.]

[File No. 70-1500]

ARKANSAS POWER & LIGHT CO. AND ELECTRIC POWER & LIGHT CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 9th day of April A. D. 1947.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Electric Power & Light Corporation ("Electric"), a registered holding company, and its subsidiary, Arkansas Power & Light Company ("Arkansas"). Applicants-declarants have designated sections 6 (b), 9 (a), 10 and 12 (f) of the act and Rule U-43 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 21, 1947 at 5:30 p. m., e. s. t., request the

Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after April 21, 1947 said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt

such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

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

Arkansas has outstanding 1,360,000 shares of common stock, having a par value of \$12.50 per share, all of which are owned by Electric. Arkansas proposes to issue and sell and Electric proposes to acquire an additional 100,000 shares of common stock of Arkansas for a cash consideration of \$1,250,000. The proceeds from the sale of the new common stock will be used by Arkansas for the construction of needed facilities.

Electric proposes to use treasury funds in making the proposed transaction.

The issue and sale by Arkansas of such common stock has been expressly authorized by the Arkansas Public Service Commission.

Applicants-declarants request that the Commission's order issue as soon as possible and become effective upon the issuance thereof in order to permit consummation of the proposed transactions at the earliest possible opportunity.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 47-3596; Filed, Apr. 15, 1947;
8:52 a. m.]

