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Washington, Tuesday, August 19, 1947

TITLE 3—THE PRESIDENT

PROCLAMATION 2742

FIRE PREVENTION WEEK, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS each year preventable fires claim the lives of thousands of our citizens, both young and old, and cause permanent disability or painful injury to countless others; and

WHEREAS the destruction by fire of our natural and created resources has almost doubled during the past decade, and cost this nation more than five hundred and sixty million dollars in the year 1946; and

WHEREAS this ravage, if unabated, threatens an even more calamitous loss of life and waste of material wealth; and

WHEREAS the program promulgated at the President's Conference on Fire Prevention held at Washington in May 1947 is designed to assist in stemming the tide of death and destruction from fires:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week beginning October 5, 1947, as Fire Prevention Week.

I earnestly request every citizen to eliminate all possible causes of destructive fire in his home and in his place of business, and I urge that vigilance against fire be extended beyond Fire Prevention Week and zealously continued throughout the year. I invite State and local governments, the Chamber of Commerce of the United States, the National Fire Waste Council, the American National Red Cross, business and labor organizations, churches and schools, civic groups, and agencies of the press, the radio, and the motion-picture industry to cooperate fully in the observance of Fire Prevention Week with the objective of initiating a fire prevention campaign continuing throughout the year. I also direct the appropriate agencies of the Federal Government to assist in every feasible way in arousing the public to the seriousness of the fire problem.

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

DONE at the City of Washington this fourteenth day of August in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 47-7772; Filed, Aug. 15, 1947; 8:00 p. m.]

PROCLAMATION 2743

NATIONAL GUARD DAY, 1947

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the National Guard of the United States has been a bulwark of our military forces in struggles against foreign aggressors and the support of our people in times of domestic disaster; and

WHEREAS the security of our Nation demands that the National Guard be fully manned, equipped and trained as a force immediately available in time of national danger; and

WHEREAS September 16, 1947, marks the seventh anniversary of the entrance of the National Guard into the Nation's service during the emergency immediately preceding World War II:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may give special recognition to the men of the National Guard of the United States who have given their services and their lives to their country and to those who are continuing to give their services for the security of their country, do hereby proclaim Tuesday, September 16, 1947, as National Guard Day, and invite the Governors of the several States to issue

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

proclamations for the observance of that Day; and I also direct that the flag of the United States be displayed on all public buildings on that Day.

I also remind our citizens that a responsibility rests upon them for the support of the National Guard of the United States, and I therefore urge that all our citizens give their earnest attention to the units of the National Guard in their communities and assist in the organization, recruiting and development of those units in every way possible.

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

DONE at the City of Washington this 15th day of August, in the year of our Lord nineteen hundred and [SEAL] forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 47-7771; Filed, Aug. 15, 1947; 8:00 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter D—Nationality Regulations

PART 376—NATURALIZATION PROCEEDINGS FOR PHYSICALLY DISABLED PERSONS PERMITTED AT PLACES OTHER THAN IN THE OFFICE OF THE CLERK OF COURT OR IN OPEN COURT

NATURALIZATION PROCEDURE FOR PHYSICALLY DISABLED PERSONS

JULY 25, 1947.

The following part is added to Title 8, Chapter I, Code of Federal Regulations:

Sec.
376.1 Declarations of intention, petitions, and oaths of physically disabled persons.
376.2 Reports of district directors to clerks of court or to courts.

AUTHORITY: §§ 376.1 and 376.2 issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 727, 458; 8 CFR 90.1. §§ 376.1 and 376.2 interpret and apply the act of May 31, 1947 (Pub. Law 81, 80th Cong., ch. 87).

§ 376.1 *Declarations of intention, petitions, and oaths of physically disabled persons.* Notwithstanding the provisions of other parts of this subchapter and pursuant to the provisions of the act of May 31, 1947 (Pub. Law 81, 80th Cong., ch. 87), an applicant for naturalization who is prevented by sickness or other physical disability from appearing in the office of the clerk of court or of his authorized deputy may make a declaration of intention or a petition for naturalization at such other place as may be designated by the clerk of court or his authorized deputy; and a petitioner for naturalization who is prevented by sickness or other physical disability from being in open court for the final hearing upon his petition for naturalization may have his petition heard and take the oath of renunciation and allegiance required by section 335 of the Nationality Act of 1940 at such place as the court may designate.

§ 376.2 *Reports of district directors to clerks of court or to courts.* Whenever it appears that an applicant for naturalization is unable because of sickness or other disability to present himself in the office of the clerk of the appropriate naturalization court to sign a declaration of intention to become a citizen of the United States or to make a petition for naturalization or to be in court for the final hearing upon petition for naturalization, the district director shall report the condition of the applicant or petitioner to the clerk of the court. The report shall give such information as is available to show whether the sickness or other disability is of a permanent nature or of a nature which so incapacitates the person as to prevent him from appearing personally in the office of the clerk of the court or in the court, as the case may be. The report is for the purpose of aiding the court to determine, pursuant to section 5 of the act of May 31, 1947 (Pub. Law 81, 80th Cong.), whether the clerk of the court should designate another place for the person to make a declaration of intention or a petition for naturalization or whether the court should designate another place for the final hearing on the petition for naturalization, as the case may be. Nothing in this section shall prevent the person himself from applying directly to the clerk of the court or the court for the benefits of that act and supporting his application by such evidence as is acceptable to the clerk of the court or the court.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003) as to public procedure and delayed effective date are inapplicable for the reason that the rules prescribed by this order pertain to agency procedure.

T. B. SHOEMAKER,
Acting Commissioner of Immigration and Naturalization.

Approved: August 11, 1947.

DOUGLAS W. MCGREGOR,
Acting Attorney General.

[F. R. Doc. 47-7735; Filed, Aug. 18, 1947; 8:50 a. m.]

Chapter 8—Office of Alien Property, Department of Justice

PART 501—GENERAL RULES OF PROCEDURE

MISCELLANEOUS AMENDMENTS

1. The headnote for Part 501 is amended to read as set forth above.

2. Section 501.1 *Receipt and disposition of claims* is revoked and the text is designated Part 504 and revised as set forth in F. R. Doc. 47-7762, *infra.*

3. Section 501.2 *Rules of Vested Property Claims Committee* is hereby revoked.

(40 Stat. 411, 55 Stat. 839, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. App. 1, 50 U. S. C. App. Sup. 616; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9788, Oct. 1946, 11 F. R. 11981)

Executed at Washington, D. C. this 14th day of August 1947.

For the Attorney General.

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

[F. R. Doc. 47-7746; Filed, Aug. 18, 1947; 8:49 a. m.]

PART 504—RULES OF PROCEDURE FOR CLAIMS

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SUBPART D—GENERAL CLAIMS

504.300 General claims.

AUTHORITY: §§ 504.1 to 504.300, inclusive, issued under 40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. App. 1, 50 U. S. C. App. Supp. 616; E. O. 9142, April 21, 1942, 7 F. R. 2985, 3 CFR, Cum. Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

SUBPART A—GENERAL RULES

§ 504.1 *Scope of part.* (a) Sections in Subpart A shall be applicable solely to title and to debt claims.

(b) Sections in Subpart B shall be applicable solely to title claims.

(c) Sections in Subpart C shall be applicable solely to debt claims.

(d) Sections in Subpart D shall be applicable to all claims other than title and debt claims as defined in § 504.2 (e) and (f).

§ 504.2 *Definitions.* As used in this part, unless the context otherwise requires,

(a) The term "act" means the Trading with the Enemy Act, as amended. The term "section" refers to a section of the act.

(b) The term "Office" means the Office of Alien Property.

(c) The term "rules" means the rules of the Office set forth in this part.

(d) The term "Director" means the Director, Office of Alien Property, or other person duly authorized to perform his functions.

(e) The term "title claim" means a notice of claim under section 32.

(f) The term "debt claim" means a claim under section 34.

(g) The term "claim" refers to a title claim or a debt claim.

(h) The term "claimant" means the person in whose behalf a claim is filed.

(i) The term "claim proceeding" means the administrative processing of a claim and includes the claim.

(j) The term "parties" includes the claimant and the Chief of the Claims Branch and, in debt claim proceedings, includes all related claimants as defined in § 504.200 (g).

(k) The term "vested property" means any property or interest vested in or transferred to the Attorney General of the United States or his predecessor, the Alien Property Custodian (other than any property or interest acquired by the United States prior to December 18, 1941) or the net proceeds thereof.

(l) The term "filing" means receipt by the Office or appropriate officer or employee thereof.

§ 504.2a *Indispensable party.* The Chief of the Claims Branch shall be a necessary party in all claim proceedings.

§ 504.3 *Appearance.* (a) An individual may appear in a claim proceeding in his own behalf; a member of a partnership may represent the partnership; a bona fide officer of a corporation, trust or association may represent the corporation, trust or association, and an officer or employee of a federal, state or territorial agency, office or department may represent the agency, office or department.

(b) A person may be represented in a claim proceeding by an attorney at law admitted to practice before the Supreme Court of the United States or the highest court of any state or territory of the United Sates, or the Court of Appeals, or the District Court of the United States for the District of Columbia.

(c) Any person appearing in a claim proceeding may be required to file a power of attorney showing his authority to act in such capacity.

(d) *Limitations on Representative Activities by former employees.* See § 503.32 of the substantive rules of the Office.

§ 504.4 *Leave to be heard.* (a) Unless waived by the Hearing Examiner, requests for leave to be heard shall be in writing, shall set forth the nature and extent of the applicant's interest in the proceeding and shall be filed with the Chief Hearing Examiner not later than two (2) days prior to the date fixed for the commencement of the hearing.

(b) Leave to be heard may include leave to call and examine witnesses, to offer documentary evidence, to cross-examine witnesses, to file briefs, to submit proposed findings and conclusions and to make oral argument. The Hearing Examiner or the Director shall determine the time and extent of such participation.

§ 504.5 *Forms.* (a) Claims shall be filed on forms authorized or prescribed by the rules of this Office.

(b) Unless expressly waived by the Director, only claims filed in accordance with paragraph (a) of this section shall be considered as claim or notices of claim filed with this Office.

§ 504.6 *Amendment and withdrawal of claim.* (a) The claimant may amend his claim prior to hearing. After the opening of a hearing in a claim proceeding, amendment of the claim may be made with the consent of all parties or as allowed by the Hearing Examiner or the Director.

(b) The claimant may at any time withdraw his claim by notice in writing to that effect.

§ 504.7 *Order for hearing.* The Director or the Chief Hearing Examiner may issue an order for hearing in a claim proceeding. In fixing the time for hearing, due regard shall be given to the status of the claim proceeding and the convenience of the parties. The order shall specify the time, place, and nature of the hearing. The order shall be served by the Chief Hearing Examiner on all parties a reasonable time, but not less than ten (10) days, in advance of the hearing, unless the parties shall agree to a shorter time.

§ 504.8 *Designation of Hearing Examiner.* Prior to hearing, a Hearing Examiner shall be designated by the Director or the Chief Hearing Examiner. The Chief Hearing Examiner may be designated to act as a Hearing Examiner.

§ 504.9 *Removal of a claim proceeding and hearing by the Director.* (a) The Director may personally conduct a hearing and may exercise the other functions appropriate to the Hearing Examiner. The Director, at any stage of a claim proceeding before a Hearing Examiner, may remove the claim preceeding from the Hearing Examiner. Decisions of the Director under this section shall first be issued in tentative form.

§ 504.10 *Pre-hearing conferences.* (a) At any time prior to hearing, the Hearing Examiner may arrange for the parties to appear before him for a conference at a designated time and place to consider, among other things, simplification of the issues and any other matter which would tend to expedite the disposition of the proceeding.

(b) The action taken at the conference may be recorded in summary form or otherwise, for use at the hearing. Such record, when agreed to by the parties and approved by the Hearing Examiner, shall be conclusive as to the action embodied therein. Stipulations and admissions of fact and amendments shall be made a part of the record of the claim proceeding.

§ 504.11 *Consolidation of claims.* The Director or the Chief Hearing Examiner, upon his own motion or upon motion of any party, may, where such action will expedite the disposition of claims and further the ends of justice, consolidate claim proceedings.

§ 504.12 *Hearings.* (a) All hearings, except hearings before the Director, shall be conducted by a Hearing Examiner. At any time prior to hearing, a Hearing Examiner may be designated to take the place of the Hearing Examiner previously designated to conduct the hearing. In the case of the death, illness, disqualification or unavailability of the Hearing Examiner presiding in any claim proceeding, another Hearing Examiner may be designated to take his place. Hearing Examiners shall, so far as practicable, be assigned to cases in rotation.

(b) The Hearing Examiner may withdraw from a case when he deems himself disqualified or he may be withdrawn by the Director after affidavits alleging personal bias or other disqualifications have been filed with the Director and the matter has been considered by the Director or by a Hearing Examiner.

(c) Hearings shall be held as ordered by the Director or the Chief Hearing Examiner and shall be open to the public unless otherwise ordered by the Director or the Hearing Examiner.

(d) Subject to the rules of the Office, Hearing Examiners presiding at hearings shall have the hearing powers set forth in section 7 (b) of the Administrative Procedure Act.

(e) Hearing Examiners shall act independently in the performance of their duties as examiners and perform no duties inconsistent with their duties and responsibilities as examiners. Save to the extent required for the disposition of

ex parte matters, no Hearing Examiner shall consult any person or party as to any fact in issue unless upon notice and opportunity for all parties to participate.

(f) The claimant shall be the moving party and shall have the burden of proof on all the issues involved in the claim proceeding. The claimant shall proceed first at the hearing in title claim proceedings. In debt claim proceedings the Hearing Examiner shall determine who shall first proceed.

(g) A presumption of the accuracy and the validity of the findings in a vesting order as to ownership of the property immediately prior to vesting shall be operative in all claims. Such findings shall be deemed accurate and valid unless contested or put in issue by a party, in which event such party shall have the burden of proving his allegations as to ownership of the property involved immediately prior to vesting.

(h) Any party and the hearing Examiner shall have the right and power to call, examine and cross-examine witnesses, and to introduce into the record documentary or other evidence.

(i) In a claim proceeding, the rules of evidence prevailing in courts of law and equity shall not be controlling. However, it shall be the policy to exclude irrelevant, immaterial or unduly repetitious evidence.

(j) Any record, document or other writing, or any portion thereof, from the files of any foreign industrial, business or commercial enterprise, or from the official files of a foreign government, or any subdivision or agency thereof, shall, if otherwise relevant, be admissible in evidence in a claim proceeding as competent evidence of the matters therein contained, when authenticated by a certificate of a duly designated representative of the allied military or civilian authority of occupation, stating that such record, document or other writing came from the files of such enterprise, or from the official files of such foreign government and is in the custody of such allied authority of occupation. All circumstances in the making of such record, document or writing, as well as the lack of opportunity for cross-examination, shall be considered by the Director or the Hearing Examiner in determining its weight, but shall not affect its admissibility. A copy of such record, document or writing shall be equally admissible as the original, when accompanied by a certificate of the allied authority of occupation having custody thereof, stating that it conforms with the original.

(k) In the discretion of the Hearing Examiner, the hearing may be adjourned from day to day or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Hearing Examiner or by appropriate notice.

(l) Contemptuous conduct at any hearing before a Hearing Examiner shall be ground for exclusion from the hearing. Failure or refusal of a witness to appear at any such hearing or to answer any question which has been ruled to be proper may be ground for the striking out of all testimony which may have been previously given by such witness on related matters.

(m) Hearings shall be stenographically reported by a reporter designated by the Director or Chief Hearing Examiner and a transcript of such report shall be a part of the record and the sole official transcript of the proceeding. Such transcript shall include a verbatim report of the hearings. Nothing shall be omitted therefrom except as directed on the record by the Director or the Hearing Examiner. Corrections in the official transcript may be made with the consent of the Hearing Examiner to make it conform to the evidence presented at the hearing. Parties desiring copies of the transcript may obtain such copies from the official reporter upon payment of the fees fixed therefor.

(n) Hearing may be waived by the parties and the claim submitted on briefs to the Hearing Examiner, or to the Director with his consent.

§ 504.13 *Witnesses.* (a) Witnesses shall be examined orally under oath, except that, for good cause shown, testimony may be taken by deposition.

(b) Witnesses summoned before the Hearing Examiner shall be paid the same fees and mileage which are paid witnesses in the Courts of the United States. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear.

§ 504.14 *Subpoenas.* (a) The Director, Chief Hearing Examiner or the Hearing Examiner shall, upon application by any party, and upon a showing of general relevance and reasonable scope of the evidence sought, issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence under oath, including books, records, correspondence or documents. Application for the issuance of subpoenas duces tecum shall specify the books, records, correspondence or other documents sought.

(b) The Director, Chief Hearing Examiner or the Hearing Examiner, before issuing any subpoena, may require a deposit of an amount adequate to cover the fees and mileage involved.

§ 504.15 *Depositions.* (a) Any party desiring to take a deposition shall make application therefor in writing, setting forth the reasons why such deposition should be taken, the name and residence of the witness, the matters concerning which it is expected the witness will testify, and the time and place proposed for the taking of the deposition. Thereupon, the Director, the Chief Hearing Examiner or the Hearing Examiner, as the case may be, may, in his discretion, issue an order which will name the witness whose deposition is to be taken, state the scope of the testimony to be taken, and specify the time when, the place where, and the Officer before whom the witness is to testify. Such order shall be served upon all parties by the Chief Hearing Examiner a reasonable time in advance of the time fixed for taking testimony.

(b) The testimony shall be reduced to writing by the Officer or under his direction, after which the deposition shall be subscribed by the witness and certified by the Officer. Any part of a deposition not received in evidence shall not constitute a part of the record in such proceeding unless the parties so agree, or the Director so orders.

(c) Depositions may also be taken and submitted on written interrogatories in substantially the same manner as depositions taken by oral examination. When a deposition is taken upon written interrogatories and cross-interrogatories, none of the parties shall be present or represented, and no person, other than the witness, a stenographic reporter and the Officer, shall be present at the examination of the witness, which fact shall be certified by the Officer, who shall propound the interrogatories and cross-interrogatories to the witness in their order and reduce the testimony to writing in the witness's own words.

(d) Where the deposition is taken in a foreign country, it may be taken before a secretary of an embassy or legation, consul general, consul, vice consul, or consular agent of the United States, or before such person or officer as may be designated in the authorization or agreed upon by the parties by stipulation in writing filed with and approved by the Director, Chief Hearing Examiner or the Hearing Examiner.

(e) A witness whose deposition is taken pursuant to these rules and the Officer taking the deposition, unless he be employed by the Office, shall be entitled to the same fee and mileage paid for like service in the Courts of the United States, which fee shall be paid by the party at whose instance the deposition is taken, who may be required to deposit in advance an amount adequate to cover the fees and mileage involved.

§ 504.16 *Documents in a foreign language.* Every document, exhibit or paper written in a language other than English, which is filed in any claims proceeding, shall be accompanied by an English translation thereof duly verified under oath to be a true and accurate translation. Each copy of every such document, exhibit or paper filed shall be accompanied by a separate copy of the translation.

§ 504.17 *Motions.* (a) All motions and requests for rulings addressed to the Director, Chief Hearing Examiner or the Hearing Examiner shall state the purpose of and the relief sought, together with the reasons in support thereof.

(b) All motions and requests for rulings made during a hearing in a claims proceeding may be stated orally and shall be made a part of the transcript.

(c) Motions and requests which relate to the introduction or striking of evidence, or which relate to procedure during the course of the hearings, or to any other matters within the authority of the Hearing Examiner, may be stated orally and shall be ruled on by the Hearing Examiner. No exception need be taken to any ruling in order to entitle a party to urge on objection thereafter in the claim proceeding. Except as otherwise provided in this part, all other motions and requests shall be addressed to and ruled upon by the Director.

§ 504.18 *Withdrawal of papers.* The granting of a request to dismiss or with-

draw a paper, document or pleading shall not authorize the removal of the paper, document, or pleading from the records of the Office. No paper, document or pleading or pleading officially filed shall be returned unless the Director shall, for good cause, allow such return.

§504.19 *Oral argument and closing of hearing.* Any party shall be entitled, upon request, at the close of the hearing to a reasonable period for oral argument before the Hearing Examiner which oral argument may, with the consent of the Hearing Examiner, be included in the stenographic report of the hearing.

§ 504.20 *Proposed findings and conclusions.* (a) At the close of the reception of evidence before the Hearing Examiner or within a reasonable time thereafter, to be fixed by the Hearing Examiner, any party may submit to the Hearing Examiner proposed findings and conclusions together with a brief in support thereof. Such proposals shall be in writing and shall contain appropriate references to the records. Copies thereof shall be furnished to all parties. Reply briefs may be filed with the permission of the Hearing Examiner within a reasonable time, to be fixed by him. As far as practicable, procedure shall be followed of having claimant's brief filed first, followed by the brief of the Chief of the Claims Branch, with any reply briefs filed in the same order.

(b) Except where he shall have become unavailable to the Office, the decision shall be made by the Hearing Examiner who presided at the hearing. Where such Hearing Examiner shall have become unavailable to the Office the decision shall be made by the Director, which decision shall first be issued in tentative form.

§ 504.21 *Hearing examiner's decision.* (a) The Hearing Examiner, as soon as practicable after receipt of the complete transcript and all exhibits, shall make a decision which shall become a part of the record and include a statement of: (1) findings and conclusions as well as the reasons or basis therefor upon all the material issues of fact, law, or discretion presented on the record; (2) determination of the claim proceeding.

(b) At any time prior to the filing of his decision, the Hearing Examiner may, for good cause, re-open the case for the reception of further evidence.

(c) A copy of the Hearing Examiner's decision shall be served upon each party.

(d) Unless review has been undertaken in accordance with § 504.22 the decision of the Hearing Examiner shall be final and shall be the decision of this Office.

§ 504.22 *Review of the Hearing Examiner's decision*—(a) *In title claims proceedings.* Within thirty (30) days after service of a copy of the Hearing Examiner's decision, any party seeking review thereof shall petition the Director to review such decision. Such petition shall state the objections to the decision of the Hearing Examiner and the reasons in support of such objections. Within thirty (30) days after the filing of such petition, any party opposing the petition for review may file a memorandum to such effect. If the petition for review is granted, the Director shall fix a time for the filing of briefs and may provide for oral argument pursuant to § 504.24.

(b) *In debt claims proceedings and in proceedings concerning Attorneys' fees under section 20.* Within thirty (30) days after service of a copy of the Hearing Examiner's decision any party seeking appeal thereof shall file such appeal with the Director. The Director shall fix a time for the filing of briefs and may provide for oral argument pursuant to § 504.24.

§ 504.23 *Briefs before the Director.* Briefs shall be confined to the particular matters at issue. Reply briefs shall be confined to matters in original briefs of opposing parties.

§ 504.24 *Oral argument before the Director.* Oral argument may, in the discretion of the Director, be heard upon the request of any party. The Director will determine in each instance the time to be allowed for argument and the allocation thereof to the parties interested.

§ 504.25 *Waiver by the Director.* The Director may, with the consent of the parties, waive any of the requirements of this part when, in his opinion, the ends of justice would thereby be served.

§ 504.26 *Motion to dismiss.* (a) Motion to dismiss may be made by the Chief of the Claims Branch prior to the commencement of hearing. Such motion shall be in writing, shall state the reasons in support thereof and shall be filed with the Chief Hearing Examiner. A copy of the motion shall be served upon all parties by the Chief of the Claims Branch.

(b) Hearing on the motion shall be held at a time and place as ordered by the Director or Chief Hearing Examiner.

(c) Briefs may be submitted before the hearing, at the hearing, or if the Hearing Examiner has reserved ruling on the motion, within a time fixed by the Hearing Examiner after the close of hearing.

(d) Hearing before a Hearing Examiner may be waived by the parties and the matter submitted to the Director on briefs.

(e) Motion to dismiss a claim proceeding shall be granted by the Hearing Examiner, when the claim on its face is not allowable or when it appears that the claim has been abandoned.

(f) Unless review is undertaken by the Director, the decision of the Hearing Examiner upon the motion shall be final and shall be the decision of this Office. The review and appeal provisions of § 504.22 shall apply to decisions of the Hearing Examiner upon such motions.

§ 504.27 *Service*—(a) *By the Chief Hearing Examiner.* Orders, notices, rulings, decisions, and any other action taken by the Hearing Examiner requiring service shall be served by the Chief Hearing Examiner by registering and mailing a copy thereof to the parties, addressed to the person or persons designated in the notice of claim. When notice is not accomplished by registered mail, it may be effected by the Chief Hearing Examiner or anyone duly authorized by the Director by delivering a copy of the document at the principal office or place of business of the party to be served. The return post office receipt for said document or other paper registered and mailed or the verified return of the person accomplishing service, shall be proof of such service.

(b) *By the Director.* Any action taken by the Director in a claim proceeding shall be served by the Director in the manner provided in paragraph (a) of this section.

(c) *By parties.* Motions, briefs, proposed findings and conclusions, notices and all other papers filed in a claim proceeding, when filed with the Chief Hearing Examiner or the Director, shall show service thereof upon the parties to the claim proceeding. Such service shall be made by delivering in person or by mailing.

(d) *Service upon attorneys.* When any party has appeared by attorney, service upon the attorney shall be deemed service upon the party.

(e) *Date of service.* The date of service shall be the day when the matter is deposited in the United States mail or delivered in person, as the case may be.

§ 504.28 *Continuances and extensions.* Continuance with respect to any claim proceeding or hearing and extension of time for filing, or performing any act required or allowed to be done within a specified time, may be granted by the Director, Chief Hearing Examiner or the Hearing Examiner upon motion, for good cause shown, except where time for performance or filing is limited by the act.

§504.29 *Rehearing, reargument.* Any party seeking rehearing, reargument or any desired relief not specifically covered by this part, may petition the Director therefor, stating the relief sought and the reasons in support thereof. The Director may allow the petition in whole or in part and upon such conditions as he deems proper.

§ 504.30 *Fees.* (a) Prior to the return of vested property and prior to the payment of any debt claim, and after completion of the services in connection with such return or payment rendered by claimant's agents, attorneys at law or in fact or representatives, the Director, Chief Hearing Examiner or Hearing Examiner may, upon his own motion or upon the motion of any party, direct that any such agent, attorney at law or in fact or representative furnish a schedule of the fees to be paid.

(b) Unless hearing has been waived by all the parties and the attorneys involved, the determination required under section 20 shall be made by the Director or the Hearing Examiner, after notice of and opportunity for hearing. At such hearing the parties and their counsel shall have the right to offer evidence and oral and written argument. The review provisions of § 504.22 (b) shall be applicable to the decision of the Hearing Examiner with respect to fees.

§ 504.31 *Effective date.* This part shall become effective upon publication in the FEDERAL REGISTER. In any case where a hearing has been commenced, but no final decision by the Vested Property Claims Committee has been issued prior to said publication, the Chief Hear-

ing Examiner shall appoint one or more members of the former Vested Property Claims Committee, who participated in the hearing, as the Hearing Examiner to continue the proceeding.

SUBPART B—TITLE CLAIMS

§ 504.100 *Definitions.* As used in the sections applicable solely to title claims, unless the context otherwise requires:

(a) The term "taxes" refers to taxes as defined under section 36 (d).

(b) The term "national interest" means the interest of the United States under section 32 (a) (5).

(c) The term "conservatory expenses" means expenses expended or incurred in the conservation, preservation or maintenance of vested property.

§ 504.101 *Order of processing.* Except in cases where hardship or other special circumstances exist, claims shall be processed, as nearly as practicable, in the order of their filing.

§ 504.102 *Procedure for allowance without hearing.* (a) The Chief of the Claims Branch may initiate a proceeding for allowance of a claim, or a separable part thereof, which he deems entitled to allowance without the necessity of a hearing thereon, by submitting to the Director a recommendation for allowance together with proposed findings and conclusions.

(b) The record in a claim proceeding under this procedure shall include the notice of claim and the evidence submitted by the claimant with respect thereto, the recommendation for allowance and the proposed findings and conclusions.

(c) The Director shall consider the record and may allow the claim.

(d) If the Director shall disagree with the recommendation of the Chief of the Claims Branch, the claim proceeding shall be remanded by the Director and restored to its former status.

(e) A claim under this procedure may be allowed notwithstanding the fact that the Chief of the Claims Branch makes no recommendation with respect to taxes, conservatory expenses or attorneys' fees. However, no return will be made prior to a determination of such matters and adequate provision made therefor.

§ 504.103 *Requirement for hearing.* No claim shall be allowed or disallowed except after hearing, unless the claim has been determined pursuant to § 504.102 or § 504.105.

§ 504.104 *Hearing calendar.* The Chief Hearing Examiner shall maintain a hearing calendar of all claim proceedings set for hearing.

§ 504.105 *National interest.* (a) Anything in this part to the contrary notwithstanding, the Director may (1) by order disallow the claim by citation of this rule or (2) by order suspend, for a fixed or indefinite time, further action by the Office in the claim proceeding by citation of this section, whenever it appears to his satisfaction that return of property claimed is not in the national interest for reasons of national security or foreign affairs or other matters falling within the scope of section 32 (a) (5).

(b) The Director may, upon his own motion or upon the motion of any party, direct, with respect to any question of fact relating to national interest, that hearing be held before a Hearing Examiner or the Director. The Hearing Examiner in such a hearing shall prepare recommended findings of fact only which shall be submitted to the Director with the transcript of the hearing.

§ 504.106 *Service and availability of decision.* Copies of the Decision of the Office shall be served on the parties. Copies of such decision will be filed with the Division of the Federal Register and will be available for public examination at the office.

§ 504.107 *Publication of notice of intention to return vested property.* Prior to the return of vested property, the Director will issue and file for publication with the FEDERAL REGISTER a notice of intention to return vested property.

§ 504.108 *Revocation of notice of intention to return vested property.* (a) The notice of intention to return vested property may be revoked by the Director, upon his own motion or the motion of any party, at any time prior to return.

(b) Notice of such revocation shall be served on the parties and filed for publication with the FEDERAL REGISTER.

§ 504.109 *Objections during publication period.* (a) Within thirty (30) days after publication of notice of intention to return vested property, objectors to the return of property set forth in the notice may file with the Director a written statement of the objections.

(b) Any objection so filed shall be considered by the Director prior to return of the property. The Director may reopen the claim proceeding as a result of such objections.

§ 504.110 *Return order.* Except in a claim proceeding where notice of intention to return vested property has been revoked in accordance with § 504.108 or objection has been filed pursuant to § 504.109 and has not been disposed of by the Director, an order directing return will issue as soon as practicable after the expiration of thirty (30) days following the publication of the notice. Such order shall be filed for publication with the FEDERAL REGISTER.

§ 504.111 *Final audit.* Prior to making full and final return of property pursuant to a return order, a final audit with respect to the property involved will be made. Any transactions occurring in the administration of such property shall be given effect in determining the actual amount of cash and other property to be returned pursuant to the return order.

§ 504.112 *Return of vested property.* After publication of the return order, completion of the final audit and final administrative determination with respect to taxes, fees and conservatory expenses, appropriate instruments and papers will issue returning the property claimed. The claimant receiving such property shall execute papers in such form as the Director shall determine, acknowledging receipt of the property returned.

SUBPART C—DEBT CLAIMS

§ 504.200 *Definitions.* As used in the sections applicable solely to debt claims, unless the context otherwise requires:

(a) The term "vested property of a debtor" means property of a debtor which he owned immediately prior to its becoming vested property.

(b) The term "money available for payment of claims" means such money included in, or received as net proceeds from the sale, use, or other disposition of vested property of a debtor as shall remain after deduction of expenses and taxes.

(c) The term "expenses" means the amount of the expenses of the Office of Alien Property and the former Office of Alien Property Custodian, including both expenses in connection with vested property of the debtor involved and such portion as the Attorney General shall fix of the other expenses of the Office of Alien Property and the former Office of Alien Property Custodian, and such amount, if any, as the Attorney General may establish as a cash reserve for the future payment of such expenses.

(d) The term "taxes" means taxes as defined in section 36, and includes taxes paid by the Attorney General in respect of vested property of the debtor involved and such amount, if any, as the Attorney General may establish as a cash reserve for the uture payment of such taxes.

(e) The term "debtor's solvent estate" means money available for payment of claims which money at the time of computation exceeds the aggregate of claims filed against a particular debtor.

(f) The term "debtor's insolvent estate" means money available for payment of claims which money at the time of computation is less than the aggregate of claims filed against a particular debtor.

(g) The term "related claimants" refers to all claimants with respect to a particular debtor's insolvent estate.

(h) The term "proposed payment" refers to payment proposed to be made to claimants whose claims against a debtor's insolvent estate have been allowed in whole or in part.

§ 504.201 *Procedure for allowance and payment without hearing of claims against debtors' solvent estates.* (a) With respect to claims against debtors' solvent estates, the Chief of the Claims Branch may initiate a proceeding for allowance of a claim, or a separable part thereof, which he deems entitled to allowance, by submitting to the Director a recommendation for allowance, together with proposed findings and conclusions.

(b) The record in a claim proceeding under this procedure shall include the notice of claim and any evidence submitted by the claimant with respect thereto, the recommendation for allowance and the proposed findings and conclusions.

(c) The Director shall consider the record and may allow the claim.

(d) If the Director shall disagree with the recommendation of the Chief of the Claims Branch, the claim proceeding shall be remanded by the Director and restored to its former status.

(e) A claim under this procedure may be allowed notwithstanding the fact that the Chief of the Claims Branch makes no recommendation with respect to attorneys' fees. However, no payment will be made prior to a determination of attorneys' fees.

§ 504.202 *Requirement for hearing.* No claim shall be allowed or disallowed except after hearing, unless hearing has been waived by the parties or unless the claim has been allowed pursuant to § 504.201.

§ 504.203 *Hearing docket.* (a) A separate hearing docket of claims set for hearing will be maintained by the Chief Hearing Examiner for debt claims against debtor's solvent estates and debt claims against debtors' involvent estates.

(b) The Chief Hearing Examiner shall transfer a debt claim from the debtors' insolvent estates docket to the debtors' solvent estates docket, or vice versa, as the need for change appears. A claim transferred at any time prior to the payment thereof from the debtor's solvent estate docket to the debtor's insolvent estate docket, irrespective of the stage of the administrative process at the time of the transfer, shall be processed as a claim against a debtor's insolvent estate.

§ 504.204 *Claims against debtors' insolvent estates.* (a) With respect to claims against a particular debtor's insolvent estate, the Chief of the Claims Branch may prepare a list of the claims filed and a schedule of the claims he will move for allowance at the hearing and the claims he will contest together with the priorities and payments proposed by him. Such schedule shall be made available to all related claimants by the Chief of the Claims Branch a reasonable time prior to hearing.

(b) All related claimants shall be given opportunity to oppose the allowance, priority or payment of the claim of any related claimant.

(c) At the close of the hearing and after opportunity for oral argument, proposed findings and conclusions and briefs, pursuant to §§ 504.19 and 504.20, the Hearing Examiner, as soon as practicable after receipt of the complete transcript and all exhibits, shall issue his decision which shall include a determination as to allowance or disallowance, and a schedule of the claims allowed with priorities assigned thereto and the payment to be made to each claimant. The Hearing Examiner may issue such schedule either in tentative or final form. If issued in tentative form it shall thereafter be issued in final form with any modifications the Hearing Examiner may see fit to make after having afforded an opportunity for hearing on such tentative schedule.

(d) Unless appealed, the decision, including the schedule, of the Hearing Examiner shall be the decision of the Office. The decision of the Hearing Examiner is subject to appeal in accordance with the provisions of § 504.22.

§ 504.205 *Cases of no vested property of debtor.* Where there does not exist any vested property of a debtor with respect to which debt claims have been filed, the claimant shall be notified thereof and the claim, after opportunity for hearing before a Hearing Examiner, shall be ordered dismissed.

§ 504.206 *Determination of the aggregate of claims filed against a debtor.* In determining the aggregate of claims filed against a debtor, there shall be excluded claims which have been withdrawn and claims which have been dismissed pursuant to § 504.26 or § 504.205 as to which no complaint for review has been filed within sixty (60) days after the date of service of the dismissal.

§ 504.207 *Payment of allowed claims—*(a) *Claims against a debtor's solvent estate.* As soon as practicable after the allowance of a claim, in whole or in part, against a debtor's solvent estate, the claim will be paid to the extent allowed.

(b) *Claims against a debtor's insolvent estate.* To the extent that the proposed payment of a claim against a debtor's insolvent estate has not been made the subject of a complaint for review under section 34 (f), the Director may order payment thereof, after the time for the filing of such complaint for review has expired. To the extent that the allowance and disallowance of claims and proposed payments with respect thereto have been made the subject of a complaint for review under section 34 (f), payment will be made in accordance with the final adjudication thereof.

§ 504.208 *Future payments.* (a) If additional moneys become available for the payment of claims after the first payment on allowed claims against a debtor's insolvent estate, the Chief of the Claims Branch shall submit to the Chief Hearing Examiner notice thereof and the suggested payments to be made. Copies thereof shall be served on each claimant whose claim was allowed and has not been discharged in full.

(b) At the request of any such claimant, a hearing shall be held before a Hearing Examiner with respect to the suggested payments, at which hearing all such claimants shall be entitled to be heard.

(c) The Hearing Examiner shall prepare a decision setting forth the payments to be made to claimants in accordance with the priorities previously assigned. Unless appealed, such decision shall be final and shall be the decision of the Office. The appeal provisions of § 504.22 apply to the decision of the Hearing Examiner.

SUBPART D—GENERAL CLAIMS

§ 504.300 *General claims.* All claims against the Attorney General of the United States relating to the Office of Alien Property or against his predecessor, the Alien Property Custodian, other than title and debt claims as defined in § 504.2 2 (e) and (f), shall be known as "general claims" under this part. Unless forms have been prescribed or authorized for the filing or assertion thereof, general claims may be filed or asserted by letter addressed to the Director of the Office of Alien Property containing a statement of the details of the claim.

Executed at Washington, D. C., this 14th day of August 1947.

For the Attorney General.

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

[F. R. Doc. 47-7762; Filed, Aug. 18, 1947; 8:49 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 500—GENERAL

INSURANCE OF LOANS FOR THE MANUFACTURE OF HOUSES

§ 500.37 *Insurance of loans for the manufacture of houses, section 609, Title VI, National Housing Act*—(a) *Purpose.* To assist in relieving the acute shortage of housing which now exists and to promote the production of housing for veterans of World War II at moderate prices or rentals within their reasonable ability to pay, through the application of modern industrial processes.

(b) *Applicant.* The applicant may be any lender which is approved as a mortgagee under sections 203 (b) or 603 (b) of the National Housing Act, and any other chartered institution or permanent organization having succession upon its approval by the Commissioner for a particular transaction.

(c) *Application.* The application must be made upon FHA Form 2800, together with eight exhibits, identified as follows:

Exhibit A—Business Organization.
Exhibit B—Plant Facilities.
Exhibit C—Description of Houses.
Exhibit D—Financial Statements.
Exhibit E—Production and Marketing.
Exhibit F—Manufacturing Cost.
Exhibit G—Cash Budget.
Exhibit H—Legal Documents.

The application should be forwarded to the Federal Housing Administration, Washington 25, D. C., and be accompanied by the lender's check for a sum computed at the rate of $3 per $1,000 of the original principal amount of the loan applied for.

(d) *Borrower.* The borrower must be a manufacturer of houses which, generally speaking, will have floors, exterior walls, bearing partitions, ceilings and roofs that are fabricated in a plant utilizing power machinery and mass production methods. These houses may be manufactured as complete units or they may consist of substantially complete fabricated sections to be fitted together on the site. Floors may be omitted from the manufactured product when concrete floors are specified. He must have (1) adequate plant facilities, (2) sufficient capital funds, taking into account the loan applied for, and (3) the experience necessary to achieve the required production schedule. The borrower must have a general credit standing satisfactory to the Commissioner.

(e) *Commitment.* If the application is found to be eligible, a commitment to insure the loan will be issued by the Federal Housing Administration to the appli-

cant (lending institution). Such commitment will set forth the terms and conditions upon which the loan will be insured.

(f) *Contract of insurance.* After the loan has been closed in accordance with the terms and conditions of the commitment, a Contract of Insurance will be issued to the insured (lending institution).

(g) *Preliminary analysis.* Prior to the filing of the formal application, the proposed borrower or the proposed lender may submit to the Federal Housing Administration a request for a preliminary analysis with respect to specific questions of eligibility upon FHA Form 2801, which request should be forwarded to Washington headquarters.

(h) *Request for preliminary analysis.* (1) A request for preliminary analysis is to be made by the proposed borrower on FHA Form 2801 (Request for Preliminary Analysis), together with any or all of the following exhibits:

Exhibit A—Business Organization.
Exhibit B—Plant Facilities.
Exhibit C—Description of Houses.
Exhibit D—Financial Statements.
Exhibit E—Production and Marketing.
Exhibit F—Manufacturing Cost.

(2) The instructions for completion of each exhibit are contained on the exhibit forms. Each of these forms will constitute the first page or pages of the respective exhibit, which may include additional pages, schedules, statements, plans, specifications, and such other material as is pertinent to the exhibit.

(3) It is not required that all the exhibits submitted for preliminary analysis be submitted at one time. If there appears to be any doubt about any one phase of the operation meeting eligibility requirements, the schedule or schedules relating to that phase may be submitted for analysis before proceeding with the completion of all the schedules. Each schedule or set of schedules submitted should be accompanied by FHA Form 2801.

(4) FHA will retain one copy of each exhibit submitted for preliminary analysis. When formal application is later made on FHA Form 2800 only one copy of each such exhibit need be submitted to FHA.

(i) *Result of preliminary analysis.* If the exhibit submitted appear from preliminary analysis to conform to the rules and regulations and otherwise appear to be complete and satisfactory, the Federal Housing Administration will return to the proposed borrower one copy of such exhibits, together with one copy of FHA Form 2801, signed by the Federal Housing Administration and indicating that said exhibits have been examined and are in order for submission by an approved lending institution with Application for Insurance (FHA Form 2800). It should be understood that that statement on the part of the Federal Housing Administration does not constitute a final approval of the exhibits which have been given preliminary examination and that such exhibits will be subject to further review in connection with review by the Federal Housing Administration of the complete application filed by the lending institution. (Sec. 3, Pub. Law 120, 80th Cong.)

FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

AUGUST 11, 1947.

[F. R. Doc. 47-7733; Filed, Aug. 18, 1947; 8:50 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

PART 03—DELEGATIONS OF AUTHORITY

Sec.
03.1 Open market purchases.
03.2 Execution and approval of contracts.
03.3 Subject to statutes and regulations.

AUTHORITY: §§ 03.1 to 03.3, inclusive, issued under secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244; 43 CFR 4.100, 12 F. R. 4115.

§ 03.1 *Open market purchases.* Open market purchases (i. e., procurement of supplies and services without advertising for bids) may be made by the chiefs of the branches, divisions and principal offices of the Headquarters Organization of the Bureau of Mines in Washington, D. C., and by the head or chief officer of each office of the Field Organization of the Bureau of Mines, subject to the following conditions and exceptions:

(a) A limit of $100 on any purchase made in reliance upon an appropriation expenditures from which are otherwise subject to competitive bidding under the requirements of R. S. 3709, amended (Public Law 600, 79th Cong.; 60 Stat. 806).

(b) A limit of $500 on any purchase for the investigation of domestic sources of mineral supply, as authorized by the act of June 28, 1941 (55 Stat. 344, 41 U. S. C. Sup. 6a (m)).

(c) Office furniture and equipment, including stationery, office supplies, desks, mimeograph machines, etc.

(d) Automobiles and trucks.

(e) Items which must be purchased from contractors under the General Schedule of Supplies, from Federal Prison Industries, Inc., or from the Committee on Blind-Made Products.

(f) Books, periodicals, newspapers, printing and binding.

(g) Open market purchases must not be made without ascertaining first that there is a sufficient allocation of money from an available appropriation to cover the cost.

(h) Even where advertising for competitive bidding is not required, supervising officers should nevertheless obtain at least informal quotations with respect to any purchases in excess of $100 up to $500 and written quotations in the case of purchases in excess of $500.

§ 03.2 *Execution and approval of contracts.* (a) The power to sign as contracting officer contracts other than the open-market purchases referred to in § 03.1, will be delegated from time to time to the particular field officer or project engineer who will be directly responsible for the administration of the particular contract. Such contracts shall not become binding until approved under the powers referred to in paragraphs (b) and (c) of this section, and such approval shall be sufficient evidence of the delegation of power to the contracting officer.

(b) To the Chief of the Administrative Branch is delegated the power to make the final approval of all contracts in which the consideration to be paid by the Government is not more than $10,000, except contracts for construction, drilling operations, the sale of helium, and cooperative agreements.

(c) The power to make the final approval of all contracts in which the consideration to be paid by the Government is more than $10,000, all contracts for construction, the sale of helium, drilling operations, and cooperative agreements, is reserved in the Director.

§ 03.3 *Subject to statutes and regulations.* The powers delegated in this part are subject to all pertinent and applicable statutes and regulations of other Departments and agencies of the Government.

A. C. FIELDNER,
Acting Director.

[F. R. Doc. 47-7721; Filed, Aug. 18, 1947; 8:45 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

AUTHORIZATION OF CERTAIN TRANSACTIONS WITH RESPECT TO CHECKS, DRAFTS, ETC.

AUGUST 19, 1947.

Amendment to General License No. 88 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

Section 131.88 *General License No. 88* is hereby amended to read as follows:

§ 131.88 *General License No. 88; certain transactions with respect to checks, drafts, etc., authorized—*(a) *Sending of checks, drafts, etc.* The sending, mailing, exporting, or otherwise taking of any check, draft, bill of exchange, promissory note, currency, or any security from the United States to Spain or Portugal may be effected pursuant to the terms and conditions of § 131.52 or § 131.70 (General Licenses Nos. 52 or 70).

(b) *Carrying of travelers checks, and currency by persons departing from the United States.* Persons departing from the United States for Spain or Portugal are hereby authorized to carry:

(1) Travelers checks and checks drawn on the Treasury of the United States provided such checks are issued in the name of the person carrying them;

(2) All currency. (Sec. 5 (b), 40 Stat. 415, 966, sec. 2, 48 Stat. 1, 54 Stat. 179, sec. 301, 55 Stat. 839; 12 U. S. C. 95a, 50 U. S. C. App. Sup., 5 (b); E. O. 8389, April

10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Reg. Apr. 10, 1940, as amended June 14, 1941, Feb. 19, 1946, June 28, 1946, and Jan. 1, 1947; 31 CFR, Cum. Supp. 130.1–7, 11 F. R. 1769, 7184, 12 F. R. 6)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47–7748; Filed, Aug. 18, 1947; 8:50 a. m.]

APPENDIX A TO PART 131—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

PROHIBITION AND AUTHORIZATION WITH RESPECT TO CERTAIN TRANSACTIONS IN CHECKS, DRAFTS, ETC.

AUGUST 19, 1947.

Revocation of General Ruling No. 5A under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General Ruling No. 5A is hereby revoked.

(Sec. 3 (a), 40 Stat. 412, sec. 5 (b), 40 Stat. 415, 966, sec. 2, 48 Stat. 1, 54 Stat. 179, sec. 301, 55 Stat. 839; 50 U. S. C. App. 3 (a), 12 U. S. C. 95a, 50 U. S. C. App. Sup., 5 (b); E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regs., Apr. 10, 1940, as amended June 14, 1941, Feb. 19, 1946, June 28, 1946, and Jan. 1, 1947; 31 CFR, Cum. Supp., 130.1–7, 11 F. R. 1769, 7184, 12 F. R. 6)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47–7747; Filed, Aug. 18, 1947; 8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture

[Gen. Order 7,[1] Amdt. 1]

PART 705—ADMINISTRATION

EXEMPTIONS FROM PRICE CONTROL OF CERTAIN TRANSACTIONS IN SUGAR

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority conferred upon the Secretary of Agriculture by the Sugar Control Extension Act of 1947; *It is ordered*, That General Order No. 7 be amended in the following respects:

1. The present text of General Order No. 7 is designated as paragraph (a), and a new paragraph (b) is added to read as follows:

(b) Notwithstanding the provisions of any maximum price regulation, contracts to sell and purchase raw sugar produced from sugarcane harvested in offshore areas on and after November 1, 1947, and in the mainland cane sugar area on and after October 1, 1947, provided sugar from the latter area is not delivered until after October 31, 1947, are exempt from price control.

(Pub. Law 30, 80th Cong.)

This amendment shall become effective August 13, 1947.

Issued this 13th day of August 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Opinion Accompanying Amendment No. 1 to General Order No. 7

The accompanying amendment adds contracts to sell and purchase raw sugar produced from sugarcane harvested in offshore areas on and after November 1, 1947, and in the mainland cane sugar area on and after October 1, 1947, provided sugar from the latter area is not delivered until after October 31, 1947, to the list of transactions exempt from price control.

The Commodity Credit Corporation heretofore has purchased most of the available offshore raw sugar and resold it to continental refiners. However, the resale contracts also provide that sugar purchased by refiners from other sellers could be included under such contracts upon approval by Commodity Credit Corporation of the contracts to purchase, which was necessary to insure uniformity in prices. The Commodity Credit Corporation has recently modified these contracts, so that continental sugar refiners might contract to purchase raw sugar produced from sugarcane harvested on and after November 1, 1947, which would not be subject to provisions of the resale contracts. Refiners have requested that contracts for the purchase of such sugar be removed from price control to facilitate their purchase of the raw sugar that will be produced from the next sugarcane crops.

The Sugar Control Extension Act authorizes continued price control over sugar only until October 31, 1947. Raw sugar produced from the next sugarcane crops will not be ready for delivery to refiners until after that date, with minor exceptions. It is the opinion of the Secretary of Agriculture that the exemption from price controls of contracts entered into between now and October 31, 1947, for the purchase of such raw sugar will have no appreciable effect on the price, supply, or movement of sugar during the remaining period for which price control over sugar is authorized. Therefore, the Secretary of Agriculture has determined that such contracts should be exempted from price control.

[F. R. Doc. 47–7754; Filed, Aug. 18, 1947; 8:51 a. m.]

[1] 12 F. R. 4267.

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 21—INTERNATIONAL POSTAL SERVICE

GIFT PARCELS FOR PRISONERS OF WAR HELD IN CZECHOSLOVAKIA

The regulations under the country "Czechoslovakia" (39 CFR, Part 21, Subpart B) are amended by the addition of the following:

Ordinary (unregistered or uninsured) gift parcels not exceeding $25 in value may be sent by parcel post free of postage to prisoners of war held in Czechoslovakia under the following conditions:

(1) Contents permitted are nonperishable foodstuffs, cigarettes, clothing, soaps and shaving preparations, mailable medicines and similar items of a relief nature. Parcels must not contain any written or printed matter of any kind.

(2) Maximum weight: 11 pounds. Maximum dimensions: Greatest length, 42 inches. Greatest length and girth combined, 72 inches.

(3) The parcels shall not be sealed, and shall be packed closely, and carefully and securely wrapped in a manner which will facilitate opening for inspection.

(4) The wrappers of the parcels must be endorsed "Prisoner of War—Gift Parcel" and "Postage Free."

(5) The contents of each parcel shall be listed on a customs declaration (Form 2966) which shall be affixed to the outside of the parcel. No other postal forms are required to accompany the parcels.

(6) No labels will be issued by the Czechoslovak authorities for the sending of parcels to prisoners of war in that country. However, not more than one parcel per week may be sent by the same sender to the same prisoner of war.

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

J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 47–7723; Filed, Aug. 18, 1947; 8:51 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SHIPMENT OF OVERSEAS FREIGHT

CROSS REFERENCE: For exceptions to the provisions of § 502.202 see Part 522 of this chapter, *infra*.

[General Permit ODT 16C, Rev. 1B]

PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, EXEMPTIONS, AND PERMITS

SHIPMENT OF OVERSEAS FREIGHT

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 16C, Revised, as amended, General Permit ODT 16C, Revised—1A, as amended, shall be superseded, and it is hereby ordered, that:

§ 522.661 *Shipment of overseas freight.* Notwithstanding the prohibitions contained in § 502.202 of General Order ODT 16C, Revised, as amended (11 F. R. 13426, 13465, 13913), any person may offer to a rail carrier and any rail carrier may accept for transportation, or transport to or within any port area named in Appendix A of General Order ODT 16C, Revised, as amended, any carload shipment of overseas freight when consigned to a public warehouse for storage, or in care of a port terminal carrier for carrier storage when in either case prior arrangements have been made for such storage, or when such freight is covered by a bona fide steamship contract or booking with an ocean carrier and the shipping order and other shipping documents covering the rail transportation of such freight bear a certification made by the shipper that such storage arrangements have been made or that a steamship contract or booking has been obtained. Such certification shall show the steamship contract number, the name of the vessel, the steamship agent at the port of export, and the first date the steamship company will accept such shipment at the port of export, or shall show the name of the storage facility, whichever is applicable.

§ 522.662 *Shipments of bulk coal and coke.* Notwithstanding the prohibitions contained in § 502.202 of General Order ODT 16C, Revised, as amended, any person may offer to a rail carrier and any rail carrier may accept for transportation, or transport to or within any port area named in Appendix A of General Order ODT 16C, Revised, as amended, any shipment of overseas freight consisting of coal, in bulk, or coke, in bulk.

This General Permit ODT 16C, Revised–1B shall become effective at 12:01 o'clock a. m., August 16, 1947.

General Permit ODT 16C, Revised–1A, as amended, (12 F. R. 2094, 5427) is hereby revoked as of the effective date of this General Permit ODT 16C, Revised–1B.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, Pub. Laws 29 and 188, 80th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 14th day of August 1947.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 47–7736; Filed, Aug. 18, 1947; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 947]

FALL RIVER, MASS., MILK MARKETING AREA

NOTICE OF PUBLIC MEETING FOR CONSIDERATION OF PROPOSED AMENDED RULES AND REGULATIONS

Notice is hereby given that pursuant to authority contained in Order No. 47, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area, a public meeting will be held at the Market Administrator's Office, 103 Pleasant Street, Fall River, Massachusetts, on August 22, 1947, at 10:00 a. m., e. d. s. t., to consider proposed amended rules and regulations to supersede the rules and regulations [1] issued by the market administrator to effectuate the terms and provisions of said order. All persons who desire to submit oral data, views, or arguments in connection with the proposed rules and regulations will be given an opportunity to do so at the meeting. All persons who desire to submit written data, views, or arguments in connection with the proposed amended rules and regulations shall submit them to the market administrator at 103 Pleasant Street, Fall River, Massachusetts, by mail or otherwise, in time to be received not later than 5:15 p. m., e. d. s. t., August 25, 1947.

The market administrator proposes the following amended rules and regulations:

§ 947.101 *Scope.* These rules and regulations are made by the market administrator pursuant to § 947.2 (b) (3) of Order No. 47, as amended, issued by the Secretary of Agriculture, regulating the handling of milk in the Fall River, Massachusetts, marketing area, hereinafter referred to as the "order". The terms used herein shall have the same definitions as are set forth in § 947.1 of the order.

§ 947.102 *Determination of normal supply for a market other than the marketing area.* Only milk received from dairy farmers designated for other markets shall be considered as a handler's normal supply for a market other than the marketing area pursuant to § 947.1 (f) (2) of the order. In reporting to the market administrator dairy farmers designated for other markets, such dairy farmers shall be reported individually by name, or, if a handler receives milk from a plant of a person not a handler, all of which milk the handler considers as a normal supply for a market other than the marketing area, all of the dairy farmers delivering to such plant shall be considered as dairy farmers designated for other markets if the handler reports such dairy farmers to the market administrator collectively as dairy farmers designated for other markets.

§ 947.103 *Producer - handlers*—(a) *Qualification of producer-handlers.* A producer-handler shall furnish to the market administrator for his verification, subject to review by the Secretary:

(1) Evidence in writing on the form provided by the market administrator that the manner in which such producer-handler produces and distributes his milk is in compliance with § 947.1 (j) of the order.

(2) Evidence in writing on the form provided by the market administrator of any change in the manner in which such producer-handler produces and distributes his milk which would effect his qualifications as a producer-handler pursuant to § 947.1 (j) of the order.

(b) *Receipts from producer-handlers.* (1) Milk received from a producer-handler for the purpose of being processed and packaged and returned to him shall be considered as a receipt from a handler. However, any excess of receipts in bulk from a producer-handler over the quantity of processed and packaged milk returned to him during the delivery period shall be considered as a receipt from a producer.

(2) Milk received from a producer-handler with respect to which he is not considered a producer shall be considered as received from a handler.

(c) *Reports of production.* If milk of a producer-handler's production is produced on more than one farm, the amount produced on each farm shall be reported separately.

§ 947.104 *Classifications*—(a) *Milk from a Federal order plant.* If a handler receives milk from a Federal order plant at a plant at which no milk is received from producers and transfers during the delivery period an amount of milk not in excess of the amount received from a Federal order plant during the delivery period to another handler's plant at which milk is received from producers, such milk shall be considered, for the purpose of classification, as milk from a Federal order plant.

(b) *Milk transferred to a second buyer.* Milk transferred from a handler's plant at which milk is received from producers to another handler and subsequently to the plant of a third person not a handler under the order shall be classified as Class I not to exceed the total Class I, during the delivery period at the plant of the person who is not a handler.

(c) *Class II milk received from a plant at which no milk is received from producers.* Milk received by a handler at a plant at which milk is received from producers, as a Class II receipt from a plant at which no milk is received from producers, shall be considered as other source milk and shall be classified ac-

[1] These rules and regulations have not been filed with the Division of the Federal Register.

cordingly. In case the amount of Class II remaining after the proration of allowable plant shrinkage is less than the total amount of other source milk, such milk received by such handler as a Class II receipt from a plant at which no milk is received from producers shall be first considered as Class II milk.

(d) *Classification of transfers and milk received completely processed and packaged.* If the amount of Class II remaining after the proration of allowable plant shrinkage and the classification of other source milk is insufficient to absorb the amount of milk received completely processed and packaged from a Federal order plant and classified as Class II according to actual use established plus the amount of milk transferred from a plant at which milk is received from producers to another handler and classified as Class II pursuant to § 947.5 (c) of the order, such remaining Class II shall be first applied to such milk received completely processed and packaged from a Federal order plant and classified as Class II according to actual use established and then to such milk transferred from a plant at which milk is received from producers to another handler and classified as Class II, and any remaining amount shall be Class I.

(e) *Class I utilization.* A handler's total Class I utilization in the marketing area during the delivery period cannot exceed the amount of Class I producer milk, including any plant gain, plus milk received from a Federal order plant and classified as Class I plus milk received from plants outside Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, and New York, and classified as Class I plus Class I pursuant to paragraph (d) of this section received by such handler during the delivery period. If the computations set forth in § 947.5 (d) of the order indicate that a portion of the milk received from dairy farmers who were reported by the handler pursuant to § 947.102 as dairy farmers designated for other markets was disposed of in the marketing area as Class I milk during the delivery period, all such dairy farmers designated for other markets will be considered as producers for the delivery period.

(f) *Milk which does not enter a handler's plant.* Milk which a handler takes possession of from another handler's plant and transfers directly to a third handler's plant without such milk having entered the transferring handler's plant shall be considered as a transfer from the first handler's plant to the third handler's plant.

(g) *Plant Shrinkage.* The provisions of this paragraph shall apply in determining the quantity of plant shrinkage to be classified in Class II milk pursuant to § 947.5 (b) (2) (ii) of the order.

(1) Plant shrinkage shall be determined by subtracting the total of specific uses from the volume handler.

(2) Plant shrinkage can be established only if the handler keeps records adequate to establish the total of specific uses and the volume handled. If such records are not maintained or are not made available to the market administrator, or his agent, plant shrinkage cannot be established and the total quantity of milk and milk products not specifically accounted for shall be classified as Class I.

(h) *Verification of reports.* If a handler fails or refuses to make available to the market administrator or his agent such records and facilities as the market admnistrator finds necessary for the verification of the information contained in reports submitted by such handler pursuant to § 947.3 of the order, all milk shall be classified as Class I except that if a quantity of milk is established as having been utilized in Class II, such classification shall be recognized to the extent of established use in Class II.

§ 947.105 *Payments to producers*—(a) *Samples for butterfat testing.* Handlers shall take a representative sample of milk from each delivery of milk received by them from producers or from cooperative associations for butterfat testing.

(b) *Deductions.* In making payments to producers or cooperative associations pursuant to § 947.8 (a) (1) of the order, handlers shall not make deductions other than those allowed in § 947.8 (b) and (c) of the order unless such deductions are authorized in writing by the individual producer or a properly authorized cooperative association.

§ 947.106 *Administration assessment.* Assessment for expense of administration shall be paid by the handler at whose plant milk is received from producers, or, in the case of a handler's plant at which no milk is received from producers, by the handler from whose plant Class I milk is distributed directly in the marketing area.

§ 947.107 *Reports.* The following forms provided by the market administrator shall be submitted to the market administrator by handlers. In case the specific form is not available, the equivalent written information shall be submitted.

(a) *Stopped Delivery Notice.* This form shall be executed and submitted promptly for each producer stopping delivery.

(b) *Started Delivery Notice.* This form shall be executed and submitted promptly for each producer starting delivery.

(c) *Report Form (047–A) showing receipts and disposition of milk, skim milk, and cream.* This form shall be executed and submitted on or before the 7th day after the end of each delivery period by each handler.

(d) *Notice of Producers Miscellaneous Deductions and Assignments.* This form shall be executed and submitted at the same time information required in § 947.3 (a) (4) of the order is submitted if deductions other than those authorized in § 947.8 (b) and (c) of the order are made by the handler.

§ 947.108 *Conversion factors.* In the absence of specific weights, the weight of milk products received or disposed of in 1-quart or 40-quart containers shall be determined according to the following table, and the weight of such products in any other container shall be determined by multiplying the equivalent number of quarts in such container.

Product	Butterfat test	Weight (in pounds)	
		Per quart	Per 40-quart can
	Percent		
Skim milk and buttermilk	[1] 0.5	2.16	86.00
All class I milk products	0.5 to 16	2.15	85.00
Cream	16	2.136	85.42
	17	2.134	85.34
	18	2.132	85.26
	19	2.130	85.18
	20	2.128	85.10
	21	2.126	85.02
	22	2.124	84.94
	23	2.122	84.86
	24	2.120	84.78
	25	2.118	84.70
	26	2.116	84.62
	27	2.113	84.52
	28	2.111	84.42
	29	2.109	84.36
	30	2.108	84.30
	31	2.106	84.24
	32	2.105	84.18
	33	2.103	84.12
	34	2.102	84.06
	35	2.100	84.00
	36	2.099	83.94
	37	2.097	83.88
	38	2.096	83.82
	39	2.094	83.76
	40	2.093	83.70
	41	2.091	83.64
	42	2.090	83.58
	43	2.088	83.52
	44	2.087	83.46
	45	2.085	83.40
	46	2.084	83.34
	47	2.082	83.28
	48	2.081	83.22
	49	2.079	83.16
	50	2.078	83.10

[1] Less than.

(Amended Order No. 47, 12 F. R. 4986)

Issued at Fall River, Massachusetts, this 14th day of August 1947.

[SEAL] JOHN J. HOGAN,
Market Administrator.

[F. R. Doc. 47–7752; Filed, Aug. 18, 1947; 8:49 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR, Part 27]

[Docket No. FDC 48]

CANNED APRICOTS WITH RUM, CANNED PEACHES WITH RUM, CANNED PEARS WITH RUM; CANNED CHERRIES WITH RUM; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

NOTICE OF PROPOSED RULE MAKING

It is proposed that by virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (Secs. 401, 701; 52 Stat. 1046, 1055; 21 U. S. C. 341, 371); and upon the basis of substantial evidence of record at the public hearing held pursuant to notice issued on March 26, 1947 (12 F. R. 1993–1994), the following order be made:

Findings of fact.[1] 1. Rum is an al-

[1] The references are to page numbers of the official transcript of the testimony and the exhibits received in evidence at the hearing which forms the basis for these findings.

coholic beverage distilled from fermented cane juice or molasses. It varies in its content of alcohol from 80 proof to 190 proof. Its flavoring properties are due to congeneric substances, and rums vary greatly in their content of such substances. Rums sold for culinary use are usually of about 150 proof. (R. 68–72, 77–78, 107, 109, 113, 118, 196; Ex. 8)

2. If rum is used as a flavoring or seasoning ingredient in canned peaches, canned apricots, canned pears, canned cherries, and canned fruit cocktail, it effects changes in the taste of such foods, in the uses for which consumers consider them suitable, and increases their cost in proportion to the amount of rum used. (R. 17, 135, 140–141, 153, 167–171, 220–222, 236–237, 244–246, 252–255)

3. Approximately one fluid ounce of rum per pound of each finished food is required to give a characteristic taste of rum to canned peaches, canned pears, canned apricots, canned cherries, and canned fruit cocktail. (R. 45, 65, 85, 103; Ex. 4, 5, 6, 7)

4. When one fluid ounce of rum of approximately 150 proof is added per pound to canned peaches, canned apricots, canned pears, canned cherries, and canned fruit cocktail, the alcoholic content by weight of each of these foods is brought to about 4 percent, and their character is so changed that consumers generally would consider them foods distinctly different from canned peaches, canned apricots, canned pears, canned cherries, canned fruit cocktail, even if the labels of each such food carry the explanatory designation "Seasoned with Rum." Due to variations in alcoholic content of rum used for flavoring and to other causes, the alcoholic content of such foods may vary from 3 percent to 5 percent by weight. (R. 135, 140–142, 202–204, 228, 244–247, 252–256, 262)

5. There has been no commercial production of canned peaches, canned apricots, canned cherries, canned pears, and canned fruit cocktail, containing added rum in approximately the proportion of one fluid ounce of rum per pound of such canned fruits, but experiments recently made indicate that desirable foods can be produced by adding rum during the process of canning to peaches, apricots, pears, and cherries. However, the addition of rum to canned fruit cocktail in the stated proportions destroys the blended fruit flavor characteristic which is expected by consumers of this food. (R. 14, 41, 75, 82–83, 134, 149–154, 199–204, 243–245, 251, 254–256; Ex. 4, 5, 6)

6. Definitions and standards of identity for canned peaches, canned apricots, canned pears, and canned cherries which contain approximately one fluid-ounce of rum per pound of finished fruit are necessary to enable the consumer to differentiate between such foods, respectively, and canned peaches, canned apricots, canned pears, and canned cherries which do not contain rum; but the expectancy of consumers of fruit cocktail would be defeated if a food containing the fruit ingredients of canned fruit cocktail with rum added in the stated proportions were to be made the subject of a separate definition and standard of identity under a designation which included the term "fruit cocktail". (R. 141, 143, 149, 153–155, 222, 228–229, 243–248, 253–255)

7. Reasonably accurate and descriptive names which will enable the consumer to distinguish the food with rum from the ordinary canned foods of corresponding names are: "Peaches with Rum", "Apricots with Rum", "Pears with Rum", "Cherries with Rum". (R. 180, 223, 229–232, 253–254, 256–257)

8. A limit on the maximum amount of rum which may be used in these foods is necessary in order that such foods may not be made distinctly alcoholic in character, while a minimum amount must be prescribed so that enough rum is used to justify the name. Limits for these purposes can be fixed satisfactorily based on the alcoholic content of the foods. A lower limit of 3 percent alcohol by weight and an upper limit of 5 percent alcohol by weight will reasonably accomplish these purposes. (R. 45, 65, 86, 103, 129, 219–220, 222–224, 229–230, 261–263; Ex. 4, 5)

9. The requirements of the definitions and standards of identity for canned peaches § 27.0, canned apricots § 27.10, canned pears § 27.20, and canned cherries § 27.30 are properly and reasonably applicable to canned peaches with rum, canned apricots with rum, canned pears with rum, and canned cherries with rum, respectively. The requirements as to densities of packing media based on measurements with the Brix hydrometer should not be changed to compensate for the effect on density caused by the presence of rum. (R. 14, 233–236, 256)

Based on the foregoing findings of fact it is concluded:

(a) That it would not promote honesty and fair dealing in the interest of consumers to amend the definition and standard of identity for canned peaches, canned apricots, canned pears and canned cherries and canned fruit cocktail to make rum an optional ingredient.

(b) That it would not promote honesty and fair dealing in the interest of consumers to adopt a definition and standard of identity for fruit cocktail with rum added.

(c) That it would promote honesty and fair dealing in the interest of consumers to adopt definitions and standards of identity for the foods "Canned Peaches with Rum", "Canned Apricots with Rum", "Canned Pears with Rum", and "Canned Cherries with Rum", as hereinafter set forth.

§ 27.3 *Canned peaches with rum; identity; label statement of optional ingredients.* Canned peaches with rum conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for canned peaches by § 27.0, except that it contains added rum in such amount that its alcoholic content is more than 3 percent but less than 5 percent by weight.

§ 27.13 *Canned apricots with rum; identity; label statement of optional ingredients.* Canned apricots with rum conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for canned apricots by § 27.10, except that it contains added rum in such amount that its alcoholic content is more than 3 percent but less than 5 percent by weight.

§ 27.23 *Canned pears with rum; identity; label statement of optional ingredients.* Canned pears with rum conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for canned pears by § 27.20, except that it contains added rum in such amount that its alcoholic content is more than 3 percent but less than 5 percent by weight.

§ 27.33 *Canned cherries with rum; identity; label statement of optional ingredients.* Canned cherries with rum conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for canned cherries by § 27.30, except that it contains added rum in such amount that its alcoholic content is more than 3 percent but less than 5 percent by weight.

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Hearing Clerk of the Federal Security Agency, Office of the General Counsel, Room 3255 Federal Security Building, 4th Street and Independence Avenue SW., Washington, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs should be submitted in quintuplicate.

Dated: August 13, 1947.

[SEAL] MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 47–7734; Filed, Aug. 18, 1947; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Parts 210, 270, 274]

FORMS FOR REGISTRATION AND FINANCIAL STATEMENTS

NOTICE OF PROPOSED RULE MAKING

Notice of proposals with respect to adoption and revision of rules and forms under the Investment Company Act of 1940, forms for registration statements of registered investment companies. Adoption of new Article 6B in Part 210 (Regulation S–X).

Notice is hereby given that the Securities and Exchange Commission has under consideration the following proposals for action pursuant to the Investment Company Act of 1940, particularly sections 8 and 38 (a) thereof.

1. A proposal for the amendment of § 270.8b–2 (Rule N–8B–2) under the act. The purpose of the amendment is to prescribe Form N–8B–4 (17 CFR 274.14) as

the form for registration statements under the act of face-amount certificate companies. The section is amended by adding thereto the following additional paragraph:

§ 270.8b–2 *Forms for registration statements of registered investment companies.* * * *

(d) *Form N–8B–4 for face-amount certificate companies.* This form shall be used for registration statements pursuant to section 8 (b) of the Investment Company Act of 1940 by all face-amount certificate companies.

2. A proposal for the adoption of Form N–8B–4, (17 CFR 274.14) for face-amount certificate companies. This form would be used for registration statements for face-amount certificate companies registered under the above mentioned act.

3. A proposal for the adoption of a new § 270.8c–4 (Rule N–8C–4) under the above mentioned act. The purpose of this section is to authorize the use of certain material filed under the Securities Act of 1933 or the Securities Exchange Act of 1934 in filing registration statements on the proposed new Form N–8B–4. The text of the proposed section is as follows:

§ 270.8c–4 *Previously filed material.* A registered face-amount certificate company which has securities registered under the Securities Act of 1933 may, in filing a registration statement on Form N–8B–4, incorporate by reference any information, financial statement or exhibit contained in (a) its most recent currently effective registration statement under the Securities Act of 1933, (b) the most recent prospectus filed under that act, or (c) any report filed pursuant to section 15 (d) of the Securities Exchange Act of 1934; *Provided*, A copy of such registration statement, prospectus or report is filed with each copy of the registration statement on Form N–8B–4.

4. Notice is also given that the Commission has under consideration a proposal for the adoption of a new § 210.6–02 (Article 6B) in Part 210 (Regulation S–X). This new article would prescribe the form and content of financial statements to be filed with the Commission by face-amount certificate companies pursuant to the Investment Company Act of 1940, the Securities Act of 1933 or the Securities Exchange Act of 1934, and is proposed pursuant to authority contained in those acts.

All interested persons are invited to submit data, views and comments on the above mentioned proposals in writing to the Securites and Exchange Commission at its princpal office, 18th and Locust Streets, Philadelphia 3, Pennsylvania, on or before September 15, 1947.

Persons desiring to comment on the proposed Form N–8B–4 or the proposed Article 6B may obtain copies thereof from the principal office of the Commission at the above address.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

AUGUST 4, 1947.

[F. R. Doc. 47–7726; Filed, Aug. 18, 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 9536]

JULIA PAPPAS

In re: Estate of Julia Pappas, deceased. F–57–380; E. T. sec. 16088.

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 Lizi Pal Antalne, Lina Mihaly, Emre Mihaly and Erzsebet Mihaly, whose last known address is Rumania, are residents of Rumania and nationals of a designated enemy country (Rumania);

2. That all right, title, interest and claim of any kind or character whatsoever of Lizi Pal Antalne, Lina Mihaly, Emre Mihaly and Erzsebet Mihaly, and each of them, in and to a trust created pursuant to an order dated October 3, 1941 by the Probate Court of Genesee County, Michigan, in the matter of the estate of Julia Pappas, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Rumania);

3. That such property is in the process of administration by Michael W. Evanoff, as trustee, acting under the judicial supervision of the Probate Court of Genesee County, Michigan;

and it is hereby determined:

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

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 July 31, 1947.

For the Attorney General.

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

[F. R. Doc. 47–7737; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9537]

FREDERICK PLANK

In re: Estate of Frederick Plank, deceased. File D–28–10338; E. T. sec. 14717.

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 Anton Plank, Katie Futterer, also known as Kathie Futterer, Eva Wohrl, Alois Wohrl, Anton Wohrl, Fritz Wohrl and Anna Wohrl Weiss, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the heirs-at-law, next of kin, legatees, distributees and personal representatives, names unknown, of Eva Wohrl, 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 Frederick Plank, 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 Sigmund Auerbach, as Executor of the Estate of Frederick Plank, 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 heirs-at-law, next of kin, legatees, distributees and personal representatives, names unknown, of Eva Wohrl, 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 July 31, 1947.

For the Attorney General.

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

[F. R. Doc. 47-7738; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9540]

OTTO RETZLAFF

In re: Estate of Otto Retzlaff, deceased. File D-28-10123; E. T. sec. 14401.

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 Carl Retzlaff, Willy Retzlaff, Elizabeth Retzlaff and Otto Daumann, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by Alfred W. Kleier and Reinhold Frank, as Co-Executors, acting under the judicial supervision of the Probate Court of Berrien County, Michigan;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 47-7739; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9542]

PETER SCHIMMER ET AL.

In re: Peter Schimmer vs. Katharina Peterniess et al. File D-57-436; E. T. sec. 14610.

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 Jakob (Jacob) Schimmer, Mrs. Nikolaus (Nicholas) Hummel and Peter Schimmer, whose last known address is Rumania, are residents of Rumania and nationals of a designated enemy country (Rumania);

2. That the sum of $5,609.25 was paid to the Attorney General of the United States by Orla M. Hill, Special Commissioner;

3. That the said sum of $5,609.25 was property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Rumania);

4. That the said sum of $5,609.25 is presently in the possession of the Attorney General of the United States and was property in the process of administration by Orla M. Hill, Special Commissioner, acting under the judicial supervision of the Circuit Court of St. Louis County, Missouri;

and it is hereby determined:

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

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 Attorney General of the United States by acceptance thereof on May 15, 1947, pursuant to the Trading with the Enemy Act, as amended.

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

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

For the Attorney General.

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

[F. R. Doc. 47-7740; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9546]

SANDOR TATAR

In re: Estate of Sandor Tatar, deceased. File D-34-145; E. T. sec. 5660.

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 Charles Tatar, whose last known address is Hungary, is a resident of Hungary and a national of a designated enemy country (Hungary);

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

3. That such property is in the process of administration by Hubbard C. Wilcox, as Administrator, acting under the judicial supervision of the Probate Court of Lorain County, Ohio;

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 (Hungary).

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 July 31, 1947.

For the Attorney General.

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

[F. R. Doc. 47-7741; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9547]

ARTIN YEGHYAIAN

In re: Insurance policy rights owned by Artin Yeghyaian. File D-64-3; E. T. sec. 8918.

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 Artin Yeghyaian, whose last known address is Bulgaria, is a resident of Bulgaria, and a national of a designated enemy country (Bulgaria);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 4266874 issued by the Prudential Insurance Company of America on the life of Roupen Yeghyaian wherein Artin Yeghyaian is designated beneficiary and any other benefits and rights of any name or nature whatsoever

under or arising out of said contract of insurance which are or were held by Artin Yeghyaian, together with the right to demand, enforce, receive and collect said net proceeds and any other benefits and rights under the said contract of insurance, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Bulgaria);

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 (Bulgaria).

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 July 31, 1947.

For the Attorney General.

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

[F. R. Doc. 47-7742; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9560]

HARRY H. HADA ET AL.

In re: Stock owned by Harry H. Hada and others.

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

1. That each individual, whose name is set forth in Exhibit A, attached hereto and by reference made a part hereof, 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: Thirty (30) shares of $10.00 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by the certificates numbered as set forth in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, in the amounts appearing opposite each certificate number listed in Exhibit A, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

EXHIBIT A

Names	Number of shares	Certificate No.	OAP File No.
Harry H. Hada	5	56670	F-39-4332-D-1
Henry C. Hatashita	.5	63670	F-39-4333-D-1
	.4	63669	
Ainosuke Hattori	.1	94760	F-39-55-D-1
	1	11295	
Roy Iitsuka	10	78221	F-39-4618-D-1
Chikawo Koiso	4	57644	F-39-4336-D-1
	.1	296986	
Tomosuke Oshima	5	4225	F-39-4337-D-1
Seichi Wakymoto	1	285876	D-39-1191-D-1
	.2	194977	
Seitarow Wemra	1	476419	F-39-4338-D-1
	1.2	681564	
	.5	297620	

[F. R. Doc. 47-7743; Filed, Aug. 18, 1947; 8:47 a. m.]

[Vesting Order 9585]

ALEXANDER VON HOLWEDE

In re: Voting trust certificate, stock, stock trust certificate and bank accounts owned by and debts owing to Alexander von Holwede. F-28-667-A-1, F-28-667-A-2, F-28-667-D-1, F-28-667-D-2, F-28-667-E-1, F-28-667-E-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 Alexander von Holwede, whose last known address is Am Gehoelz 11, Neubabelsberg, Bei, Berlin, 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 Voting Trust Certificate representing six (6) units of $100 par value Preferred Stock of Central Coal & Coke Corporation, 312 Title & Trust Building, Kansas City 6, Missouri, a corporation organized under the laws of the State of Delaware, said certificate being numbered 661, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all rights thereunder and thereto.

b. Thirty-three (33) shares of $1.00 par value common capital stock of Central Coal & Coke Corporation, 312 Title & Trust Building, Kansas City 6, Missouri, a corporation organized under the laws of the State of Delaware, evidenced by Certificate Numbered 692, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with all declared and unpaid dividends thereon,

c. Two hundred and seventy two (272) shares of common capital stock of The Waldheim Cemetery Company, 863 Desplaines Avenue, Forest Park, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by Certificates Numbered 341 and 340, for 227 and 45 shares, respectively, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with all declared and unpaid dividends thereon,

d. Ninety eight (98) shares of common capital stock of Chicago Heights Land Association, evidenced by Certificate Numbered 872, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with all declared and unpaid dividends thereon,

e. That certain Trust Certificate representing ten (10) shares of $1.00 par value capital stock of Hotel Sherman, Inc., Clark & Randolph Streets, Chicago, Illinois, a corporation organized under the laws of the State of Delaware, said certificate being numbered S4344, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

f. One Hotel Sherman, Inc. 20 year First Mortgage Income 5% Bond of $750.00 face value, bearing the number 5577, registered in the name of Alexander von Holwede, and presently in the cus-

tody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

g. That certain Trust Certificate representing two (2) shares of Series A, capital stock of #900 Michigan Avenue North Corporation, 21 East Van Buren Street, Chicago, Illinois, a corporation organized under the laws of the State of Illinois, said certificate bearing number A–199, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

h. One #900 Michigan Avenue North Corporation Trust Certificate, Series A, of $1,000.00 face value, bearing the number M1143, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

i. One Certificate of Deposit for One Metropolitan West Side Elevated Ry. Co., 1st mortgage 4% Bond, of $1,000.00 face value, bearing the number CC106, registered in the name of Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all rights thereunder and thereto,

j. That certain debt or other obligation of the First National Bank of Chicago, 38 So. Dearborn Street, Chicago 90, Illinois, in the amount of $11.25, evidenced by a check, numbered B141693, dated March 25, 1941, payable to Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

k. That certain debt or other obligation of the First National Bank of Chicago, 38 So. Dearborn Street, Chicago 90, Illinois, in the amount of $11.25, evidenced by a check, numbered C21818, dated June 4, 1940, payable to Alexander von Holwede, and presently in the custody of Continental Illinois National Bank & Trust Company of Chicago, 231 So. LaSalle Street, Chicago, Illinois, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

l. Those certain debts or other obligations of the Commerce Trust Company, Trust Department, Kansas City 6, Missouri, in the amount of $354.98, evidenced by checks, numbered, dated and in the amounts set forth in Exhibit A, attached hereto and by reference made a part hereof, said checks payable to Alexander von Holwede, and presently in the custody of the Commerce Trust Company, Trust Department, Kansas City 6, Missouri, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

m. That certain debt or other obligation owing to Alexander von Holwede, by The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, arising out of a Blocked Funds Account, account number TR21990, entitled Alexander von Holwede, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

n. That certain debt or other obligation of Continental Illinois National Bank & Trust Company of Chicago, 231 South LaSalle Street, Chicago, Illinois, arising out of an Accumulated Cash Account, entitled 900 Michigan Avenue Corporation Interest Account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Alexander von Holwede, 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 July 31, 1947.

For the Attorney General.

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

EXHIBIT A

Check No.	Dated	Amounts
1698	Sept. 15, 1942	$60.00
2680	Mar. 15, 1943	30.00
3688	June 15, 1943	90.00
678	Jan. 15, 1944	30.29
670	Dec. 15, 1944	90.63
698	Sept. 15, 1942	8.70
1680	Mar. 15, 1943	7.56
2686	Sept. 15, 1943	5.88
1681	Apr. 1, 1944	5.46
2675	Sept. 15, 1944	5.46
2067	Mar. 15, 1945	4.20
522	Sept. 15, 1945	4.20
516	Mar. 15, 1946	4.20
412	Sept. 15, 1946	4.20
362	Mar. 15, 1947	4.20

[F. R. Doc. 47–7744; Filed, Aug. 18, 1947; 8:48 a. m.]

[Return Order 37]

RUDOLF A. SEMS

Having considered the claim set forth below and having approved the Vested Property Claims Committee's Determinations and Allowance with respect thereto, which are incorporated by reference herein and filed herewith,[1]

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

Claimant and Claim Number; Notice of Intention to Return Published; Property and Location

Rudolf A. Sems, Cleveland, Ohio, Claim No. 5880; 12 F. R. 4242, June 28, 1947; $1,658.96 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C. on August 13, 1947.

For the Attorney General.

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

[F. R. Doc. 47–7745; Filed, Aug. 18, 1947; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 380]

SPECIAL INDUSTRY, COMMITTEE NO. 5 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION; APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, F. Granville Grimes, Jr., Acting Administrator of the Wage and Hour Division, United States Department of Labor, do hereby accept the resignation of Mr. Jose R. Carreras from Special Industry Committee No. 5 for Puerto Rico and do appoint in his stead as representative for the employers on such committee, Mr. Harry Partridge of San Juan, Puerto Rico.

Signed at Washington this 8th day of August 1947.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator,
Wage and Hour Division.

[F. R. Doc. 47–7722; Filed, Aug. 18, 1947; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 968 et al.]

ARIZONA-NEW MEXICO CASE

NOTICE OF ORAL ARGUMENT

In the matter of applications for certificates and amendments of certificates of public convenience and necessity

[1] Filed as part of the original document.

under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on September 8, 1947, at 10 a. m., eastern daylight saving time, in Room 5042, Commerce Building, 14th St. and Constitution Ave. NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 13, 1947.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 47-7729; Filed, Aug. 18, 1947; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-928]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

AUGUST 13, 1947.

Notice is hereby given that on July 30, 1947, United Gas Pipe Line Company (Applicant), a Delaware corporation, with its principal place of business at Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of approximately 5.9 miles of 20-inch natural-gas transmission pipe line, extending from Applicant's Sterlington Compressor Station in the Monroe Field, Louisiana, to Mississippi River Fuel Corporation's Perryville Compressor Station in Louisiana, together with appurtenant facilities.

Applicant recites that under the terms and conditions of Applicant's gas sales contract with Mississippi River Fuel Corporation (Mississippi), said corporation may call upon Applicant to deliver up to 100% of the gas requirements of said corporation, and Applicant is supplying an increasingly larger percentage of said requirements due to the continued decline of deliveries by other suppliers of Mississippi.

Applicant states that the proposed pipeline will loop Applicant's presently existing 16-inch pipe line extending from its Sterlington Compressor Station, which line is serving both Mississippi River Fuel Corporation and Southern Natural Gas Company, and has a maximum daily delivery capacity of approximately 120,000 Mcf. Applicant states that the maximum daily demand of the two companies for 1947-48 is estimated at aproximately 164,800 Mcf. Applicant proposes to construct during 1947 approximately 2.6 miles of transmission pipeline applied for herein, which portion Applicant estimates will have a maximum daily delivery capacity of 51,000 Mcf. The remaining 3.3 miles of pipeline is to be constructed in 1948. The proposed facilities when completed will have an estimated maximum daily capacity of 217,000 Mcf. Applicant states that the proposed facilities will be operated at a pressure of not less than 450 pounds at the point of delivery to Mississippi.

Applicant estimates the total over-all cost of construction will be $330,000, which Applicant proposes to finance out of cash on hand.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) 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 reasons for such request.

The application of United Gas Pipe Line 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 15 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 Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-7731; Filed, Aug. 18, 1947; 8:46 a. m.]

[Docket No. G-930]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

AUGUST 13, 1947.

Notice is hereby given that on August 4, 1947, Panhandle Eastern Pipe Line Company (Applicant), a corporation organized under the laws of the State of Delaware, with its principal place of business at Kansas City, Missouri, filed an application for authority to abandon 1.25 miles of an existing 2-inch lateral pipe line and appurtenance facilities in Calhoun County, Michigan and to replace such facilities by the construction and operation of 1.25 miles of 4-inch lateral pipe line and appurtenant facilities in the same location and on the same right-of-way.

Applicant states that the lateral line proposed to be abandoned is being used to deliver natural gas to The Albion Gas Light Company for distribution in Albion, Michigan and environs and to the Albion Malleable Iron Company located in Albion. The application indicates further that due to its small size and poor condition the existing 2-inch lateral does not permit the transportation of sufficient volumes of gas to meet the requirements of consumers in Albion and environs in a satisfactory manner.

Applicant therefore requests a certificate to replace the 2-inch lateral with a 4-inch lateral to insure more adequate service to Albion and environs and in addition requests authority to sell and deliver natural gas through the proposed 4-inch lateral to the Albion Malleable Iron Company on an interruptible basis. The application recites that Panhandle received a permanent certificate from the Commission to serve The Albion Gas Light Co. for resale in Albion on May 28, 1947.

Applicant infers that the rates under its filed Rate Schedule FPC No. 58 now in force will continue under the proposed facilities.

Applicant states that the total cost of the proposed facilities is estimated at $7,400, which cost will be financed through the use of current funds on hand. Applicant proposes to abandon the existing 2-inch lateral in place because the cost of removal is estimated to be greater than the possible salvage value.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) 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 reasons for such request.

The application of Panhandle Eastern Pipe Line 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 15 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 Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-7732; Filed, Aug. 18, 1947; 8:47 a. m.]

[Docket No. IT-6072]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF APPLICATION

AUGUST 12, 1947.

Notice is hereby given that on August 11, 1947, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Northwestern Public Service Company, a corporation organized under the laws of the State of Delaware and doing business in the States of South Dakota and Nebraska with its principal business office at Huron, South Dakota, seeking an order authorizing the issuance of promissory notes in the aggregate principal amount of $800,000, to be dated as of the date of issuance and delivery thereof, and to mature nine months after

such date, bearing an interest rate of 2% per annum. The promissory notes are to be issued under a Credit Agreement entered into with the First National Bank of Minneapolis, Northwestern National Bank of Minneapolis, and The Chase National Bank of the City of New York, under the terms of which the Banks agreed to make the loans to the Company in the aggregate amount of $1,100,000 (of which $300,000 constituted the initial borrowing), at any time and from time to time after the date of the Credit Agreement, to and including March 31, 1948; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 2d day of September, 1947, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 47-7730; Filed, Aug. 18, 1947; 8:46 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5384]

ENCYCLOPAEDIA BRITANNICA, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of August A. D. 1947.

In the matter of Encyclopaedia Britannica, Inc., a corporation.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Friday, August 15, 1947, at nine o'clock in the forenoon of that day (central standard time), in Room 1118, New Post Office Building, Chicago, Illinois.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 47-7720; Filed, Aug. 18, 1947; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-506]

MORRIS PLAN CORP. OF AMERICA ET AL.

NOTICE OF APPLICATION, STATEMENT OF ISSUES AND ORDER FOR HEARING

In the matter of The Morris Plan Corporation of America,, American General Corporation and W. W. McEachern et al.; File No. 812-506.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 13th day of August A. D. 1947.

Notice is hereby given that the Morris Plan Corporation of America (Morris Plan) has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act certain transactions in which W. W. McEachern, L. H. Zehmer, Tazewell F. Thompson, Herbert C. Moseley, R. H. Renn, Aubrey V. Kidd, Jay Rauch, Paul H. Brame, H. W. Wichard, Mark Holt, I. J. Andrews, John J. Whitt, Mrs. Louise Hay Wells, L. Ralston Curry and W. H. McCarthy (purchasers) propose to purchase from Morris Plan a total of 349 shares of the capital stock of The Bank of Virginia (Bank) for the sum of $13,918.12 a purchase price of $39.88 per share.

The proposed purchasers are either officers, directors or employees of the Bank which is a majority-owned subsidiary of Morris Plan. American General Corporation (American), a registered investment company, controls Morris Plan, therefore, the Purchasers are affiliated persons of an affiliated person of American and the proposed transactions are prohibited by section 17 (a) (2) of the act.

The proposed purchase price is equal to the book value of $39.88 for the stock as of June 30, 1947. Over the ten year period 1937-1946 the per share earnings of the Bank fluctuated between $1.32 in 1940 and $7.53 in 1945 and averaged $3.55 per year after taxes. In 1946 the net earnings amounted to $4.26 per share. The purchase price is approximately 11.2 times the average per share net earnings of the Bank over this ten year period and approximately 9.4 times the per share net earnings for 1946. The stock is not listed on a national securities exchange or traded on an over-the-counter market. Sales of the stock occur infrequently. The most recent quotation available for the stock is $40 Bid, $42 Offered. The purchase contracts provide that upon the demise of a Purchaser, or in the event that a purchaser desires to dispose of the stock, the stock must be offered to Morris Plan for repurchase at the then book value.

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

The Corporation Finance Division of the Commission has advised the Commission that upon preliminary examination of the application, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination: whether the terms of the proposed transactions, including the consideration to be paid and received, are reasonable and fair and do not involve overreaching on the part of any person concerned; whether the proposed transactions are consistent with the policy of American General Corporation as recited in its registration statement and reports filed under the act; and, whether the proposed transactions are consistent with the general purposes of the act.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

It is ordered, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid appication be held on the 22d day of August, 1947 at 10:00 a. m., Eastern Daylight Saving Time, in Room 318 of the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That William W. Swift, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to The Morris Plan Corporation of America, American General Corporation, W. W. McEachern, L. H. Zehmer, Tazewell F. Thompson, Herbert C. Moseley, R. H. Renn, Aubrey V. Kidd, Jay Rauch, Paul H. Brame, H. W. Wichard, Mark Holt, I. J. Andrews, John J. Whitt, Mrs. Louise Hay Wells, L. Ralston Curry and W. H. McCarthy and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise wishing to participate in said proceedings should file with the Secretary of the Commission, on or before August 20, 1947, his application therefor as provided by Rule XVII of the rules of practice of the Commission setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant to the Secretary.*

[F. R. Doc. 47-7725; Filed, Aug. 18, 1947; 8:46 a. m.]

[File No. 812-507]

MORRIS PLAN CORP. OF AMERICA ET AL.

NOTICE OF APPLICATION, STATEMENT OF ISSUES AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of August A. D. 1947.

In the matter of the Morris Plan Corporation of America, American General Corporation, and Joseph E. Birnie; File No. 812-507.

Notice is hereby given that the Morris Plan Corporation of America (Morris Plan) has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said act a transaction in which Joseph E. Birnie (Purchaser) proposes to purchase from Morris Plan 100 shares of the capital stock of the Bank of Georgia (Bank) for the sum of $1,829, a purchase price of $18.29 per share.

The proposed Purchaser is the president and a director of the Bank which is a majority-owned subsidiary of Morris Plan. American General Corporation (American), a registered investment company, controls Morris Plan, therefore, the purchaser is an affiliated person of an affiliated person of American and the proposed transaction is prohibited by section 17 (a) (2) of the act.

The proposed purchase price is equal to the book value of $18.29 for the stock as of June 30, 1947. Over the ten-year period 1937-1946 the per share earnings of the Bank fluctuated between $0.96 in 1938 and $2.18 in 1941 and averaged $1.70 per year after taxes. In 1946 the net earnings amounted to $1.68 per share. The purchase price is approximately 10.8 times the average per share net earnings of the Bank over the ten-year period and approximately 10.9 times the per share net earnings for 1946. The stock is not listed on a national securities exchange or traded on an over-the-counter market. Sales of the stock occur infrequently. The most recent quotation available for the stock is $15 Bid and $17 Offered. The purchase contracts provide that upon the demise of the Purchaser, the stock must be offered to Morris Plan for repurchase at the then book value.

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

The Corporation Finance Division of the Commission has advised the Commission that upon a preliminary examination of the application, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination: whether the terms of the proposed transactions, including the consideration to be paid and received, are reasonable and fair and do not involve overreaching on the part of any person concerned; whether the proposed transactions are consistent with the policy of American General Corporation as recited in its registration statement and reports filed under the act; and, whether the proposed transactions are consistent with the general purposes of the act.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

It is ordered, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid application be held on the 22d day of August, 1947 at 11:00 a. m., Eastern Daylight Saving Time, in Room 318 of the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to The Morris Plan Corporation of America, American General Corporation, Joseph E. Birnie and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise wishing to participate in said proceedings should file with the Secretary of the Commission, on or before August 20, 1947, his application therefor as provided by Rule XVII of the rules of practice of the Commission setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 47-7724; Filed, Aug. 18, 1947; 8:46 a. m.]