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Washington, Tuesday, January 6, 1948

## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 9919

DELEGATING AUTHORITY AND ESTABLISHING PROCEDURES UNDER THE JOINT RESOLUTION APPROVED DECEMBER 30, 1947

By virtue of the authority vested in me by the joint resolution approved December 30, 1947 (Public Law 395, 80th Congress), and as President of the United States, it is hereby ordered as follows:

1. The authority to consult with representatives of industry, business, and agriculture with a view to encouraging the making of voluntary agreements or plans provided for in section 2 of the said joint resolution of December 30, 1947 (hereinafter referred to as the joint resolution), and the authority to approve any such agreements or plans and to make written requests for compliance with any such agreements or plans is delegated severally to the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Director of the Office of Defense Transportation as provided in paragraphs 2, 3, 4, and 5 hereof: *Provided, however*, that no such agreement or plan shall be approved by any of such officers unless it is first submitted to and approved by the Attorney General. The consultation above referred to may be through advisory committees approved by the appropriate governmental officer or agency as representative of the various segments of the industry involved. Prior to submitting any such proposed agreement or plan to the Attorney General the appropriate governmental officer or agency shall give industry, labor, and the public generally an opportunity to present their views with respect to the agreement or plan. The submission of the proposed agreement or plan to the Attorney General shall be accompanied by the favorable recommendation of the head of the appropriate department or agency and by a statement of (a) the circumstances which require the proposed agreement or plan, (b) the means by which the agreement or plan will be carried out, (c) the effect of the agreement or plan on persons and industries affected, including where appropriate the proposed degree

of curtailment in amount and prospective use of any material, commodity, or product by any processor or user thereof, and the formulae for such curtailment, (d) the criteria used in the establishment of such formulae, and (e) the factual evidence on which the recommendation for approval is made, showing which information, if any, is subject to restrictions for reasons of military security.

2 (a). The authority delegated to the Secretary of the Interior by paragraph 1 hereof shall be exercised by him with respect to priority, allocation, and inventory control of fuels.

(b). For the purposes of this order the term "fuels" means coal, coke, petroleum and petroleum products, and natural and manufactured gas.

3 (a). The authority delegated to the Secretary of Agriculture by paragraph 1 hereof shall be exercised by him with respect to priority, allocation, and inventory control of agricultural commodities and with respect to speculative trading on commodity exchanges.

(b). For the purposes of this order, the term "agricultural commodities" means all commodities and products, simple, mixed, or compound, or complements to such commodities or products that are or may be eaten or drunk by human beings or animals, irrespective of other uses to which such commodities or products may be put, and at all stages of processing from the raw commodity to the product thereof in a vendible form for immediate human or animal consumption, but exclusive of such commodities and products as the Secretary of Agriculture shall determine. For the purposes of this order, the term "agricultural commodities" shall also include all starches, sugars, fats and oils of animal, vegetable, or marine origin (including oil seeds and other oil bearing materials, fatty acids, soap and soap powder), cotton, tobacco, wool, hemp, flax fiber, and alcohol, and also such other commodities and products as the President may designate.

4 (a). The authority delegated to the Director of the Office of Defense Transportation by paragraph 1 hereof shall be exercised by him with respect to alloca-

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# FEDERAL REGISTER

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<sup>1</sup>E. O. 9919.

tion of transportation facilities and equipment.

(b). The powers, authority, and discretion conferred on the President by section 4 (a) of the joint resolution with respect to the use of transportation equipment and facilities by rail carriers are hereby included within the powers, authority, and discretion delegated to the Director of the Office of Defense Transportation under Executive Order No. 8989 of December 18, 1941 (6 F. R. 6725), as amended by Executive Order No. 9389 of October 18, 1943 (8 F. R.



14183), Executive Order No. 9156 of May 2, 1942 (7 F. R. 3349), Executive Order No. 9214 of August 5, 1942 (7 F. R. 6097), and Executive Order No. 9729 of May 23, 1946 (11 F. R. 5641). The said Executive orders are amended accordingly.

5. The authority delegated to the Secretary of Commerce by paragraph 1 hereof shall be exercised by him with respect to priority, allocation, and inventory control of scarce commodities which basically affect the cost of living or industrial production, other than fuels as provided in paragraph 2, agricultural commodities as provided in paragraph 3, and transportation facilities and equipment as provided in paragraph 4.

6. The Secretary of Agriculture is hereby authorized to carry out a program for the conservation of food and feed and for that purpose to exercise the authority conferred upon the President by section 8 of the joint resolution.

7. The Secretary of Commerce is hereby authorized to continue exercising the powers, authority, and discretion conferred upon the President by section 6 of the act of July 2, 1940, 54 Stat. 714, as amended. Such powers, authority, and discretion, and the powers, authority, and discretion vested in the President by section 3 of the joint resolution are hereby included within the delegation made to the Secretary of Commerce by Executive Order No. 9630 of September 27, 1945 (10 F. R. 12245), and the said Executive order is modified accordingly.

8. Each governmental officer or agency exercising authority delegated under this order shall, in exercising such authority, consult with other agencies or committees having special information or sources of such information about the supply of or demand for the materials, commodities, or facilities involved and with other agencies or committees having responsibilities related to such authority. Each agency shall establish such committees and other working groups as may be appropriate to consult with and obtain the advice of other agencies.

9. Nothing in this order shall be deemed to affect the powers, authority, or discretion delegated to the Secretary of Agriculture by Executive Order No. 9915 of December 30, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,  
January 3, 1948.

[F. R. Doc. 48-223; Filed, Jan. 5, 1948;  
10:22 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter II—Production and Marketing Administration (Commodity Credit)

[Supp. Announcement 8]

#### PART 295—DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES FOR EXPORT

##### SUPPLEMENTAL ANNOUNCEMENT TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

The terms and conditions of Cotton Sales for Export Program, dated April

22, 1946 (11 F. R. 4515, 4645), as amended, is hereby further amended, as to all export sales of which notice is received after December 31st, 1947, 3:00 p. m., e. s. t. (except as provided in § 295.24), as follows:

Paragraph (a) of § 295.3, paragraph (a) of § 295.8, paragraph (b) of § 295.9, and paragraph (a) of § 295.12 are amended by substituting the date "July 1, 1948" for the date "February 1, 1948".

(Secs. 32, 2, 49 Stat. 774, 1151, as amended, sec. 203, 52 Stat. 38, 53 Stat. 975, sec. 41, 54 Stat. 627, sec. 34, 55 Stat. 407, sec. 21 (c), 58 Stat. 776; 7 U. S. C. and Supp., 612 (c), 50 U. S. C. App. Sup. 1630 (c))

Dated this 31st day of December 1947.

[SEAL] JESSE B. GILMER,  
President, Commodity Credit  
Corporation, Authorized Rep-  
resentative of the Secretary  
of Agriculture.

[F. R. Doc. 48-132; Filed, Jan. 5, 1948;  
8:49 a. m.]

## TITLE 7—AGRICULTURE

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

[Grapefruit Reg. 51]

#### PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

##### LIMITATION OF SHIPMENTS

§ 955.312 *Grapefruit Regulation 51—*  
(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 55 (7 CFR, Cum. Supp., 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of available information, it is hereby found that the limitation of shipments of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) Grapefruit Regulation 50 (12 F. R. 8806) is hereby termi-

nated as of the effective time of this section.

(2) During the period beginning at 12:01 a. m., P. s. t., January 5, 1948, and ending at 12:01 a. m., P. s. t., January 25, 1948, no handler shall ship:

(i) Any grapefruit grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, which grade U. S. No. 2 (as such grade is defined in the revised United States Standards for Grapefruit (California and Arizona), 12 F. R. 1975) unless such grapefruit are fairly well colored and are free from damage caused by dryness or mushy condition: *Provided*, That (a) not more than five percent (5%), by count, of the grapefruit in any lot may fail to meet the requirements of such U. S. No. 2 grade, other than the requirements for color, but not more than one-tenth ( $\frac{1}{10}$ ) of this amount, or one-half of one percent ( $\frac{1}{2}\%$ ), shall be allowed for decay, and (b) not more than ten percent (10%) by count, of the grapefruit in any lot may fail to meet the requirement relating to color;

(ii) Any container of grapefruit, grown as aforesaid, which grades U. S. Combination Grade (as such term is defined in the aforesaid revised United States Standards) unless at least forty percent (40%), by count, of the grapefruit in such container meet the requirements of the U. S. No. 1 Grade (as such grade is defined in the aforesaid revised United States Standards) and the remainder of the grapefruit meets all the requirements specified in subdivision (i) of this subparagraph;

(iii) Any grapefruit, grown as aforesaid, which grade U. S. No. 3 or lower than U. S. No. 3 grade (as such grades are defined in the aforesaid revised United States Standards); or

(iv) From the State of California or the State of Arizona (a) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than  $3\frac{1}{16}$  inches in diameter, or (b) to any point in Canada, any such grapefruit which are of a size smaller than  $3\frac{3}{16}$  inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the said revised United States Standards: *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than  $3\frac{1}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $4\frac{3}{16}$  inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than  $3\frac{3}{16}$  inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size  $3\frac{13}{16}$  inches in diameter and smaller.

(3) As used herein, "handler" and "ship" shall have the same meaning as is given to each such term in said marketing agreement and order; and the



terms "fairly well colored," "damage," and "dryness or mushy condition" shall each have the same meaning as set forth in the said revised United States Standards. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 2d day of January 1948.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 48-201; Filed, Jan. 5, 1948;  
9:50 a. m.]

## TITLE 10—ARMY

### Chapter VI—Organized Reserves

#### PART 602—RESERVE OFFICERS' TRAINING CORPS

##### ISSUE OF TEXTBOOKS AND REFERENCE BOOKS

In § 602.54 *Issue of textbooks and reference books* (10 CFR, Cum. Supp., 62.54), rescind the last sentence of paragraph (a) (3), which reads: "Except as provided in (c) below, textbooks will not be furnished to individual students from ROTC funds."

[Par. 36a (3), AR 145-20, as amended by Cir. 41, Dept. of the Army, 1947] (Sec. 47, 39 Stat. 192, sec. 34, 41 Stat. 777, 10 U. S. C. 389)

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

[F. R. Doc. 48-112; Filed, Jan. 5, 1948;  
8:49 a. m.]

### Chapter VII—Personnel

#### PART 709—PRESCRIBED SERVICE UNIFORM MISCELLANEOUS AMENDMENTS

1. In § 709.24 (10 CFR, Supps.) rescind paragraph (b) (2) (xvi) (d), (f), and (g), and add paragraph (b) (2) (xvi) (h) as follows:

§ 709.24 *Insignia for collar and lapel of coat.* \* \* \*

(b) *Other officers, warrant officers, and flight officers.* \* \* \*

(2) *Insignia of arm, service, and bureau.* \* \* \*

(xvi) *Medical Department.* \* \* \*

(d) *Medical Administrative Corps.* [Rescinded.]

(f) *Sanitary Corps Reserve.* [Rescinded.]

(g) *Pharmacy Corps.* [Rescinded.]

(h) *Medical Service Corps.* A caduceus in silver with a monogram consisting of the letters "MS" in black superimposed thereon.

[Par. 26 b (2) (p), AR 600-35, Mar. 31, 1944, as amended by Cir. 67, Dept. of the Army, 1947] (R. S. 1296; 10 U. S. C. 1391)

2. In § 709.80 (10 CFR 1945 Supp.), subdivisions (ii), (iii) and (v) of paragraph (b) (2) are rescinded, and a new subdivision (v) is added as follows:

§ 709.80 *Insignia.* \* \* \*  
(b) *Insignia on collar and lapel of service jackets—Officers and warrant officers.* \* \* \*

(2) *Lapel.* \* \* \*

(ii) *Physical therapists.* [Rescinded.]

(iii) *Dietitians.* [Rescinded.]

(v) *Women's Medical Specialist Corps.* A caduceus in silver with a monogram consisting of the letters "WS" in black superimposed thereon.

[Par. 28 a (2), AR 600-37, Apr. 16, 1945, as amended by Cir. 67, Dept. of the Army, 1947] (R. S. 1296; 10 U. S. C. 1391)

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

[F. R. Doc. 48-113; Filed, Jan. 5, 1948;  
8:50 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

#### PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947

##### RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

Amendment 12 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments.<sup>1</sup> The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§ 825.5) is amended in the following respect:

1. Section 1 (b) is amended by adding paragraph (11) as follows:

(11) *Trailers and trailer spaces.* Housing accommodations located in trailers and ground space rented for trailers.

This amendment shall become effective January 5, 1948.

Issued this 5th day of January 1948.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 48-224; Filed, Jan. 5, 1948;  
10:54 a. m.]

#### PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947

##### CONTROLLED HOUSING RENT REGULATION

Amendment 12 to the Controlled Housing Rent Regulations.<sup>2</sup> The Controlled Housing Rent Regulation (§ 825.1) is amended in the following respect:

1. Section 1 (b) is amended by adding paragraph (10) as follows:

(10) *Trailers and trailer spaces.* Housing accommodations located in trailers and ground space rented for trailers.

<sup>1</sup> 12 F. R. 4302, 5423, 5457, 5699, 6027, 6686, 6923, 7111, 7630, 7825, 7998, 8660.

<sup>2</sup> 12 F. R. 4331, 5421, 5454, 5697, 6027, 6687, 6923, 7111, 7630, 7825, 7999, 8660.

This amendment shall become effective January 5, 1948.

Issued this 5th day of January 1948.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 48-225; Filed, Jan. 5, 1948;  
10:54 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### Subchapter A—General Rules and Regulations

[6th Rev. S. O. 104, Amdt. 1]

#### PART 95—CAR SERVICE

##### SUBSTITUTION OF REFRIGERATOR FOR BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of December A. D. 1947.

Upon further consideration of Sixth Revised Service Order No. 104 (12 F. R. 8297), and good cause appearing therefor: *It is ordered, That:*

Section 95.104 *Substitution of refrigerator cars for box cars*, of Sixth Revised Service Order No. 104, be, and it is hereby, further amended by substituting the following paragraph (c) in lieu of paragraph (c) thereof:

(c) *Application.* (1) The provisions of Service Order No. 68, as amended, insofar as they conflict with this order are suspended. (2) No car or cars subject to this order shall be stopped in transit to complete loading. (3) Any car or cars subject to this order may be stopped in transit for partial unloading of not less than 10,000 pounds of freight, at any point in the territory west of a line, but not including, Chicago, Ill., through Peoria, Ill., and St. Louis, Mo., thence Mississippi River to the Gulf of Mexico, provided such stop-off is authorized in tariffs on file with this Commission.

*It is further ordered, That* this amendment shall become effective at 12:01 a. m., January 1, 1948, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-105; Filed, Jan. 5, 1948;  
8:48 a. m.]



[S. O. 775, Amdt. 3]

## PART 95—CAR SERVICE

## DEMURRAGE ON RAILROAD FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 30th day of December A. D. 1947.

Upon further consideration of Service Order No. 775 (12 F. R. 6784), as amended (12 F. R. 7059, 8349), and good cause appearing therefor: *It is ordered, That:*

Section 95.775 *Demurrage on railroad freight cars* of Service Order 775 be, and it is hereby, further amended as follows:

Due to the recent blizzard, the provisions of Service Order No. 775 are suspended from 7:00 a. m., December 31, 1947, to 7:00 a. m., January 7, 1948, in the territory on and east of a line from Rouses Point, N. Y. to Utica, N. Y. to Wilkes-Barre, Pa., to Philadelphia, Pa., and ending at Atlantic City, N. J.

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

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-108; Filed, Jan. 5, 1948;  
8:49 a. m.]

[Rev. S. O. 798, Amdt. 2]

## PART 95—CAR SERVICE

DEMURRAGE CHARGES ON PRIVATELY OWNED  
TANK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of December A. D. 1947.

Upon further consideration of Revised Service Order No. 798 (12 F. R. 8461), as amended (12 F. R. 8792), and good cause appearing therefor: *It is ordered, that:*

Section 95.798, *Demurrage charges on privately owned tank cars* of Revised Service Order No. 798, be, and it is hereby, amended by substituting the following Exception 1, in lieu of Exception 1, paragraph (b) thereof:

*Exception 1.* No provision of this order is applicable to tank cars designated "TP" or "TPI" when loaded with Anhydrous Hydrofluoric Acid, Carbon Dioxide, Chlorine, Ethyl Chloride, Ethylene Oxide, Metallic Sodium, Methyl Chloride, Sulphur Dioxide or Motor Fuel Anti-knock Compound; or designated "TMI" when loaded with liquid rubber latex; nor to tank cars stencilled or signboarded "not air-tight or liquid-tight" and such cars are unsuitable for transporting liquids or gases.

It is further ordered, that this amendment shall become effective at 7:00 a. m., January 1, 1948; that a copy of this order and direction be served upon the State railroad regulatory bodies of each State and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-106; Filed, Jan. 5, 1948;  
8:48 a. m.]

## Subchapter B—Carriers by Motor Vehicle

[No. M-60160, Cancels No. M-28700]

## PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

## TARIFFS OF MOTOR COMMON CARRIERS, EMERGENCY TRANSPORTATION; SPECIAL PERMISSIONS

Permission under section 217 of Part II of the Interstate Commerce Act, to make stated changes in rates, charges, classifications, or rules, effective on less than statutory notice, and to depart from the Commission's published tariff regulations.

*It is ordered,* That the following regulations shall become effective on the date hereof and shall continue in effect until further order of the Commission:

§ 187.100 *Motor common carriers of property having emergency temporary operating authority for a period of not more than 30 days may establish rates, etc., covering emergency movements of property without further notice other than posting and filing copies of tariffs with District Office of Bureau of Motor Carriers.* (a) Motor common carriers of property who have been granted emergency temporary operating authority for a period of not more than thirty days under section 210 (a) of Part II of the Interstate Commerce Act, may establish in accordance with the existing tariff circular rules, except as authorized herein and subject to limitations hereinafter set forth, rates and other provisions covering emergency movements of property without further notice prior to the acceptance of shipments for transportation other than posting in the manner required by Rule 20 (h) of Tariff Circular MF No. 3 (§ 187.44 (h)), an individual tariff (not a supplement or revised page) naming rates and other provisions for such emergency movements and filing at once three copies of each publication together with a letter of transmittal with the District Director of the Bureau of Motor Carriers in whose district the carrier is domiciled or with

the District Supervisor designated by the District Director.

(b) *Additional departure from terms of Tariff Circular MF No. 3 (§§ 187.21-187.47).* Motor common carriers of property may depart from the terms of Tariff Circular MF No. 3 (§§ 187.21-187.47) to the extent necessary to permit the filing and posting of the tariffs in the manner authorized in the foregoing paragraph hereof.

(c) *Limitations.* (1) This permission does not authorize the cancellation of any rate or provision on the same commodity between the same points and may not be used to establish rates and other provisions which will result in duplicating or conflicting rates.

(2) Tariffs filed hereunder must be consecutively numbered in the carrier's "W" series in the following manner: "MF-I. C. C. No. W \_\_\_\_".

(3) Tariffs filed hereunder may contain only the rates, rules and other provisions covering the movement of property under emergency temporary authority and then only for a period of not more than thirty days and such tariffs may not contain other rates or provisions.

(4) This permission may not be used to publish distance or mileage rates nor rates per hour or other units of time.

(5) All tariffs filed hereunder must bear a specific expiration date which will not be later than the date upon which the emergency temporary authority expires.

This permission does not modify any outstanding formal order of the Commission, nor waive any of the requirements of its published rules relative to the construction and filing of tariff publications, except as herein authorized, nor modify any of the provisions of Part II of the Interstate Commerce Act, except as to notice. (Sec. 217, 49 Stat. 560, sec. 22 (e), 54 Stat. 925; 49 U. S. C. 317)

Dated at Washington, D. C., this 22d day of December 1947.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-107; Filed, Jan. 5, 1948;  
8:49 a. m.]

[No. M-60161, Cancels No. M-28701]

## PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

## SCHEDULES OF MOTOR CONTRACT CARRIERS, EMERGENCY TRANSPORTATION OF PROPERTY; SPECIAL PERMISSION

Permission under section 218 of Part II of the Interstate Commerce Act, to make stated changes in minimum rates, charges, or rules, effective upon less than statutory notice, and to depart from the Commission's published schedule regulations.

*It is ordered,* That the following regulations shall become effective on the date hereof and shall continue in effect until further order of the Commission:

§ 187.101 *Motor contract carriers of property having emergency temporary operating authority for a period of not*



more than thirty days may establish minimum rates, etc., covering emergency movements of property without further notice other than posting and filing copies of schedules with District Office of Bureau of Motor Carriers.

(a) Motor contract carriers of property who have been granted emergency temporary operating authority for a period of not more than thirty days under section 210 (a) of Part II of the Interstate Commerce Act may establish in accordance with existing schedule rules, except as authorized herein, and subject to limitations hereinafter set forth, rates, and other provisions covering emergency movements of property without further notice prior to the acceptance of shipments for transportation other than posting in the manner required by Rule 6 of Tariff Circular MF No. 2 (§ 187.6) an individual schedule (not a supplement or revised page) naming minimum charges and other provisions for such emergency movements and filing at once three copies of each publication together with a letter of transmittal with the District Director of the Bureau of Motor Carriers in whose district the carrier is domiciled, or with the District Supervisor designated by the District Director.

(b) Additional departure from the terms of Tariff Circular MF No. 2 (§§ 187.0-187.11). Motor contract carriers of property may depart from the terms of Tariff Circular MF No. 2

(§§ 187.0-187.11) to the extent necessary to permit the filing and posting of schedules authorized in the foregoing paragraph hereof.

(c) *Limitations.* (1) This permission does not authorize the cancellation of any minimum charge or provision on the same commodity between the same points and may not be used to establish minimum charges or other provisions which will result in duplicating or conflicting minimum charges.

(2) Schedules filed hereunder must be consecutively numbered in the carrier's "W" series in the following manner: "MF-I. C. C. No. W --"

(3) Schedules filed hereunder may contain only the minimum charges, rules and other provisions covering the movement of property under emergency temporary authority and then only for a period of not more than thirty days, and such schedules may not contain other minimum charges or provisions.

(4) This permission may not be used to publish distances or mileage minimum rates nor minimum rates per hour or other unit of time.

(5) All schedules filed hereunder must bear a specific expiration date which will not be later than the date upon which the emergency temporary authority expires.

This permission does not modify any outstanding formal order of the Commission, nor waive any of the require-

ments of its published rules relative to the construction and filing of schedule publications, except as herein authorized, nor modify any of the provisions of Part II of the Interstate Commerce Act, except as to notice. (Sec. 218, 49 Stat. 561, sec. 17, 52 Stat. 1240, secs. 16, 23, 54 Stat. 919, 925; 49 U. S. C. 318)

Dated at Washington, D. C., this 22d day of December 1947.

By the Commission.

[SEAL]

W. F. BARTEL,  
Secretary.

[F. R. Doc. 48-109; Filed, Jan. 5, 1948;  
8:49 a. m.]

## Chapter II—Office of Defense Transportation

### PART 507—ORGANIZATION AND FUNCTIONS

DELEGATING AUTHORITY AND ESTABLISHING PROCEDURES UNDER THE JOINT RESOLUTION APPROVED DECEMBER 30, 1947

CROSS REFERENCE: For amendment of Executive Order 8989, as amended by Executive Order 9389, and Executive Orders 9156, 9214, and 9729, describing the authority, powers, duties, and functions of the Office of Defense Transportation and of the Director thereof, noted in § 507.1, see Executive Order 9919 under Title 3, *supra*.

## NOTICES

### CIVIL AERONAUTICS BOARD

[Docket No. 3204]

CHINA NATIONAL AVIATION CORP.

#### NOTICE OF HEARING

In the matter of the application of China National Aviation Corporation under section 402 of the Civil Aeronautics Act of 1938, as amended, for amendment of its foreign air carrier permit to include Okinawa as an intermediate point on the route between Shanghai, Republic of China, and San Francisco, California, via Honolulu, Hawaii.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on January 15, 1948, at 10 a. m. (eastern standard time) in Room 129, Wing E, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

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

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

2. Whether the applicant is fit, willing and able to perform such transportation and to conform to the provisions of the

act and the rules, regulations, and requirements of the Board thereunder.

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

Notice is further given that any person desiring to be heard in this proceeding must file with the Board, on or before January 15, 1948, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

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

Dated at Washington, D. C., December 31, 1947.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 48-102; Filed, Jan. 5, 1948;  
8:48 a. m.]

### FEDERAL SECURITY AGENCY

#### Social Security Administration

CERTIFICATION OF STATE UNEMPLOYMENT COMPENSATION LAWS TO THE SECRETARY OF THE TREASURY

Pursuant to section 1603 (a) of the Internal Revenue Code as amended, the

Social Security Board has heretofore approved the unemployment compensation laws of the following States:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

In accordance with the provisions of section 1603 (c) of the Internal Revenue Code, the President's Reorganization Plan No. 2 effective July 16, 1946, and the authority delegated to the Commissioner for Social Security by the Federal Security Administrator, I, as Commissioner for Social Security, hereby certify the foregoing States to the Secretary of the Treasury for the taxable year 1947.

[SEAL]

ARTHUR J. ALTMAYER,  
Commissioner for Social Security.

Approved: December 31, 1947.

OSCAR R. EWING,  
Administrator.

[F. R. Doc. 48-111; Filed, Jan. 5, 1948;  
8:49 a. m.]



**CERTIFICATION OF STATE LAWS TO THE SECRETARY OF THE TREASURY PURSUANT TO SECTION 1602 (b) (1) OF THE INTERNAL REVENUE CODE**

Whereas, as Commissioner for Social Security, I have heretofore certified to the Secretary of the Treasury the unemployment compensation laws of the States hereinafter enumerated with respect to the taxable year 1947, as provided in section 1603 of the Internal Revenue Code, as amended; and

Whereas, I hereby find that reduced rates of contributions were allowable under the laws of each of said States with respect to the taxable year 1947 only in accordance with the provisions of subsection (a) of section 1602 of said code:

Now therefore, pursuant to section 1602 (b) (1) of said code, the President's Reorganization Plan No. 2 effective July 16, 1946, and the authority delegated to the Commissioner for Social Security by the Federal Security Administrator, I, as Commissioner for Social Security, hereby certify to the Secretary of the Treasury the Unemployment Compensation Law of each of the following States for the taxable year 1947:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

[SEAL] ARTHUR J. ALTMAYER,  
Commissioner for Social Security.

Approved: December 31, 1947.

OSCAR R. EWING,  
Administrator.

[F. R. Doc. 48-110; Filed, Jan. 5, 1948;  
8:49 a. m.]

**INTERSTATE COMMERCE COMMISSION**

[No. 3666]

**NITRIC ACID**

**TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES**

Application for authority to use in experimental service for highway transportation of nitric acid two (2) motor vehicle cargo tanks constructed of type 347 stainless steel.

By application filed, with recommendations of the Heil Company, we are asked to authorize the Leaman Transportation Corporation to use in experimental service two (2) motor vehicle cargo tanks 3200-gallon capacity each, constructed of type 347 stainless steel. The application if supported by evidence that the construction is in compliance with specification MC 310, cargo tanks (49 CFR 72), except that the location of the manhole is not directly on top of the shell but is recessed to the rear and top of tank in a manner not fully approved by the American Society of Mechanical Engineers' Code, under which the tanks were manufactured. The change was made

in order to provide safety in the event of overturn of the vehicle. Tanks are to be used in experimental trial service in highway transportation of nitric acid.

Upon consideration of the record and in light of the facts disclosed, use for trial service of said two (2) motor vehicle cargo tanks is hereby authorized effective December 29, 1947, until further order of the Commission, for transportation of nitric acid.

Tanks must not be marked MC 310 but marking on identification plate shall show "I. C. C. Novel Tank", in the space provided for the specification number.

In all other respects, other than as provided for herein, the present regulations for the transportation of nitric acid shall remain in full force and effect.

Owners of motor vehicle cargo tanks shall make semi-annual inspection of the interior and exterior of the tanks authorized herein and report condition of same to the Director, Bureau of Service, Interstate Commerce Commission, Washington 25, D. C.

Decided: December 29, 1947.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 48-103; Filed, Jan. 5, 1948;  
8:48 a. m.]

[Rev. S. O. 620, Special Permit 13]

**LIGHTWEIGHING OF CARS AT WEEHAWKEN, N. J.**

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

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the lightweighing, one time only by The New York Central Railroad Company at Weehawken, New Jersey, the following cars owned or leased by the U. S. Rubber Company:

USRX 20	SHPX 15042
USRX 31	SHPX 15037
USRX 32	SHPX 15026
USRX 33	SHPX 15049
USRX 34	SHPX 15041
USRX 35	SHPX 10867
USRX 36	SHPX 13193
USRX 37	SHPX 18091
USRX 39	SHPX 15044
SHPX 10739	SHPX 15036

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

Issued at Washington, D. C., this 29th day of December 1947.

H. C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 48-104; Filed, Jan. 5, 1948;  
8:48 a. m.]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 7-1001]

JONES & LAUGHLIN STEEL CORP.

**FINDINGS AND ORDER GRANTING UNLISTED TRADING PRIVILEGES**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 30th day of December A. D. 1947.

The Boston Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, Without Par Value, of Jones & Laughlin Steel Corporation.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on the New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Boston Stock Exchange is the New England States exclusive of Fairfield County, Connecticut; that out of a total of 2,476,302 shares outstanding, 20,328 shares are owned by 276 shareholders in the vicinity of the Boston Stock Exchange; and that in the vicinity of the Boston Stock Exchange there were 1,130 transactions involving 71,013 shares from July 1, 1946 to June 30, 1947;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, Without Par Value, of Jones & Laughlin Steel Corporation be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 48-101; Filed, Jan. 5, 1948;  
8:50 a. m.]

[File Nos. 53-134, 54-72, 59-9, 59-66]

STANDARD POWER AND LIGHT CORP. ET AL.

**ORDER POSTPONING ANNUAL MEETING OF STOCKHOLDERS**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 29th day of December 1947.



In the matter of Standard Power and Light Corporation, Standard Gas and Electric Company, and subsidiary companies thereof, respondents, File No. 59-9; Standard Gas and Electric Company, File Nos. 53-134, 54-72 and 59-66.

Hearings having been held before a hearing officer with respect to the issues raised by a declaration filed by Standard Gas and Electric Company ("Standard Gas"), pursuant to section 12 (e) of the Public Utility Holding Company Act of 1935, requesting authorization to solicit proxies in connection with its annual meeting of stockholders, originally scheduled to be held December 3, 1947; and

The Commission, by its order dated November 13, 1947 (Holding Company Act Release No. 7841), having postponed said annual meeting for a period of thirty days or such extended period as the Commission might find appropriate; and

The Commission, by its order dated December 8, 1947 (Holding Company Act Release No. 7902), having provided that counsel for the staff of the Public Utilities Division or any other participants in these proceedings urging denial of effectiveness to the declaration of Standard Gas file and serve requested findings and briefs in support thereof on or before December 16, 1947, and that any participant in the proceedings desiring to file reply briefs or requested findings or to introduce additional evidence, file a written request for leave to do so, on or before December 18, 1947, stating the time desired for such purposes; and

The Commission on December 15, 1947, having, at the request of Standard Gas, extended until December 23, 1947, the time for filing requested findings and briefs in opposition to the aforesaid declaration filed by Standard Gas, and having extended for one week the time for notifying the Commission of a desire by any participant to file reply briefs or requested findings or to introduce additional evidence; and

The Commission on December 22, 1947, having, by agreement of all parties, further extended until January 5, 1948, the time for filing requested findings and briefs in opposition to the aforesaid declaration of Standard Gas and having also extended until January 8, 1948, the time for notifying the Commission of a desire by any participant to file reply briefs or requested findings or to introduce additional evidence; and

It appearing that pursuant to the by-laws of Standard Gas and the laws of the State of Delaware, in which Standard Gas is incorporated, that twenty days' written notice of the annual meeting of stockholders must be given; and

It appearing to the Commission that it is appropriate in the public interest and for the protection of investors and consumers that the said annual meeting of stockholders of Standard Gas be postponed for a further period, provided that such period might be extended if such action should likewise appear appropriate:

It is therefore ordered, That the annual meeting of stockholders of Standard Gas and Electric Company, originally scheduled to be held December 3, 1947, and heretofore postponed for a period of

thirty days by order of the Commission, entered November 13, 1947, be and it is hereby further postponed until February 4, 1948: *Provided, however*, That such annual meeting may be further postponed by order of the Commission if such action is deemed appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-89; Filed, Jan. 5, 1948;  
8:48 a. m.]

[File Nos. 54-25, 59-11, 59-17]

UNITED LIGHT AND RAILWAYS CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 29th day of December A. D. 1947.

In the matter of The United Light and Railways Company, American Light & Traction Company, et al., File Nos. 54-25, 59-11, 59-17.

American Light & Traction Company ("American Light"), a registered holding company and a subsidiary of the United Light and Railways Company, also a registered holding company, has filed a supplemental application-declaration in accordance with the applicable provisions of the Public Utility Holding Company Act of 1935 ("act") and the rules thereunder relating to the terms and conditions upon which it proposes to sell at competitive bidding, pursuant to Rule U-50, 450,000 shares of common stock of the Detroit Edison Company ("Detroit Edison"), supplying appropriate financial statements of Detroit Edison, requesting that the bidding period provided for by Rule U-50 be shortened from ten days to seven days, and requesting authority to purchase such number of shares of the common stock of Detroit Edison within a specified period as may be necessary or appropriate to stabilize the price of such stock.

Such supplemental application-declaration having been duly filed and notice of said filing and opportunity for hearing with respect thereto having been duly given, and the Commission not having received a request for hearing with respect to said supplemental application-declaration within the period specified within said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary with respect to the said supplemental application-declaration, and deeming it appropriate in the public interest and in the interest of investors or consumers that said supplemental application-declaration be granted and permitted to become effective, and deeming it appropriate to grant the request of American Light that the order herein become effective forthwith:

It is hereby ordered, That the supplemental application-declaration, be, and the same hereby is, granted and permitted to become effective forthwith

subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the Public Utility Holding Company Act of 1935 and subject further to the condition that the sale by American Light of 450,000 shares of the common stock of Detroit Edison shall not be consummated until the results of the competitive bidding have been made a matter of record in these proceedings and a further order entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose and to issue such further orders as may be appropriate to the carrying out of the transaction.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-96; Filed, Jan. 5, 1948;  
8:49 a. m.]

[File Nos. 54-111, 59-12]

AMERICAN AND FOREIGN POWER CO., INC.,  
ET AL.

ORDER RELEASING JURISDICTION OVER  
CERTAIN FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 29th day of December A. D. 1947.

In the matter of American & Foreign Power Company, Inc., Electric Bond and Share Company, File No. 54-111; Electric Bond and Share Company, American Power & Light Company, Pacific Power & Light Company, Electric Power & Light Corporation, Utah Power & Light Company, National Power & Light Company, American & Foreign Power Company, Inc., Ebasco Services Incorporated, Respondents, File No. 59-12.

The Commission, having on November 19, 1947 issued its Order approving, subject to certain conditions, an amended plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the reorganization of American & Foreign Power Company Inc., a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company, and the Commission having reserved jurisdiction in said order with respect to the fairness and reasonableness of the allocation of the aggregate amount of \$84,254 among the plaintiffs or their attorneys or accountants for services and reimbursement for disbursements in the court actions, referred to in Part III of said plan as amended, the titles of which actions are as hereinafter set forth; and

Applicants having submitted the following proposed allocation of said sum as between the plaintiffs, their attorneys and accountants in said action, the amount shown opposite the title of the action being in each case in full settlement of the expenses and fees of the plaintiff in said action and any attorneys and accountants retained by said plaintiff in said action, and payment of



the following amounts having been agreed upon by the respective attorneys in each action:

Joseph L. Freund, plaintiff, v. Sosthenes Behn, et al., defendants.....	\$45,000
Constantine J. Andromidas, plaintiff, v. Sosthenes Behn, et al., defendants.....	11,250
Elizabeth Peyser, plaintiff, v. Curtis E. Calder, et al., defendants.....	8,500
Ida Gelfand as Executrix under the last will and testament of Samuel Gelfand, deceased, plaintiff, v. Curtis E. Calder, et al., defendants.....	8,000
Harold Goldberg, plaintiff, v. Sosthenes Behn, et al., defendants.....	5,000
Anna E. Mortensen, plaintiff, v. Sosthenes Behn, et al., defendants.....	6,500

The Commission having considered the record and finding no occasion for adverse findings with respect to the fairness and reasonableness of the foregoing allocation, and being of the opinion that jurisdiction over the same should be released:

*It is ordered*, That the jurisdiction heretofore reserved in our order of November 19, 1947 with respect to the fairness and reasonableness of the allocation of such aggregate amount among the said plaintiffs, attorneys and accountants be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-95; Filed, Jan. 5, 1948;  
8:49 a. m.]

[File Nos. 54-148, 59-86]

PUBLIC SERVICE CORP. OF NEW JERSEY  
ET AL.

#### ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 30th day of December 1947.

In the matters of Public Service Corporation of New Jersey and its subsidiary companies, and The United Corporation, File No. 59-86; Public Service Corporation of New Jersey, File No. 54-148.

Public Service Corporation of New Jersey ("Public Service"), a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed an application, with amendments thereto, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan providing, in general, for the dissolution of Public Service upon the completion of the following steps:

(1) Public Service will transfer to its principal utility subsidiary, Public Service Electric and Gas Company ("PEG"), all its assets (including its security holdings of Public Service Coordinated Transport Company, a transportation subsidiary) in exchange for the following securities of PEG: \$18,195,600 principal amount of 6% Debenture Bonds, 6,062,767 shares of \$1.40 Dividend Preference Common Stock, and 5,503,193 shares of common stock.

(2) Public Service will exchange (a) the 6% Debenture Bonds, on a dollar for dollar basis, for all its own publicly-

held 6% Perpetual Interest-Bearing certificates which are outstanding in like principal amount as the Debenture Bonds; (b) 4.70 shares, 4.15 shares, 3.70 shares and 3.25 shares of the \$1.40 Dividend Preference Common Stock for its own publicly-held 8%, 7%, 6% and 5% cumulative preferred stocks, respectively; (c) one share of common stock of PEG and 1/10 of a share of the common stock of South Jersey Gas Company (a utility subsidiary of Public Service) for one share of the publicly-held common stock of Public Service.

(3) The stock structure of Public Service Coordinated Transport Company ("Transport") will be converted to an all-common stock basis.

(4) The securities of County Gas Company (a utility subsidiary of Public Service) held by Public Service will be sold, or otherwise disposed of, by it.

(5) PEG and Transport will make certain accounting adjustments to eliminate the major portion of the intangibles presently carried in their plant and property accounts; and

Public Service having requested the Commission, pursuant to section 11 (e) of the act, to apply to a court in accordance with the provisions of subsection (f) of section 18 of the act to enforce and carry out the terms and provisions of the plan; the Commission having issued its notice of filing and order for hearing on said plan and having directed that a copy of said notice of filing and order for hearing be mailed by Public Service to all its security holders; notice having been given to all interested persons, public hearings having been held, at which hearings security holders and other interested persons were afforded an opportunity to be heard, and representatives of each of the classes of security holders of Public Service who actively participated in the proceedings having urged the Commission to approve the plan; and briefs and oral argument having been waived; and

The Commission having considered the record and finding that the plan is necessary to effectuate the provisions of section 11 (b) of the act, and fair and equitable to the persons affected thereby, and that the several transactions incident thereto are in conformity with the applicable sections of the act and require no adverse findings thereunder, and the Commission deeming it appropriate in the public interest and the interests of investors and consumers to grant said application and approve the plan, and to issue its order of approval in advance of the issuance and release of its definitive findings and opinions which are now in the process of completion:

*It is ordered*, Pursuant to section 11 (e) of the act and other applicable provisions thereof, that said application, as amended, be and hereby is, granted, and the said plan, as amended, be, and it hereby is, approved.

*It is further ordered*, That jurisdiction be, and hereby is, reserved to entertain such further proceedings, to make such supplemental findings, to take such further action, and to enter such further order or orders as may be necessary or appropriate in these proceedings.

*It is further ordered*, That jurisdiction be, and hereby is, reserved over all fees,

expenses and liability for other remunerations incurred, and to be incurred, in connection with the plan and the transactions incident thereto.

*It is further ordered*, That forthwith upon the issuance of the definitive findings and opinion of the Commission counsel for the Commission be, and they hereby are, authorized and directed to make application on behalf of the Commission to an appropriate court pursuant to the provisions of section 11 (e) and in accordance with subsection (f) of section 18 of the act, to enforce and carry out the terms and provisions of the plan.

*It is further ordered*, That this order shall not be operative to authorize the consummation of the transactions proposed in the plan until an appropriate court shall, upon application thereto, enter an order enforcing said plan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-100; Filed, Jan. 5, 1948;  
8:50 a. m.]

[File No. 70-1490, 70-1491]

NORTHERN STATES POWER CO.

#### SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER FEES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 29th day of December A. D. 1947.

In the matter of Northern States Power Company, a Minnesota corporation, File No. 70-1490; Northern States Power Company, a Wisconsin corporation, File No. 70-1491.

The Commission having by order dated April 11, 1947, reserved jurisdiction over the payment of legal fees to A. Louis Flynn and John M. Campbell, in the above entitled matter; and

It appearing to the Commission after further consideration of the applications and the declarations, as amended, providing for the payment of legal fees of \$12,500 and \$7,500 to A. Louis Flynn and John M. Campbell, respectively, that it is appropriate in the public interest and in the interest of investors and consumers to release jurisdiction with respect thereto:

*It is ordered*, That, subject to the terms and conditions prescribed in Rule U-24, that jurisdiction over the payment of legal fees in the total amount of \$12,500 and \$7,500 to A. Louis Flynn and John M. Campbell, respectively, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-93; Filed, Jan. 5, 1948;  
8:49 a. m.]

[File No. 70-1582]

DUQUESNE LIGHT CO. AND ALLEGHENY  
COUNTY STEAM HEATING CO.

#### ORDER RELEASING JURISDICTION WITH RESPECT TO FEES

At a regular session of the Securities and Exchange Commission, held at its



office in the city of Philadelphia, Pa., on the 22d day of December 1947.

The Commission having by order dated September 12, 1947, granted and permitted to become effective an application-declaration, as amended, filed by Duquesne Light Company ("Duquesne"), a public utility company, and its wholly owned non-utility subsidiary, Allegheny County Steam Heating Company (both being subsidiaries of Philadelphia Company, Standard Gas and Electric Company and Standard Power and Light Corporation, all registered holding companies), pursuant to sections 6 (b), 9, 10 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-50 promulgated thereunder regarding:

(1) An increase in the authorized capital stock of Allegheny from 80,000 shares to 96,000 shares, the issuance of 33,000 of such shares to Duquesne in payment of a promissory note in the amount of \$1,650,000 due from Allegheny to Duquesne and the issuance and sale of 13,000 of such shares to Duquesne for a cash consideration of \$650,000; and the payment by Allegheny to Duquesne of a cash dividend from earned surplus in the amount of \$1,200,000; and

(2) The issuance and sale by Duquesne, pursuant to the competitive bidding requirements of Rule U-50, of \$75,000,000 principal amount of First Mortgage Bonds, Series due August 1, 1977; and

(3) The use of the proceeds from the sale of such bonds (a) to redeem and retire Duquesne's then outstanding \$70,000,000 principal amount of First Mortgage 3½% Bonds, due June 1, 1965 at the redemption price thereof and (b) for general corporate purposes; and

Said order providing, among other things, that jurisdiction was reserved with respect to the payment of fees and expenses in connection with said transactions; and

The Commission having by order dated September 23, 1947 released jurisdiction with respect to the matters to be determined as a result of competitive bidding for said new bonds, jurisdiction being continued with respect to other matters; and

Statements and affidavits having been furnished the Commission regarding the nature and extent of services rendered for which fees and expenses are requested as follows:

	Fees	Expenses
Reed, Smith, Shaw & McClay: Counsel for applicants-declarants.	\$30,000.00	\$2,988.80
A. Louis Flynn: Associate counsel for applicants-declarants.	12,000.00	1,722.90
Haskins & Sells: Accounting services.	13,924.68	203.86
Dillon, Read & Co., Inc.: Financial advisors.	7,500.00	-----
Public Utility Engineering and Service Corp.: Preparation of exhibits and data.	4,719.94	1,037.14
Cahill, Gordon, Zachry & Reinhardt: Counsel for successful bidders.	20,000.00	2,267.83

It appearing to the Commission, after due consideration, that, under the circumstances of this matter, such fees and expenses are not unreasonable and that jurisdiction should be released with re-

spect to fees and expenses in connection with said transactions:

It is ordered, That the jurisdiction heretofore reserved in the orders of September 12, 1947, and September 23, 1947, with respect to the payment of fees and expenses in this matter be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-91; Filed, Jan. 5, 1948;  
8:48 a. m.]

[File Nos. 70-1658, 70-1659]

ASSOCIATED ELECTRIC CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 29th day of December 1947.

In the matter of Associated Electric Company, Pennsylvania Electric Company, File No. 70-1658; John H. Ware, 3d, File No. 70-1659.

Associated Electric Company, a registered holding company, and its subsidiary, Pennsylvania Electric Company ("Penelec"), and John H. Ware, 3d, having filed a declaration and an application and amendments thereto, respectively, pursuant to sections 9 (a) (2), 10 and 12 (d) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-44 promulgated thereunder, with respect to the following transactions:

Penelec proposes to sell to John H. Ware, 3d, or his assigns, for a base price of \$185,000 (subject to certain adjustments), all its property and assets, real and personal, including franchises and consents, pertaining to Penelec's manufactured gas business in the territory in and about the Boroughs of Lewistown, Huntingdon, and Shippensburg, Pennsylvania. John H. Ware, 3d, an affiliate of several public utility companies operating in the State of Pennsylvania, and one small public utility company operating in the State of New Jersey, proposes to organize three Pennsylvania corporations, namely, Lewistown Gas Company (Lewistown), Huntingdon Gas Company, (Huntingdon), and Shippensburg Gas Company (Shippensburg), which corporations will acquire and operate the properties to be purchased from Penelec. The corporations will issue the following securities which will be acquired by Ware:

480 shares of common stock (\$50 par value) of Lewistown.  
\$28,000 4½% note due November 1, 1951.  
\$112,000 first mortgage 3.9% bonds due June 1, 1970.  
240 shares of common stock (\$50 par value) of Huntingdon.  
\$18,750 4½% demand note of Huntingdon.  
180 shares of common stock (\$50 par value) of Shippensburg.  
\$14,750 4½% demand note of Shippensburg;

and

Penelec having requested that the Commission issue an order determining

and reciting that the sale of the gas properties is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and otherwise conforming to the requirements of sections 373 (a) and 1808 (f) of the Internal Revenue Code, as amended; and

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

The Commission finding that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said application and declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant a request of applicant and of declarant that there be no waiting period between the issuance of the Commission's order and the date the order is to become effective, and deeming it appropriate to grant the request of Penelec as to the suggested recitals:

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

It is further ordered, That the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and to effectuate and comply with the Commission's order, dated June 19, 1946 in Matters of Pennsylvania Edison Company, Pennsylvania Electric Company, Associated Electric Company (File No. 70-1250) and Pennsylvania Edison Company and Associated Electric Company (File No. 59-85):

1. The transfer, sale and assignment by Penelec to John H. Ware, 3d, or his assigns, of all its real estate, pipe lines, regulators, meters, plants, facilities, tools, work equipment and other physical properties, together with such local consents, easements, rights of way, permits, licenses and privileges, and other property of like character used in or relating to the business of the production, transmission, distribution and sale of manufactured gas in the Boroughs of Lewistown, Mifflin County, and vicinity; Huntingdon, Huntingdon County, and vicinity; and Shippensburg, Cumberland and Franklin Counties, and vicinity, all within the Commonwealth of Pennsylvania; all its materials, supplies, and gas appliances owned and held for use in the construction, operation, and maintenance of the manufactured gas properties, or for resale in the area served by the manufactured gas properties; and certain automotive equipment. All such



property to be transferred, sold and assigned is more fully described in an agreement between Penelec and John H. Ware, 3d, dated as of September 30, 1947, which is hereby incorporated herein by reference.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-92; Filed, Jan. 5, 1948;  
8:48 a. m.]

[File No. 70-1683]

#### CINCINNATI GAS & ELECTRIC CO.

##### NOTICE REGARDING FILING OF AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 26th day of December 1947.

The Cincinnati Gas & Electric Company ("Cincinnati"), a subsidiary of The United Corporation, a registered holding company, having filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof, with respect to the issue and sale by Cincinnati of an additional 204,000 shares of common stock, par value of \$3.50 per share, to its common stockholders at the rate of one share of common stock for each ten shares of common stock held by them, the offering price of such shares to be supplied by amendment; and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act (Public Utility Holding Company Act Release No. 7866):

Notice is hereby given that an amendment to said application has been filed with this Commission by Cincinnati.

Notice is further given that any interested person may, not later than December 31, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held with respect to said amendment, stating the reasons for such request, the nature of his interest and the issues, if any, of fact or law raised by said amendment proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 31, 1947, said amendment may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions, as provided in Rule U-20 (a) and Rule U-100 thereof.

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

Cincinnati proposes to reserve the right to stabilize the price of the common stock for the purpose of facilitating the distribution and offering thereof to the common stockholders of Cincinnati. In order to effect such stabilizing purchases,

Cincinnati proposes to acquire shares of its common stock on the respective exchanges on which said stock is traded and listed. Cincinnati further proposes to sell the shares of stock so acquired either by sale on the exchanges through brokers with the payment of the usual brokerage commission or by sale on or off the exchanges through brokers or dealers with the payment to them of commissions or allowances or concessions. Cincinnati states that it will at no time acquire a net long position (exclusive of shares presently owned by the company and not being offered to its stockholders) of shares of common stock of Cincinnati in excess of 10 percent of the aggregate number of shares of common stock being offered to its common stockholders. Cincinnati further proposes to purchase the rights evidenced by the warrants to be issued to its common stockholders, through brokers on the exchanges where such rights are to be traded, and to sell through brokers any rights so acquired at prices not to exceed the current price of the rights as quoted on the New York Stock Exchange or to retain such rights at the option of the company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-98; Filed, Jan. 5, 1948;  
8:50 a. m.]

[File No. 70-1684]

#### JOHN H. WARE, 3D, AND PENN FUEL GAS, INC.

##### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 29th day of December 1947.

John H. Ware, 3d ("Ware"), and Penn Fuel Gas, Inc. ("Penn Fuel"), all the outstanding common stock of which is owned by Ware, having filed a joint application, as amended, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transactions:

Ware will purchase, at par, 2,500 new shares of the \$10 par value common stock of Penn Fuel.

Penn Fuel will acquire from Ware, at par value, stated value, or principal amount all the outstanding common stock of Ashland Gas Light Company, Mount Carmel Citizens Gas Company, Waynesboro Gas Company, Pittston Gas Company, and Lewistown Gas Company, as well as a \$160,000 principal amount 4% promissory note of Pittston Gas Company due November 1, 1947, a \$28,000 principal amount 4½% promissory note of Lewistown Gas Company due November 1, 1951, and \$112,000 principal amount 3.90% first mortgage bond of Lewistown Gas Company due June 1, 1970, all of which securities will be owned by Ware immediately prior to their acquisition by Penn Fuel.

Penn Fuel will also acquire, at principal amount, from the subsidiaries

named below their 3.90% first mortgage bonds due June 1, 1970, as follows: Ashland Gas Light Company in the principal amount of \$35,000; Mount Carmel Citizens Gas Company in the principal amount of \$40,000; Waynesboro Gas Company in the principal amount of \$150,000; Pittston Gas Company in the principal amount of \$140,000.

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

The Commission finding that the requirements of sections 9 (a) and 10 of the act are satisfied, and deeming it appropriate in the public interest and in the interests of investors and consumers that said joint application, as amended, be granted, and deeming it appropriate to grant a request of applicants that the order become effective at the earliest date possible:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the Act, and subject to the terms and conditions prescribed in Rule U-24, that the joint application, as amended, be, and the same hereby is, granted so as to permit consummation of the proposed transactions forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-94; Filed, Jan. 5, 1948;  
8:49 a. m.]

[File No. 70-1691]

#### NIAGARA HUDSON POWER CORP. AND BUFFALO NIAGARA ELECTRIC CORP.

##### ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 29th day of December 1947.

Niagara Hudson Power Corporation ("Niagara Hudson"), a holding company and a subsidiary of The United Corporation, a registered holding company, and Buffalo Niagara Electric Corporation ("Buffalo Niagara"), a public utility company and a subsidiary of Niagara Hudson, having filed a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935, with respect to the following transactions:

Niagara Hudson proposes to purchase seven additional shares of the common stock, without par value (presently represented by outstanding scrip certificates), of Buffalo Niagara, a subsidiary public utility operating company. The purchase price agreed upon by Niagara Hudson and Buffalo Niagara is \$50 per share.

This Commission by order dated October 4, 1945 (Holding Company Act Re-



lease No. 6108) approved amended plans of Niagara Hudson and Buffalo, Niagara and Eastern Power Corporation, its subsidiary, relating to the reorganization of the latter company. As a result of such reorganization, Buffalo Niagara was formed on November 1, 1945, and caused to be issued 3,000,000 shares of its common stock without par value, represented by 2,999,993 full shares and fractional scrip certificates for seven shares.

Niagara Hudson duly acquired the 2,999,993 full shares of Buffalo Niagara stock on November 1, 1945, and, in addition, now owns fractional scrip certificates for two and three quarters shares of such common stock.

After due diligence, Buffalo Niagara has been unable to locate the remaining fractional certificates for four and one-quarter shares of its common stock.

In accordance with the provisions of its Certificate of Consolidation, filed November 1, 1945, in the office of the Department of State of the State of New York, the Board of Directors of Buffalo Niagara has set November 1, 1947, as the date after which the holders of such fractional scrip certificates shall no longer be entitled, upon the surrender of fractional scrip certificates aggregating one or more full shares, to receive a certificate or certificates representing such full shares. The Certificate of Consolidation further provides that after November 1, 1947, the shares of stock represented by outstanding scrip certificates shall be sold and the proceeds thereof held without accountability for interest for the account of the holders of the scrip certificates until a date fixed by the Board of Directors which shall be not more than two years after the date of sale.

It is stated that the purchase price of \$50 per share does not represent an attempt precisely to fix a market value for a share of the common stock of Buffalo Niagara, but does reflect an attempt fairly to compensate any public holders of said scrip certificates should any such certificates subsequently be surrendered for payment.

By order dated November 19, 1947, the Public Service Commission of the State of New York authorized Niagara Hudson to acquire the above-mentioned seven shares of common stock of Buffalo Niagara.

The application-declaration having been filed November 26, 1947 and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration that the requirements of the applicable provisions of the Act and Rules thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that the said application-declaration be granted and permitted to become effective and deeming it appro-

priate to grant the request of declarants that the order become effective at the earliest date possible:

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

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 48-99; Filed, Jan. 5, 1948;  
8:50 a. m.]

[File No. 70-1693]

UNION COLLIERY CO.

#### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December 1947.

Union Colliery Company, ("Colliery") an indirect subsidiary of Union Electric Company of Missouri, a registered holding company, having filed with the Commission an application pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 ("act"), and particularly section 6 of the act and Rules U-50 (a) and (a) (4) promulgated thereunder, with respect to the proposal of Colliery to enter into an agreement with the First National Bank in St. Louis, St. Louis, Missouri, the holder of its outstanding promissory notes, aggregating \$1,000,000 in face amount, bearing interest at the rate of 2% per annum and maturing in installments from December 31, 1947, to December 31, 1951, for the purpose of extending the date on which the first installment (\$300,000) is due on said notes, from December 31, 1947 to September 30, 1948; and

The application having been filed on November 28, 1947, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act; and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application that the applicable provisions of the act and the rules thereunder are satisfied; and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interests of investors and consumers that said application be granted:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application be, and the same hereby is, granted and that the proposed transactions may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 48-97; Filed, Jan. 5, 1948;  
8:50 a. m.]

[File No. 70-1708]

CARL J. AUSTRIAN AND ROBERT G. BUTCHER

#### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of December 1947.

In the matter of Carl J. Austrian and Robert G. Butcher, Trustees of Central States Electric Corporation, Debtor, File No. 70-1708.

Carl J. Austrian and Robert G. Butcher, Trustees of Central States Electric Corporation, Debtor ("Trustees"), in reorganization under Chapter X of the Bankruptcy Act in the United States District Court for the Eastern District of Virginia, and affiliates of The North American Company and The United Light & Railways Company, both registered holding companies, having filed an application and amendment thereto, pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following transactions:

The trustees, together with their subsidiaries, Blue Ridge Corporation and American Cities Power and Light Corporation, all of which are registered investment companies under the Investment Company Act of 1940, own approximately 6.95% of the common stock of The North American Company ("North American"). By order of the Commission dated November 14, 1947, North American was permitted, among other things, to distribute on December 22, 1947, in partial liquidation, to its holders of common stock of record as of November 26, 1947, shares of the common stock of Wisconsin Electric Power Company ("Wisconsin Electric") having a par value of \$10 per share, owned by North American, at the rate of 1 1/4 shares of Wisconsin Electric common stock for each 100 shares of North American common stock held. As a result of said distribution on December 22, 1947, the Trustees, together with their subsidiaries, Blue Ridge Corporation and American Cities Power and Light Corporation, are entitled to receive an amount of common stock of Wisconsin Electric which, together with their present holdings of Wisconsin Electric securities, will amount to approximately 5.2% of the outstanding voting securities of Wisconsin Electric, thereby causing the Trustees to become an affiliate of Wisconsin Electric.

The Trustees now propose to acquire and own, directly or indirectly, the shares of Wisconsin Electric common stock which they and their subsidiaries are entitled to receive pursuant to said distribution on December 22, 1947, by North American, and they represent that subsequent to such distribution, they intend to dispose of a sufficient number of shares of Wisconsin Electric, either directly or indirectly, to reduce their direct or indirect ownership of such shares to an amount representing less than 5% of the voting power of Wisconsin Electric. The foregoing disposition will be made, subject to any necessary approval of the United States District Court for the Eastern District of Virginia, as soon as practicable and



within 6 months from the date of this order, or within such extended period of time as the Commission may permit upon application therefor by the Trustees.

Said application having been filed on December 12, 1947, and the Commission having given notice of said filing in the form and manner prescribed by Rule U-23 promulgated under said act, and an amendment thereto having been filed on December 19, 1947, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicants having requested that the Commission's order herein be issued as promptly as possible and become effective upon the issuance thereof, and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said application, as amended, that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted:

It is ordered, pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that said application, as amended, be, and the same hereby is, granted, and that the proposed transactions may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 48-90; Filed, Jan. 5, 1948;  
8:48 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

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

[Vesting Order 10165]

MATHIAS KRAEMER

In re: Estate of Mathias Kraemer, deceased. File D-28-10197; E. T. sec. 14531.

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

1. That the children, names unknown, of Elizabeth Bohnen Trout, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Mathias Kraemer,

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 Mathias J. Bohnen, as executor, acting under the judicial supervision of the Probate Court of the State of Kansas, in and for the County of Russell;

and it is hereby determined:

4. That to the extent that the persons identified 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 November 17, 1947.

For the Attorney General.

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

[F. R. Doc. 48-115; Filed, Jan. 5, 1948;  
8:47 a. m.]

[Vesting Order 10167]

JULIA LIPPKE

In re: Estate of Julia Lippke, deceased. File D-28-11918; E. T. sec. 16126.

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 Katharina Merker Herman, William Merker, Henry Merker, George Merker, Henry Hoehl and William Hoehl, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue of Katharina Merker Herman, William Merker, Henry Merker, George Merker, Henry Hoehl and William Hoehl, names unknown, 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 Julia Lippke, 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 Charles Nungesser,

as surviving executor, acting under the judicial supervision of the Surrogate's Court of Essex County, New Jersey;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof and the issue of Katharina Merker Herman, William Merker, Henry Merker, George Merker, Henry Hoehl and William Hoehl, names unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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 November 17, 1947.

For the Attorney General.

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

[F. R. Doc. 48-116; Filed, Jan. 5, 1948;  
8:47 a. m.]

[Vesting Order 10197]

MARY ANNA SCHINDLER

In re: Trust under the will of Mary Anna Schindler, deceased. File F-28-8639; E. T. sec. 3787.

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 Johannes Oechtering, Clement Oechtering, Rev. Herman Oechtering, Anton Oechtering, Max Oechtering, Franz Oechtering and Emma Oechtering, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by The Peoples Trust and Savings Bank, as Trustee, acting under the judicial supervision of the Superior Court of the State of Indiana, in and for the County of Allen;

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



## NOTICES

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 November 19, 1947.

For the Attorney General.

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

[F. R. Doc. 48-117; Filed, Jan. 5, 1948;  
8:47 a. m.]

[Vesting Order 10227]

JOHN L. HERR

In re: Estate of John L. Herr, deceased. File No. D-28-11128; E. T. sec. 15546.

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 Adam Herr and Marie Herr Graber, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of John L. Herr, 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 Margaret C. Spohn, as administratrix, acting under the judicial supervision of the Orphans' Court of Lebanon County, Lebanon, Pennsylvania;

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 November 25, 1947.

For the Attorney General.

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

[F. R. Doc. 48-118; Filed, Jan. 5, 1948;  
8:48 a. m.]

[Vesting Order 10229]

LINA KAMINSKY

In re: Estate of Lina Kaminsky, deceased, and T/W of Lina Kaminsky, deceased. File D-28-11070; E. T. sec. No. 15520.

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

1. That Emma Brondke, Berta Friedrich, Ernst Kaminsky, Erich Brondke, Elizabeth Brondke, Franz Brondke, Eitel Friedrich, Kurt Kaminsky, Heinz Kaminsky, Irmgard Kaminsky, Ingrid Kaminsky and Klaus Kieter Friedrich, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next-of-kin, legatees and distributees of Berta Friedrich, names unknown, issue of Emma Brondke, names unknown, issue of Berta Friedrich, names unknown, issue of Ernst Kaminsky, names unknown, issue of Erich Brondke, names unknown, issue of Elizabeth Brondke, names unknown, issue of Franz Brondke, names unknown, issue of Eitel Friedrich, names unknown, issue of Kurt Kaminsky, names unknown, issue of Heinz Kaminsky, names unknown, issue of Irmgard Kaminsky, names unknown, issue of Ingrid Kaminsky, names unknown, issue of Klaus Kieter Friedrich, names unknown, child of Kurt and Kate Kaminsky, name unknown, and issue, names unknown, of child of Kurt and Kate Kaminsky, name unknown, 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 Lina Kaminsky, deceased, and in and to the trust created under the will of Lina Kaminsky, 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 American National Bank and Karl F. Kaminsky, as co-executors and co-trustees, acting under the judicial supervision of the County Court of Davidson County, Nashville, Tennessee;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof and the personal representatives, heirs, next-of-kin, legatees and distributees of Berta Friedrich, names unknown, issue of Emma Brondke, names unknown, issue of Berta Friedrich, names unknown, issue of Ernst Kaminsky, names unknown, issue of Erich Brondke, names unknown, issue of Elizabeth Brondke, names unknown, issue of Franz Brondke, names unknown, issue of Eitel Friedrich, names unknown, issue of Kurt Kaminsky, names unknown, issue of Heinz Kaminsky, names unknown, issue of Irmgard Kaminsky, names unknown, issue of Ingrid Kaminsky, names unknown, issue of Klaus Kieter, Friedrich names unknown, child of Kurt and Kate Kaminsky, name unknown, and issue, names unknown, of child of Kurt and Kate Kaminsky, name unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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 November 25, 1947.

For the Attorney General.

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

[F. R. Doc. 48-119; Filed, Jan. 5, 1948;  
8:48 a. m.]

[Vesting Order 10301]

BETTY H. KIRCHNER

In re: Stock and mortgage certificate owned by Betty H. Kirchner, also known as Betty Meiller, also known as Mrs. Betty Meiller Kirchner. F-28-13208-A-1.

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

1. That Betty H. Kirchner, also known as Betty Meiller, also known as Mrs. Betty Meiller Kirchner, whose last known address is Herzbergstrasse 5, Frankfurt A/M Hedderheim, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Two (2) shares of no par value common capital stock of Cities Service Company, 60 Wall Street, New York, New



York, evidenced by certificate registered in the name of Betty Meiller, and presently in the custody of United States Trust Company of New York, 45 Wall Street, New York 5, New York, together with all declared and unpaid dividends thereon, and

b. One (1) Title Guarantee & Trust Company Guaranteed 5½% First Mortgage Certificate (2226 7th Avenue) due April 28, 1933 of \$300.00 face value, said certificate being numbered 83277, registered in the name of Betty Meiller, and presently in the custody of United States Trust Company of New York, 45 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid 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 December 9, 1947.

For the Attorney General.

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

[F. R. Doc. 48-120; Filed, Jan. 5, 1948; 8:48 a. m.]

[Vesting Order 10339]

RIN MATSUO

In re: Rights of Rin Matsuo under insurance contract. File No. F-39-4445-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 7630292, issued by the New York Life Insurance Company, New York, N. Y., to Rin Matsuo,

together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

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

[F. R. Doc. 48-121; Filed, Jan. 5, 1948; 8:48 a. m.]

[Vesting Order 10405]

GEORGE DICKERT

In re: Real property and property insurance policy owned by George Dickert.

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 George Dickert, whose last known address is Lichtenfels, Burgberg (13a), Langegasse 78, Bayern, Oberfranken, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property, situated in the City of Cincinnati, County of Hamilton, State of Ohio, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of George Dickert, in and to Fire and Extended Insurance Policy, insuring the property described in subparagraph 2-a hereof, issued by Merchants Fire Insurance Company of Indiana, Indianapolis, Indiana, in the amount of \$4,000.00, which policy expired September 9, 1947, together with any and all extensions or renewals thereof,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, provided, however, that this vesting shall not be subject to any recorded liens, encumbrances and other rights of record asserted under or by virtue of that certain power of attorney executed by George Dickert to John Dickert, dated March 16, 1934, and recorded March 17, 1934, in Power of Attorney, Book No. 15, Page 87, in the Office of the Recorder of Hamilton County, Ohio, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested 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 December 26, 1947.

For the Attorney General.

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

EXHIBIT A

Beginning at the southeast corner of Eden Avenue and Fosdick Street, thence southwardly along the east line of Eden Avenue twenty-five (25) feet; thence eastwardly parallel with Fosdick Street ninety-two and 1/100 (92.12) feet; thence northwardly parallel with Eden Avenue twenty-five (25) feet to Fosdick Street; thence westwardly along the south line of Fosdick Street ninety-two and 1/100 (92.12) feet to the place of beginning; being known as the west half of Lot No. Eight (8) on the plat of Burnet & Reeder's Subdivision as recorded in Plat Book 1, page 1 to 7, in the office of the Recorder of said County.

The above described land is subject to the right to have the building on the west half of Lot No. 7 of said subdivision, which encroaches on the above described land, as shown on said plat, maintained as existing at the date of original decree so long as said building shall stand.

[F. R. Doc. 48-122; Filed Jan. 5, 1948; 8:48 a. m.]



[Vesting Order 10406]

## UICHI KAWABE

In re: Real property owned by Uichi Kawabe.

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 Uichi Kawabe, whose last known address is Takamori-Cho, Kuga-Gun, Yamaguchi Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Real property situated at Honoumuli, in the District of South Hilo, Island, County and Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

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

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, 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 December 26, 1947.

For the Attorney General.

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

## EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Grant Number 895 to Nakaikuaana), situate, lying and being in Honoumuli, in the District of South Hilo, Island, County and Territory of Hawaii, and thus bounded and described:

Beginning at the corner of the Lot conveyed by me (Manuel Medeiros Jordao) to Dorothy Jordao Deniz and thence running

43 feet along the government road towards Hamakua side thence running Makai 150 feet deep, thence running 43 feet towards Hilo side, thence running 150 feet along boundary of Dorothy Jordao Deniz's lot to the point of beginning.

[F. R. Doc. 48-123; Filed, Jan. 5, 1948; 8:48 a. m.]

[Vesting Order 8924, Amdt.]

## SHIKAICHIRO YAMASHITA

In re: Stock owned by Shikaichiro Yamashita.

Vesting Order 8924, dated May 7, 1947, is hereby amended as follows and not otherwise:

By deleting subparagraph 2c of said Vesting Order 8924 and substituting therefor the following:

c. Twenty-One (21) shares of no par value common capital (old) stock of Cities Service Company, 60 Wall Street, New York 5, N. Y., a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered SL167191, registered in the name of Shikaichiro Yamashita, together with all declared and unpaid dividends thereon, and any and all rights to receive one (1) share of \$10.00 par value common capital (new) stock for each 10 shares of no par value common capital (old) stock, under a capital readjustment plan of April 1938, of the aforesaid Company, and

All other provisions of said Vesting Order 8924 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

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

[F. R. Doc. 48-124; Filed, Jan. 5, 1948; 8:49 a. m.]

[Vesting Order 9617, Amdt.]

## OTTO KUHLE ET AL.

In re: Stock owned by Otto Kuhl and others. F-28-6137-D-2.

Vesting Order 9617, dated August 7, 1947, is hereby amended as follows and not otherwise:

A. By deleting from subparagraph 2 of said Vesting Order 9617 the words and figures "Two hundred and one and five-tenths (201.5)" and substituting therefor the words and figures "Two hundred and ten and five-tenths (210.5)".

B. By deleting from the description of the stock described in Exhibit A of the said Vesting Order, attached thereto and by reference made a part thereof, the number "1", where it appears opposite the name "Anna Maehl", under the

heading "Number of Shares", and substituting therefor the number "10", and

C. By adding to the description of stock described in Exhibit A of said Vesting Order, attached thereto and by reference made a part thereof, the letters "UL", immediately preceding the number "143273", where said number appears opposite the name "Anna Maehl", under the heading "Certificate Numbers".

All other provisions of said Vesting Order 9617 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 15, 1947.

For the Attorney General.

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

[F. R. Doc. 48-125; Filed, Jan. 5, 1948; 8:50 a. m.]

[Return Order 71]

## HEBERLEIN PATENT CORP.

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

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

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

Heberlein Patent Corp. 1979 and A-152 to A-156 inclusive; 12 F. R. 7309, November 7, 1947; Property described in Vesting Order No. 16 (7 F. R. 4400, June 11, 1942, relating to United States Letters Patent Nos. 2,225,661; 2,252,039; 2,254,283; 2,261,156; and 2,263,730. Any interests and rights relating to said property created in Faerberel Aktiengesellschaft Vormals E. Stolte Nachfolger and Wm. Missy (and its successor, Faerberel-Gesellschaft Flores & Co. Vormals Stolte-Missy) by virtue of an agreement dated October 30, 1936, as amended on March 28, 1939; and any interests and rights relating to said property created in Deutsche Hydrierwerke A. G. and Bohme Fettchemie A. G. by virtue of an agreement dated February 27, 1939, are expressly reserved. Property described in Vesting Order No. 141 (7 F. R. 8311, October 14, 1942), relating to United States Letters Patent No. 2,108,520. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 29, 1947.

For the Attorney General.

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

[F. R. Doc. 48-129; Filed, Jan. 5, 1948; 8:50 a. m.]



[Vesting Order CE 421]

## COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

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 having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column

3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with

in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on December 26, 1947.

For the Attorney General.

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

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Harriet Cardassi.....	Italy.....	Trust under deed of trust dated Nov. 28, 1884 made by Richard Dudgeon and under the will of Richard Dudgeon, dated Mar. 20, 1883, in Supreme Court of the State of New York, County of New York.	\$1,872.79	Bank of New York, 48 Wall St., New York 15, N. Y., custodian account No. 5248.	\$58.00
<i>Item 2</i>					
Beatrice Zini.....	do.....	Same.....	1,872.79	Bank of New York, 48 Wall St., New York 15, N. Y., custodian account No. 39806.	58.00
<i>Item 3</i>					
Margherita Bentivoglio Baralla.....	do.....	Same.....	1,872.79	Bank of New York, 48 Wall St., New York 15, N. Y., custodian account No. 1650.	58.00
<i>Item 4</i>					
Lenora Blandi Rappa.....	do.....	Estate of Filippo Rappa, also known as Philip Rappa, deceased, Surrogate's Court, New York County, N. Y., File No. A 3048-1944.	13,439.02	Francis J. Mulligan, public administrator of New York County, Hall of Records, 31 Chambers St., New York, N. Y.	14.00
<i>Item 5</i>					
Vincenzo Rappa.....	do.....	Same.....	10,100.29	do.....	10.00
<i>Item 6</i>					
Maria Rita Rappa.....	do.....	Same.....	10,100.29	do.....	10.00
<i>Item 7</i>					
Rosetta Rappa.....	do.....	Same.....	11,077.49	do.....	11.00
<i>Item 8</i>					
Vincenzo Pitelli.....	do.....	Estate of Agostino Pitelli, deceased, Surrogate's Court, County of Orange, Goshen, N. Y.	93.11	County Treasurer of Orange County, Goshen, N. Y., depository.	15.00
<i>Item 9</i>					
Vitto Pitelli.....	do.....	Same.....	93.11	do.....	15.00
<i>Item 10</i>					
Yannaro Pitelli.....	do.....	Same.....	93.11	do.....	15.00
<i>Item 11</i>					
Pepina Pitelli.....	do.....	Same.....	93.11	do.....	15.00
<i>Item 12</i>					
Sophie Schwarz.....	Rumania.....	Estate of Joseph H. Schwarz, deceased, Surrogate's Court, Bronx County, Bronx, N. Y., court docket No. 1052A-42.	9,700.55	Jean Schwarz, administrator of estate of Sophie Schwarz, 2706 Valentine Ave., Bronx, N. Y.	640.00

[F. R. Doc. 48-126; Filed, Jan. 5, 1948; 8:50 a. m.]

[Vesting Order CE 422]

## COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS COURTS

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 having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto

No. 3—3

and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the



## NOTICES

amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons de-

scribed in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of

Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on December 26, 1947.

For the Attorney General.

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

## EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Wolf Poczynka.....	Poland.....	Estate of Max Poczynka, also known as Max Rosenthal, deceased, Probate Court, Cook County, State of Illinois.	\$853.06	Treasurer of Cook County, Chicago, Ill.....	\$67.00
<i>Item 2</i>					
Rywka Posniak.....	do.....	Same.....	426.53	do.....	34.00
<i>Item 3</i>					
Julius Gedeon.....	Czechoslovakia.....	Estate of Anna Ballasch, deceased, Probate Court, Cook County, State of Illinois.	872.05	do.....	17.00
<i>Item 4</i>					
Mary Gedeon.....	do.....	Same.....	872.05	do.....	17.00
<i>Item 5</i>					
Helene Gedeon.....	do.....	Same.....	4,514.64	do.....	89.00
<i>Item 6</i>					
Albert Ryba.....	Poland.....	Estate of Antoni Ryba, deceased, Probate Court, Cook County, State of Illinois.	3,181.33	do.....	74.00
<i>Item 7</i>					
Pranas Kumslytis.....	Lithuania.....	Estate of Antanas Kumslytis, deceased, Probate Court, Cook County, State of Illinois.	100.00	do.....	14.00
<i>Item 8</i>					
Domicile Lelingaitė.....	do.....	Same.....	100.00	do.....	14.00
<i>Item 9</i>					
Lithuanian Salesian Monks.....	Italy.....	Same.....	300.00	do.....	44.00
<i>Item 10</i>					
Heirs names unknown of Mario Bazzoni.....	do.....	Estate of Mario Bazzoni, deceased, Probate Court, Cook County, State of Illinois.	7,835.36	do.....	206.00
<i>Item 11</i>					
Tony Koncianich.....	do.....	Estate of Anthony Koncianich, deceased, Probate Court, Cook County, State of Illinois.	295.95	do.....	17.00
<i>Item 12</i>					
Mary Koncianich.....	do.....	Same.....	295.95	do.....	17.00
<i>Item 13</i>					
Angelo Koncianich.....	do.....	Same.....	295.95	do.....	17.00
<i>Item 14</i>					
Mary Koncianich.....	do.....	Same.....	295.95	do.....	17.00
<i>Item 15</i>					
Annie Skrl.....	do.....	Same.....	295.95	do.....	17.00
<i>Item 16</i>					
Angela Koncianich.....	do.....	Same.....	295.96	do.....	17.00

[F. R. Doc. 48-127; Filed, Jan. 5, 1948; 8:50 a. m.]

## INA LUISA GURAU

## NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return and after adequate provision for taxes and conservatory expenses:

## Claimant; Claim No.; Property and Location

Ina Luisa Gurau; 5782; \$165,602.66 in the Treasury of the United States.

Executed at Washington, D. C., on December 29, 1947.

For the Attorney General.

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

[F. R. Doc. 48-131; Filed, Jan. 5, 1948; 8:50 a. m.]

## [Return Order 72]

## PUISEUX, BOULANGER ET CIE.

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

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



thereof, be returned after adequate provision for taxes and conservatory expenses:

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

Pulseux, Boulanger et Cie., Societe en Commandite par Actions (formerly known as Michelin et Cie.) 4870 and 6929; 12 F. R. 7877, November 21, 1947; Property described in Vesting Order No. 667 (8 F. R. 4995, April 17, 1943), relating to the following property: United States Letters Patent Reissue No. 19,969, and United States Letters Patent Nos. 2,122,736; 2,120,063; 2,136,038; 2,138,136; 2,143,694; 2,181,475; 2,192,572; 2,214,319; 2,240,542; 2,248,059; 1,972,678; 1,996,140; 2,018,598. This return shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 29, 1947.

For the Attorney General.

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

[F. R. Doc. 48-130; Filed, Jan. 5, 1948;  
8:50 a. m.]

[Vesting Order CE 423]

**COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OF PROCEEDINGS IN CERTAIN MINNESOTA, MICHIGAN, AND OHIO COURTS**

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 having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control

of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on December 26, 1947.

For the Attorney General.

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

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Angela Rendina Maruzzi	Italy	Estate of Lubovo Villano, deceased. Probate Court, Ramsey County, State of Minnesota.	\$691.17	Consul General of Italy for the State of Minnesota, 410 South Michigan Ave., Chicago, Ill.	\$17.00
Rachele Rendina Lops	do	Same	\$691.17	do	17.00
Michele Rendina	do	Same	\$691.17	do	17.00
Francesco Rendina	do	Same	\$691.17	do	17.00
Heirs of Leonardo Rendina	do	Same	\$691.16	do	17.00
Heirs of Donato Rendina	do	Same	\$691.16	do	17.00
<i>Item 7</i>					
Stefana Saputo	do	Estate of Giuseppe Pellerito, deceased. Probate Court, Wayne County, Mich.; No. 309,324.	\$368.41	Treasurer of Wayne County, Detroit, Mich.	84.00
<i>Item 8</i>					
Esther de Castellane	France	Trust under the Will of Leah M. McKelvey, deceased. Probate Court, Mahoning County, State of Ohio.	Income from trust under the Will of Leah M. McKelvey, deceased.	The Union National Bank of Youngstown, Ohio, trustee. 6 West Federal St., Youngstown, Ohio.	108.00
<i>Item 9</i>					
Marie C. Pruneyre	do	The Howell-Viggers Corp. vs. Marie C. Pruneyre, Court of Common Pleas of Summit County, Ohio; No. 139948.	Principal and income of trust established pursuant to order of court entered in Howell-Viggers Corp. vs. Marie V. Pruneyre.	Mr. C. C. Howell, trustee for Marie C. Pruneyre, 403 Second National Bldg., Akron, Ohio.	60.00
<i>Item 10</i>					
Margaret Dibble Fenzl	Italy	Trust under the will of Charlotte F. Edgecomb, deceased. Probate Court, Kent County, Mich.	Income of trust under the will of Charlotte E. Edgecomb, deceased.	Michigan National Bank trustee, Grand Rapids, Mich.	35.00
<i>Item 11</i>					
Gabriella Vigna	do	Trust under the will of Tecla Vigna, deceased. Probate Court, Hamilton County, State of Ohio.	Income from trust under the will of Tecla Vigna, deceased.	The Fifth Third Union Trust Co., trustee, northwest corner of 4th and Walnut Sts., Cincinnati, Ohio.	48.00
<i>Item 12</i>					
Carmine Rossi	do	Estate of Anna Rossi Parrella, deceased. Probate Court, Butler County, State of Ohio.	\$342.70	Clinton D. Boyd, ancillary administrator, care of Herbert S. Miller, Esq., 310 First American Bank Bldg., Middletown, Ohio.	50.00

[F. R. Doc. 48-128; Filed, Jan. 5, 1948; 8:50 a. m.]



