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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

MISCELLANEOUS AMENDMENTS

Under authority of § 6.1 (a) of Executive Order 9830, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) is therefore amended as follows:

A new subdivision, numbered (xxxiv), is added to subparagraph (9). Subdivision (ii) of subparagraph (42) is amended to include positions of members of Regional Loyalty Boards. The subparagraphs is question, as amended, read as follows:

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

(9) Department of Agriculture.

(xxxiv) Not to exceed 25 professional, scientific, or technical positions in grade P-2 or higher to be filled on an exchange basis by qualified employees on the rolls of State governments, colleges, or universities, for a limited period not to exceed one year.

(42) Civil Service Commission. * * *

(ii) Positions of members of the Loyalty Review Board and of members of the Regional Loyalty Boards.

(Sec. 6.4 (a), E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-760; Filed, Jan. 26, 1948; 9:21 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives [FCA Order 475]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON LOANS

Title 6, Code of Federal Regulations, is hereby amended by adding after § 70.90-56 (12 F. R. 7801) a new section to read as follows:

§ 70.90-57 Interest rates on renewals and extensions. Upon the removal or extension after January 20, 1948, of any loan made by the Central Bank for Cooperatives or a district bank for cooperatives, the interest rate applicable to the extension or renewal shall be the rate applicable to new loans of the same kind on the date of the renewal or extension. (Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL]

I. W. DUGGAN,
Governor.

JANUARY 19, 1948.

[F. R. Doc. 48-768; Filed, Jan. 26, 1948; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amtd. 09-1]

PART 09—AIRCRAFT AIRWORTHINESS LIMITED CATEGORY

EXTENSION OF TIME FOR ISSUANCE OF LIMITED AIRWORTHINESS CERTIFICATES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 20th day of January 1948.

Section 09.20 specifies that limited airworthiness certificates shall not be issued after January 31, 1948. Since the pro-

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¹ P. L. O. 438.

² See Title 5, Part 6.

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mulgation of Part 09, the authority of the War Assets Administration to sell surplus assets has been extended to June 30, 1948. In order to facilitate the disposal of surplus aircraft, it appears desirable to extend the date for issuance of limited airworthiness certificates to August 31, 1948, which will allow a reasonable time for the obtaining of limited airworthiness certificates after the expected termination of the war surplus aircraft disposal program.

For the reasons stated above, notice and public procedure hereon are impracticable, and the Board finds that good cause exists for making this amendment effective on less than 30 days' notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 09 of the Civil Air Regulations (14 CFR, Part 09) effective January 31, 1948, as follows:

By amending § 09.20 by deleting the words "January 31, 1948" and substituting in lieu thereof the words "August 31, 1948."

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a))

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-761; Filed, Jan. 26, 1948; 9:34 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XXIII—War Assets Administration

[Reg. 1, Amdt. 5 to Order 2]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

LOCATION OF WAR ASSETS ADMINISTRATION ZONE AND REGIONAL OFFICES, AND LOCATION OF DISPOSAL AGENCY OFFICES FOR FILING DECLARATIONS OF SURPLUS PROPERTY BY OWNING AGENCIES

War Assets Administration Regulation 1, Order 2, October 28, 1947, as amended through December 18, 1947, entitled "Location of War Assets Administration

¹ WAA Reg. 1 (12 F. R. 6661, 7810).

Zone and Regional Offices, and Location of Disposal Agency Offices for Filing Declarations of Surplus Property by Owning Agencies" (12 F. R. 7357, 7886, 8155, 8242, 8724), is hereby further amended as follows:

1. Subparagraph (5) under § 8301.52 (b) is amended to read as follows:

(5) Declarations covering surplus property located in Arizona and California (heretofore filed in the regional offices of Regions 33 and 10) shall hereafter be filed in the above Zone VI office. Declarations covering properties located in other regions of this zone shall continued to be filed in the regional offices as recited under the appropriate regional headings hereunder.

2. Region 33 under § 8301.52 (c) is amended to read as follows:

Region 33. Los Angeles, Calif. (Address—Mode O'Day Bldg., 155 West Washington Blvd., Los Angeles 15, Calif.) (Declarations of surplus property heretofore filed in this office shall hereafter be filed in Zone VI office, 1355 Market Street, San Francisco, Calif.)

(Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611); Pub. Law 181, 79th Cong. (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b); and Reorganization Plan 1 of 1947 (12 F. R. 4534))

This amendment to this section shall become effective January 19, 1948.

JESS LARSON,
Administrator.

JANUARY 22, 1948.

[F. R. Doc. 48-811; Filed, Jan. 26, 1948; 11:15 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service, Department of the Interior

PART 01—ORGANIZATION AND PROCEDURE

DELEGATION OF AUTHORITY

CROSS REFERENCE: For order affecting the list of delegations of authority to the Director of the National Park Service set forth in § 01.51, by authorizing his approval of options and offers to sell lands, acceptance of deeds and acquisition of personal property, see Part 4 of Title 43, *infra*.

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

FISHLAKE NATIONAL FOREST

CROSS REFERENCE: For order extending the boundaries of Fishlake National Forest, which affects the tabulation contained in § 201.1, see Public Land Order 437 in the Appendix to Chapter I of Title 43, *infra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2402]

PART 4—DELEGATION OF AUTHORITY

SUBPART I—NATIONAL PARK SERVICE

Sections 4.666, 4.667 and 4.668 are added to Part 4 to read as follows:

§ 4.666 *Approval of options and offers to sell lands.* The Director of the National Park Service, or such field officers as he may designate, may approve and accept options and offers to sell to the United States lands or interests in land within authorized national parks and national monuments or other areas under the jurisdiction or control of the National Park Service.

§ 4.667 *Acceptance of deeds.* The Director of the National Park Service is authorized to accept deeds conveying to the United States lands or interests in lands within authorized national parks and national monuments or other areas under the jurisdiction or control of the National Park Service.

§ 4.668 *Acquisition of personal property.* The Director of the National Park Service may contract for and accept bills of sale or other evidence of title to personal property which is authorized to be acquired for the purposes of the national park and monument system or other areas under the jurisdiction or control of the National Park Service.

(R. S. 161, secs. 1, 2, 39 Stat. 535; 5 U. S. C. 22, 16 U. S. C. 1-2)

Issued this 14th day of January 1948.

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 48-706; Filed, Jan. 26, 1948; 9:53 a. m.]

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 437]

UTAH

ENLARGING THE FISHLAKE NATIONAL FOREST

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891, 26 Stat. 1103 (16 U. S. C. 471), and section 1 of the act of June 4, 1897, 30 Stat. 34 (16 U. S. C. 475), and pursuant to Executive Order No. 9337 of April 24, 1943 (3 CFR, Cum. Supp.), it is ordered as follows:

The exterior boundaries of the Fishlake National Forest are hereby extended to include all lands within the following-described area, and all lands in public ownership within such area are hereby added to and reserved as a part of the said forest, subject to any valid existing claims in such lands:

SALT LAKE MERIDIAN

- T. 22 S., R. 1 E.,
 Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 21, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29;
 Sec. 30, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 32.

The areas described aggregate 2,400 acres, including 920 acres of public land and 1,480 acres of non-public land.

The reservation herein made shall not affect any claim, filing, or entry hitherto made and hereafter legally maintained, or any withdrawal of lands for public purposes, so long as such withdrawal is needed for such public purposes.

It is intended that these lands shall be returned to the administration of the Department of the Interior, when they are no longer needed by the Department of Agriculture for the purpose for which they are reserved.

J. A. KRUG,
 Secretary of the Interior.

JANUARY 19, 1948.

[F. R. Doc. 48-703; Filed, Jan. 26, 1948;
 9:54 a. m.]

[Public Land Order 438]

OREGON

REVOKING EXECUTIVE ORDER OF
NOVEMBER 15, 1912

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943 (3 CFR, Cum. Supp.), it is ordered as follows:

The Executive Order of November 15, 1912, temporarily withdrawing the following-described lands in Lake County, Oregon, pending a determination as to the establishment of a national monument for the preservation of pictographs and prehistoric writings on boulders, is hereby revoked:

WILLAMETTE MERIDIAN

- T. 37 S., R. 24 E.,
 Sec. 24, lots 1, 2, 3, and 4.
 T. 37 S., R. 25 E.,
 Sec. 18, SW $\frac{1}{4}$.

The areas described aggregate 306.97 acres.

The SW $\frac{1}{4}$ sec. 18 is within the Hart Mountain National Antelope Refuge, formerly the Hart Mountain Game Range established by Executive Order No. 7178 of September 6, 1935 and is not subject to entry.

This order shall become effective immediately as to the administration of grazing, by the Bureau of Land Management, on lots 1, 2, 3, and 4 sec. 24, T. 37 S., R. 24 E., W. M., which lots are within Grazing District No. 2, Oregon, but shall not otherwise become effective to change the status of such lands until 10:00 a. m. on March 23, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from March 23, 1948, to June 22, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 4, 1948, to March 23, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on March 23, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on June 23, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from June 4, 1948, to June 23, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on June 23, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Lakeview, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Lakeview, Oregon.

The land is level to rolling and hilly with a cover of sage brush and native grasses.

MASTIN G. WHITE,
 Acting Assistant Secretary
 of the Interior.

JANUARY 20, 1948.

[F. R. Doc. 48-704; Filed, Jan. 26, 1948;
 9:53 a. m.]

[Public Land Order 439]

ALASKA

WITHDRAWING PUBLIC LAND FOR USE OF
ALASKA ROAD COMMISSION AS AN ADMINISTRATIVE SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943 (3 CFR, Cum. Supp.), it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby withdrawn under the jurisdiction of the Secretary of the Interior from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved for the use of the Alaska Road Commission as an administrative site:

FAIRBANKS MERIDIAN

- T. 8 S., R. 9 E.,
 Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$, unsurveyed.

The area contains approximately 80 acres.

WILLIAM E. WARNE,
 Assistant Secretary of the Interior.

JANUARY 20, 1948.

[F. R. Doc. 48-705; Filed, Jan. 26, 1948;
 9:53 a. m.]

TITLE 44—PUBLIC PROPERTY
AND WORKS

Chapter VIII—United States Philippine War Damage Commission

REVISION OF REGULATIONS

The Commission's organization, rules, and regulations appearing at 11 F. R. 13317 and 12 F. R. 813 have been amended and restated, pursuant to section 101 (c) of Public Law 370, 79th Cong., 60 Stat. 128.

PART 801—ORGANIZATION

- Sec.
 801.1 Creation and authority.
 801.2 Location of offices.
 801.3 Officers and subsidiary organizational units.
 801.4 Committees.
 801.5 Boards.
 801.6 Delegations of final authority.
 801.7 Public information.

AUTHORITY: §§ 801.1 to 801.7, inclusive, issued under sec. 101 (c), 60 Stat. 128.

§ 801.1 *Creation and authority.* (a) The United States Philippine War Damage Commission (hereinafter referred to as the "Commission") was created as an independent agency by the Philippine Rehabilitation Act of 1946 (hereinafter referred to as the "act"), 60 Stat. 128,

approved April 30, 1946 (Pub. Law 370, 79th Cong.), as amended, for the purpose of settling claims for war damage occurring in the Philippines after December 7, 1941 (Philippine time), and before October 1, 1945, as a result of perils therein enumerated. Claims are of two types, private property claims, authorized by Title I of the act, and public property claims, authorized by Title III, section 304 of the act.

(b) The Commission consists of three members, one of whom must be a Filipino, appointed by the President and confirmed by the Senate. The terms of office of the members of the Commission expire at the time fixed for terminating the affairs of the Commission, not later than April 30, 1951. The Chairman was elected by the members of the Commission.

§ 801.2 *Location of offices.* (a) The main office of the Commission is located in Manila, Philippines; mail address: United States Philippine War Damage Commission, Manila, Philippines. A Washington Office is maintained in the Interior Department Building, Washington 25, D. C.

(b) Branch offices have been established at the following places in the Philippines: Tuguegarao, Cagayan; Vigan, Ilocos Sur; Baguio City, Mt. Province; Dagupan, Pangasinan; Legaspi, Albay; Tacloban, Leyte; Cebu City, Cebu; Iloilo City, Iloilo; Cagayan, Misamis Oriental; Zamboanga City, Zamboanga; Davao City, Davao; and city of Manila.

§ 801.3 *Officers and subsidiary organizational units.* The staff officers and subsidiary organizational units are as follows:

(a) Secretary, who performs the usual functions of such office and coordinates all activities of the Commission;

(b) General Counsel, who heads the Office of General Counsel, which serves as the law office of the Commission;

(c) Information Officer, who heads the Information Office, which plans, directs, and operates the public relations and information program of the Commission;

(d) Liaison Officer, who maintains contact with the several departments of the Philippine Government;

(e) Director of Administration, who heads the Office of Administration, which is responsible for provision and maintenance of office services of the Commission, personnel management, and budget and fiscal functions. The Office of Administration is composed of:

(1) Budget Office.

(2) Fiscal Division.

(3) Personnel Division.

(4) Management Services Division.

(f) Chief Examiner, who heads the Office of Chief Examiner, which is responsible for performing all activities with respect to the examination, investigation, appraisal, and initial adjudication of claims for property damage filed pursuant to the provisions of Title I and Title III, section 304, of the act. The Office of Chief Examiner is composed of:

(1) Private Property Claims Division (Title I claims).

(2) Public Property Claims Division (Title III claims).

(g) Director of Washington Office, who heads the Washington Office of the Commission which serves as the liaison office between the Manila Office of the Commission and other United States Government agencies, and committees and members of the Congress.

§ 801.4 *Committees—(a) Staff Planning and Policy Committee.* The Staff Planning and Policy Committee, composed of the Secretary, who acts as chairman, Director of Administration, Budget Officer, General Counsel, Information Officer, Chief Examiner, Assistant Chief Examiner, Liaison Officer, and Chief of Personnel Division, advises the Commission on major policy matters.

(b) *Claims Committee.* The Claims Committee, composed of the Chief Examiner, who acts as chairman, the Secretary, and the Chief of the Private Property Claims Division, has authority to approve for payment or for total disallowance all private property claims wherein the amount claimed exceeds \$2,500 but does not exceed \$50,000. If the Committee is not unanimous in its approval of any claim, that claim will be referred to the Commission for final determination. The Secretary will maintain the official record of the proceedings of the Committee.

(c) *Efficiency Rating Committee.* The Efficiency Rating Committee, composed of the Chief, Personnel Division, who acts as chairman, the Budget Officer, an Assistant General Counsel, a Regional Supervisor, and a Claims Examiner, operates in a staff capacity in applying rating standards uniformly to all employees of the Commission consistent with the standards of the efficiency rating system of the Commission.

§ 801.5 *Boards—(a) Board of Review of Efficiency Ratings.* The Board of Review of Efficiency Ratings, composed of the Filipino member of the Commission, who acts as chairman, the Secretary, the General Counsel, the Liaison Officer, and the Director of Administration, hears and determines all appeals by employees for the adjustment of efficiency ratings. In such cases the Board may revise or affirm the original efficiency rating; all decisions of the Board shall be final.

(b) *Loyalty Board.* The Loyalty Board, composed of five members appointed by the Commission, hears loyalty cases which arise, and makes recommendations to the Commission with respect to the removal of any officer or employee of the Commission on questions relating to loyalty.

§ 801.6 *Delegations of final authority.* Final authority has been delegated as follows with respect to:

(a) *Contracts for supplies and equipment—(1) Manila Office.*

(i) The Director of Administration is authorized to execute contracts in unlimited amounts, in accordance with instructions of the Commission.

(ii) The Chief, Management Services Division, is authorized to execute contracts in amounts not exceeding \$500.

(2) *Washington Office.* The Director of the Washington office is authorized to

execute contracts in unlimited amounts, in accordance with instructions of the Commission.

(3) *Branch Offices.* Branch Managers are authorized to execute contracts in amounts not exceeding \$25.

(b) *Private property claims functions—(1) Approval.*

(i) The Claims Committee is authorized to approve for payment or for total disallowance all private property claims wherein the amount claimed exceeds \$2,500 but does not exceed \$50,000. If the Committee is not unanimous in its decision with respect to any claim, that claim shall be referred to the Commission for final determination.

(ii) The Chief Examiner and the Assistant Chief Examiner are authorized to approve for payment or for total disallowance claims wherein the amount claimed exceeds \$500 but does not exceed \$2,500.

(iii) The Chief Examiner, the Assistant Chief Examiner, and Final Reviewers are authorized to approve for payment or for total disallowance claims wherein the amount claimed does not exceed \$500.

(2) *Signing of letters of total disallowance.* The Secretary of the Commission is authorized to sign all letters of total disallowance.

(3) *Determination of beneficiaries.* The Private Property Claims Division is authorized to determine beneficiaries in all claims arising out of estates when the approved amount of the claim will not be in excess of \$500.

(c) *Public property claims functions.* The Chief, Public Property Claims Division, is authorized to sign vouchers for payment of public property claims after approval of award by the Commission.

(d) *Appeals functions.* The General Counsel is authorized to make final determinations in cases which are appealed wherein the amount claimed does not exceed \$500.

§ 801.7 *Public information.* Information regarding Commission activities is available in the Manila Office and the Washington Office. Claim forms and circulars of general information are available in all offices established by the Commission. The Secretary of the Commission and the Director of the Washington Office may make specific information available to any person, upon application, if the giving of such information is essential in the development of claims or for other valid reasons.

(a) *Opinions and orders.* All final opinions and orders in the adjudication of cases before the Commission (except those required for good cause to be held confidential and not cited as precedents) and all rules will be made available for public inspection at the Manila Office, on request made to the Secretary of the Commission, or at the Washington Office, on request made to the Director of that Office.

(b) *Public records.* Matters of official record of the Commission will be made available to persons properly and directly concerned on request made to the Secretary of the Commission, or to the Director of the Washington Office. Any records requiring secrecy in the public interest,

or any matter relating solely to the internal management of the Commission, shall be considered confidential and not available to the public.

PART 802—FUNCTIONS AND PROCEDURES

SUBPART A—PRIVATE PROPERTY CLAIMS

Sec.	
802.1	Requisites for filing.
802.2	Definition of terms.
802.3	Property included.
802.4	Property excluded.
802.5	Penalties.
802.6	Action on claims and right to hearing.
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SUBPART B—PUBLIC PROPERTY CLAIMS

802.20	Requisites for filing.
802.21	Conditions of payment.

AUTHORITY: §§ 802.1 to 802.9, inclusive, issued under sec. 101 (c), 60 Stat. 128.

SUBPART A—PRIVATE PROPERTY CLAIMS

§ 802.1 *Requisites for filing*—(a) *Prescribed time.* Private property claims will be received by the Commission during the period March 1, 1947 to February 29, 1948, inclusive, in accordance with notice heretofore given (12 F. R. 813) pursuant to the provisions of sections 101 (c) and 103 (f) of the act.

(b) *Prescribed form.* All claims for loss of or damage to private property must be submitted on Private Property Claim Forms Nos. 100 and 100-A in order to receive consideration. Form 100-A is to be used when automobiles or watercraft are involved, and must be attached to and submitted with Form No. 100. Forms are available at all offices established by the Commission, and at all public school buildings throughout the Philippines. The Circular of General Information No. I-1 is available to explain the proper use of the forms, which must be legibly prepared in the English language and submitted in duplicate, or in triplicate if filed in the Washington Office.

(c) *Acknowledgment.* All copies must be acknowledged before:

- (1) Officers qualified to receive acknowledgments, or
- (2) The Filipino member of the Commission, Filipino employees of the Commission, attorneys of the Legal Aid Office of the Department of Justice, public school teachers, and other public school officials, as provided by Republic Act No. 100, First Congress of the Republic of the Philippines, 2d Session, approved April 15, 1947.

(d) *Claimants.* Section 102 (a) of the act provides that claimants must be qualified persons who had, on December 7, 1941 (Philippine time) and continuously to and including the time of loss or damage, an insurable interest as owner, mortgagee, lien holder, or pledgee in the property destroyed or damaged.

(e) *Place of filing.* All claims must be filed with the Commission at its principal office in Manila, at its Washington Office, or at its established branch offices. A return receipt card, which is provided with Claim Form No. 100, must be self-addressed and must accompany the private property claims at the time they are

filed. This card, when returned to claimant, will be his notice that the claim has been received. Claims will be considered filed when mailed if sent registered, and when received by the Commission if sent by ordinary mail. All claims mailed in the Philippines to the Commission must be addressed to its Manila Office; those mailed in the continental United States, its territories or possessions, may be addressed to the Washington Office of the Commission.

(f) *Non-acceptance of claims.* Claims not legibly prepared or defective for any other major reason will not be accepted for filing by the Commission, and will be returned to the claimant if claimant's name and address are legible. They will not be considered as filed until the claimant has returned claim forms with necessary corrections.

§ 802.2 *Definition of terms*—(a) *Qualified persons.* As defined in section 102 (b) of the act, a qualified person is:

(1) Any individual who, on December 7, 1941 (Philippine time), and continuously to the time of filing claim, was a citizen of the United States or of the Commonwealth of the Philippines or of the Republic of the Philippines, or who, being a citizen of a nation not an enemy of the United States, which nation grants reciprocal war damage payments to American citizens resident in such countries, was for 5 years prior to December 7, 1941, a resident of the Philippines;

(2) Any individual who, at any time subsequent to September 16, 1940, and prior to August 14, 1945, served honorably in the armed forces of the United States or of the Commonwealth of the Philippines, or honorably performed "service in the merchant marine" (as defined in the first section of the act entitled "An act to provide reemployment rights for persons who leave their positions to serve in the merchant marine, and for other purposes," approved June 23, 1943);

(3) Any church or other religious organization; and

(4) Any unincorporated association, trust, or corporation (or upon dissolution, its successor), organized pursuant to the laws of any of the several States or of the United States or of any territory or possession thereof (including any other unincorporated association, trust, corporation, or sociedadad anonima organized pursuant to the laws in effect in the Philippines at the time of its organization), but excluding any corporation wholly owned by the Commonwealth of the Philippines (or the Republic of the Philippines).

(b) *Disqualified persons.* Under section 103 of the act, the Commission is prohibited from making payments to:

- (1) Any enemy alien;
- (2) Any person who, by a civil or military court having jurisdiction, has been found guilty of collaborating with the enemy or of any act involving disloyalty to the United States or the Commonwealth of the Philippines; and
- (3) Any unincorporated association, trust, corporation, or sociedadad anonima, owned or controlled by any of the persons specified in subparagraphs (1) and (2) of this paragraph.

(c) *Insurable interest.* The Commission has defined "insurable interest" as follows: By the term "insurable interest" is meant that the claimant on December 7, 1941 (Philippine time), and continuously to and including the time of loss or damage, not later than October 1, 1945, must have been the owner, mortgagee, lien holder, or pledgee of the property lost or damaged to an extent that he would have been able to obtain insurance to protect such interest. Claims may be filed for any deceased person's interest by heirs, devisees, legatees, distributees, executors, or administrators, if the beneficiaries are qualified persons.

§ 802.3 *Property included.* The Commission will receive claims for physical loss or destruction of or damage to property in the Philippines occurring after December 7, 1941 (Philippine time), and before October 1, 1945, as a result of one or more of the perils listed in section 102 (a) of the act, which are as follows:

(a) Enemy attack;

(b) Action taken by or at the request of the military, naval, or air forces of the United States to prevent such property from coming into the possession of the enemy;

(c) Action taken by enemy representatives, civil or military, or by the representatives of any government cooperating with the enemy;

(d) Action by the armed forces of the United States or other forces cooperating with the armed forces of the United States in opposing, resisting, or expelling the enemy from the Philippines;

(e) Looting, pillage, or other lawlessness or disorder accompanying the collapse of civil authority determined by the Commission to have resulted from any of the other perils enumerated in this section or from control by enemy forces.

§ 802.4 *Property excluded.* The act excludes the following private property from claim or compensation:

(a) Accounts, bills, records, films, plans, drawings, formulas, currency, deeds, evidences of debt, securities, money, bullion, furs, jewelry, stamps, precious and semiprecious stones, works of art, antiques, stamp and coin collections, manuscripts, books and printed publications more than 50 years old, models, curiosities, objects of historical or scientific interest, and pleasure watercraft and pleasure aircraft: *Provided, however,* That such exclusion shall not apply to such of the foregoing items as may have constituted inventories, supplies, or equipment for carrying on a trade or business within the Philippines;

(b) Vessels and watercraft, their cargoes and equipment, except:

(1) Vessels used or intended to be used exclusively for storage, housing, manufacturing, or generating power;

(2) Vessels while under construction until delivery by the builder, or sailing on delivery or trial trip, whichever shall first occur;

(3) Watercraft and commercial vessels of Philippine or American ownership, in harbors and territorial and inland waters of the Philippines;

(4) Cargoes and equipment on vessels and watercraft described in subparagraphs (1), (2), or (3) of this paragraph

except as modified by and subject to paragraphs (a) and (e) of this section;

(c) Intangible property;

(d) Property diverted to the Philippines by authority of the United States Government or otherwise, as a result of war conditions;

(e) Property in transit (1) which at the time of loss or damage was insured against war perils, or (2) with respect to which insurance against such perils was available, at the time of loss or damage either at reasonable commercial rates or from the United States Maritime Commission;

(f) Property which at the time of loss or damage was insured against any one or more of the perils specified in section 102 (a) of the act, except to the extent that the loss or damage exceeds the amount of such insurance, whether or not collectible;

(g) Loss or damage to property:

(1) For which the War Department or the Navy Department is authorized to make payment, or

(2) For which compensation or indemnity is otherwise payable, or has been paid or is authorized to be paid, by the Government of the Commonwealth of the Philippines (Republic of the Philippines), or by the United States Government or by their respective departments, establishments or agencies, unless the War Department, Navy Department, respective departments, establishments, or agencies concerned have declined to pay compensation or indemnity for such loss or damage.

§ 802.5 Penalties. Sections 107 and 108 of the act, and sections 3 and 4 of Commonwealth Act No. 733, Second Congress of the Philippines, 1st Session, approved July 3, 1946, provide that, whoever makes any statement or representation knowing it to be false or whoever willfully and fraudulently overvalues loss of or damage to property, or attempts to influence action by the Commission, for the purpose of obtaining claim benefits, shall forfeit all rights to benefits, and shall further be subject to criminal penalties provided by United States or Philippine law. Any person who pays, offers to pay, or promises to pay in excess of 5 per centum of compensation paid by the Commission for services rendered to claimant in connection with any claim shall forfeit all rights to benefits; both he and the receiver of any such excess shall further be liable to criminal penalties provided by United States or Philippine law.

§ 802.6 Action on claims and right to hearing. The Commission will notify all private property claimants of the approval or denial of their claims, and, if approved, will notify such claimants of the amount for which the claim is approved. In the event of denial in whole or in part of the claim, reasons will be given for such action. Any claimant whose claim is denied, or is approved for less than the full allowable amount of said claim, shall be entitled to a hearing before the Commission or its representatives with respect to such claim. Upon such hearing, the Commission may affirm, modify, or reverse its former ac-

tion, including a denial or reduction in the amount of a claim theretofore approved (see § 815.25 of this chapter). The Commission reserves the right to affirm, modify, or reverse any former action with respect to any claim if it should appear that a mistake of law or fact has been made. Under section 113 of the act, all findings of the Commission concerning the amount of loss or damage sustained, the causes of such loss or damage, the persons to whom compensation for private property claims is payable, and the value of the property lost or damaged, are conclusive and final.

§ 802.7 Conditions of payment. Payment of private property claims is subject to the following conditions:

(a) To the fullest extent practicable, the Commission will require that the lost or damaged property be rebuilt, replaced, or repaired before payments of money are actually made to claimants.

(b) When the lost or damaged property has not been rebuilt, replaced, or repaired, the Commission may, at its option, make payment, in whole or in part, of the amount payable by replacing lost, damaged, or destroyed property with property of like or similar kind.

(c) If it is impossible for any reason beyond the control of the claimant or impracticable to rebuild, replace, or repair the lost or damaged property, the Commission must require that the whole of any payment or partial payment shall be reinvested in such manner as will further the rehabilitation or economic development of the Philippines.

§ 802.8 Amount of payment. The Commission may make payment as soon as practicable of so much of any approved claim as does not exceed \$500 (1,000 Philippine pesos). The Commission reserves the right to pay the amount in installments. If the aggregate amount which would be payable to any one claimant exceeds \$500, such aggregate amount approved in favor of such claimant must be reduced by 25 per centum of the excess over \$500. After the time for filing claims has expired, the Commission will determine the amount of money available for further payment of claims in excess of \$500, and such funds shall be applied pro rata for the payment of the unpaid balances of the amounts authorized to be paid.

§ 802.9 Other agencies. Under section 101 (c) of the act, the Commission may delegate functions to any other department or agency of the United States.

SUBPART B—PUBLIC PROPERTY CLAIMS

§ 802.20 Requisites for filing—(a) Claimants. Under Title III, section 304, of the act, the Commission will receive claims to compensate the Commonwealth, of the Republic of the Philippines, the provincial governments, chartered cities, municipalities, and corporations wholly owned by the Commonwealth or the Republic of the Philippines for physical loss of or damage to public property in the Philippines occurring after December 7, 1941 (Philippine time), and before October 1, 1945, as a result of the perils listed in section 102 (a) of the

act. (Perils are the same as for private property claims.)

(b) *Prescribed form.* All claims for loss of or damage to public property must be submitted on Form Nos. 200 and 200-A in order to receive consideration.

(c) *Preparation.* Claim forms must be prepared to indicate the time and place of damage to or destruction of public property, the legal identity of the applicant and its ownership of the property which was damaged or destroyed, the amount of damage or destruction in detail, a statement of the extent to which the property has been repaired or reconstructed, and a statement as to whether the claimant has received surplus property to compensate for the damage or destruction, as provided for in Title II of the act.

(d) *Place of filing.* Public property claims must be filed with the Commission at its principal office in Manila.

§ 802.21 Conditions of payment. Payment of public property claims will be subject to the following conditions:

(a) To the fullest extent practicable, the Commission will require that any lost or damaged property for which it decides to pay compensation shall be rebuilt, replaced, or repaired before payment of money is actually made.

(b) The Commission will, in proper cases, pay benefits directly to the Philippine Government, but may, at its discretion, request the Federal Works Agency or the Corps of Engineers of the United States Army to undertake, after consultation with the Philippine Government, the rebuilding, repair, or replacement of property for which the Commission awards compensation, and may transfer to such agency or Corps of Engineers the funds necessary to pay for the work requested.

(c) The Commission may make partial payment of claims as the rebuilding or repair of the property progresses.

(d) The Commission will make no payments for lands, easements, and rights-of-way necessary for any public project, or for property transferred or work done by any other agency of the United States.

(e) Payment will be made as arranged between the Commission and the public claimant.

(f) Advance of funds may be made when the Commission determines that it is practicable to do so.

PART 815—RULES AND REGULATIONS

SUBPART A—GENERAL

Sec.	Rule making.
815.1	Rule making.
815.2	Exercise of power.
815.3	Quorum.
815.4	Suspension of rules.
815.5	Investigations.
815.6	Right of interested parties.
815.7	Representation before the Commission.

SUBPART B—EMPLOYMENT

815.15	Employment; United States and Philippine citizens.
815.16	Prohibitions.

SUBPART C—APPEALS

815.25	Right to appeal.
815.26	Application for hearing.
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Sec.	
815.28	Preliminary determinations.
815.29	Oral hearing not requested.
815.30	Oral hearing requested.
815.31	Amendments in claim forms on appeal.
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815.34	Final determinations.
815.35	Appeals requested by claimants outside Manila.

AUTHORITY: §§ 815.1 to 815.35, inclusive, issued under sec. 101 (c), 60 Stat. 128.

SUBPART A—GENERAL

§ 815.1 *Rule making.* Public notice and procedure with respect to rule making, as required by the Administrative Procedure Act (Public Law 404, 79th Cong.) as amended, are impracticable and unnecessary for the reason that the activities of the Commission are conducted outside the continental limits of the United States. The Commission will, however, hold hearings on problems of general interest to claimants, and will give appropriate notice thereof.

§ 815.2 *Exercise of power.* The Commission may meet and exercise all its powers at any place, and may designate any of its members or any duly authorized agent or agents to perform any functions which may be delegated by law.

§ 815.3 *Quorum.* Two of the Commissioners in office shall constitute a quorum.

§ 815.4 *Suspension of rules.* In an emergency, or when in the judgment of the Commission public interest requires it, the Commission may modify or suspend any of its rules of practice and procedure, except such details of procedure as are expressly required by law. Whenever feasible, public notice of such suspension will be given.

§ 815.5 *Investigations.* In the process of making investigations the Commission or its representatives shall have the right to make such inquiry as may be necessary to determine the true facts. The claimant shall give the Commission the privilege of investigation from confidential sources and, where necessary, will request such confidential sources to furnish all necessary information to the Commission or its representatives. If, upon specific request, the claimant shall fail to give such permission, or any necessary instructions, the Commission will have the right to reject the claim.

§ 815.6 *Right of interested parties.* Claimants, interested parties, or representatives of any corporation, association, or other organization, who desire to be heard by the Commission with respect to its rules, regulations, or policy determinations, may, at the discretion of the Commission, be accorded a hearing by filing a request in writing (in sextuplicate) with the Secretary of the Commission, stating therein the reasons for such request.

§ 815.7 *Representation before the Commission.* Any claimant or interested party who wishes a hearing before the Commission on appeal of claims or otherwise may appear on his own behalf or be represented by any person of his own

choosing, *Provided, however,* That any representative who is guilty of any violation of the act or other wrongful conduct may be denied the right to represent claimants or other interested parties before the Commission. Before such right is denied, the Commission will accord the accused representative a hearing, except where the wrongful acts are admitted.

SUBPART B—EMPLOYMENT

§ 815.15 *Employment; United States and Philippine citizens.* It is the policy of the Commission to employ only United States and Philippine citizens. The Commission will employ citizens of the Philippines on a basis which will reflect a prevailing wage for similar work in the Philippines.

§ 815.16 *Prohibitions.* (a) All employees of the Commission are prohibited from accepting any gifts or remuneration for any assistance which may be provided to claimants or others in connection with preparing, servicing, or obtaining payment for claims filed with the Commission. The violation of this prohibition will lead to the discharge of such employee and any further action which existing laws permit.

(b) No former employee of the Commission shall be permitted to assist claimants for compensation or to appear before the Commission on behalf of claimants for a period of 2 years after termination of his employment with the Commission, unless the Commission shall find in each individual case that the public interest will not suffer if an exemption from this rule is made.

SUBPART C—APPEALS

§ 815.25 *Right to appeal.* Pursuant to section 113 of the act and § 802.6 of this chapter, any claimant whose claim is denied, or is approved for less than the full allowable amount of said claim, shall be entitled to a hearing before the Commission or its representatives with respect to such claim, under the terms and conditions set forth herein.

§ 815.26 *Application for hearing.* Within 90 days after the Commission's records show that a notice of denial of a claim, or approval for a lesser amount than claimed has been posted by the Commission, the claimant, if a hearing is desired, and as conditions precedent to the granting of such hearing, shall return to the Commission any check issued by the Commission as payment or partial payment on his said claim, shall inform the Commission in writing, and shall set forth in such request his reasons in full for requesting the hearing, including any statement of the law or facts upon which the claimant relies. If, for good cause shown in the request, the claimant is unable to furnish such statement within the aforesaid 90 days, and shall have returned the check with his request, the claimant may request additional time, and the Commission may extend the time for such period as in its discretion appears to be reasonable. In his initial request the claimant shall state whether he desires to make an oral presentation to the Commission or its representatives; and in the absence of such request, the

Commission will assume that the hearing shall be confined to a review of the claim, evidence in support thereof, and any additional information the Commission or its representatives may obtain, in order to arrive at a just conclusion.

§ 815.27 *Designation of Hearing Officer.* Except in those instances in which the Commission determines that any individual member of the Commission or the Commission as a whole shall conduct a hearing, or make such review, the Commission, through the General Counsel, will designate as its representative any lawyer in the Office of the General Counsel to make the initial review or conduct the oral hearing. No lawyer so appointed shall have had any previous connection with the processing of the claim, or shall be biased in any way for or against the claimant. Any claimant shall have a full opportunity to make his oral presentation.

§ 815.28 *Preliminary determinations.* Upon assignment of a case, the Hearing Officer will determine whether the character of the information submitted by the claimant, both as to law and fact, is in proper form for consideration as an appeal. If the information submitted by the claimant complies with the requirements herein specified, the appeal will then fall into one of two categories: (a) Appeals in which no oral hearing has been requested; and (b) appeals in which an oral hearing has been requested.

§ 815.29 *Oral hearing not requested—*
(a) *Responsibility of Hearing Officer.* In cases in which no oral hearing is requested, the Hearing Officer will:

(1) Conduct such investigation as he deems necessary to determine all facts pertinent to the claim;

(2) Request the claimant to confer with him at the Commission offices if, in the opinion of the Hearing Officer, an interview with the claimant may be of assistance in determining his appeal; and

(3) Review, in cases where a previous investigation has been conducted in the initial processing and examination, the record of the claim and additional evidence submitted by the claimant in his written Notice of Appeal.

(b) *Findings entered by Hearing Officer.* After making a review, the Hearing Officer will enter one of the following findings:

(1) That the amount of the claim shall remain unchanged as originally approved;

(2) That the amount of the claim as originally approved shall be increased, in which case the amount of the increase will be indicated;

(3) That the amount of the claim as originally approved shall be reduced, in which case the amount of the reduction will be indicated; or

(4) That the entire claim shall be rejected in toto.

§ 815.30 *Oral hearing requested.* A clerk in the Office of General Counsel designated as Control Clerk will maintain a current and accurate Oral Hearing Docket in calendar form indicating (a) the name of the appellant; (b) the date, time, and place of the hearing; and

(c) the name of the Hearing Officer assigned to hear the case. Claimant will be notified of the date, time, and place of any oral hearing.

§ 815.31 *Amendments in claim forms on appeal.* A claimant may, by leave of the Hearing Officer, alter or amend his claim form as to matters which are purely formal. Amendments or alterations affecting the facts required to be stated in the claim form, so as to change the essence or substance of the original claim, will not be permitted; *Provided, however,* That in case of insufficiency or omission of essential facts in the claim form, an amendment which supplies an omission therein may be allowed at the discretion of the Hearing Officer, with the approval of the Assistant General Counsel for appeals.

§ 815.32 *New or additional evidence on appeal.* A claimant will be allowed on appeal to present new or additional evidence which is consistent with or interpretative of the facts appearing in the original claim form and which, if disclosed in the initial investigation, would have warranted the allowance of the claim. However, the claimant will not be permitted to present new or additional evidence which substantially varies or contradicts the material facts appearing in the original claim form, except for one or more of the following causes materially affecting the substantial rights of the claimant:

(a) Honest mistake of fact or law, or error induced by fraud or misrepresentation of a third party, or caused by lack of knowledge in preparing the claim form, or excusable negligence which ordinary prudence could not have guarded against and by reason of which a claimant may have been impaired in his rights; and

(b) Newly discovered evidence which the claimant could not with reasonable diligence have discovered and produced in the initial investigation or examination of his claim and which, if presented, would probably alter the result.

§ 815.33 *Conduct of oral hearing.* The Hearing Officer will preside at and conduct oral hearings. He has authority to administer oaths and affirmations in the hearing. The order of hearing will be as follows:

(a) The claimant-appellant shall make a statement of his ground or grounds of appeal set forth in his written Notice of Appeal.

(b) The claimant-appellant shall then offer relevant evidence in support of his ground or grounds of appeal. The claimant shall have the burden of proof. Claimant and all witnesses shall testify under oath. The Hearing Officer will rule upon offers of proof and receive relevant evidence, and will reject irrelevant, immaterial, or unduly repetitious evidence, and will dispose of procedural requests or similar matters. The Hearing Officer may interrogate or cross-examine the claimant's witnesses, or the claimant himself.

(c) Evidence in addition to that introduced by the claimant which, in the opinion of the Hearing Officer may be

relevant in reaching a decision on the appeal, may be presented provided such evidence, oral or documentary, is competent and material pursuant to the rules and regulations in this part.

(d) The claimant may, if he so elects, introduce rebuttal evidence in his behalf.

(e) When the evidence is concluded, the claimant or his representative may, in furtherance of his appeal, make his argument.

(f) Where testimony has been transcribed, a copy of the transcript of testimony may be obtained by the claimant upon payment of the reasonable cost thereof.

At the completion of the hearing, the findings and procedures will be in the same manner as that prescribed for cases in which no oral hearings are held.

§ 815.34 *Final determinations.* Final determinations will be made as follows:

(a) *Claims not exceeding \$500.* The General Counsel has authority to make final determinations in cases wherein the amount claimed does not exceed \$500.

(b) *Claims exceeding \$500.* Cases exceeding \$500 must be submitted to the Commission for determination.

§ 815.35 *Appeals requested by claimants outside Manila.* Notice of appeals requested by claimants residing in outlying provinces and in the United States shall be forwarded to the Manila Office by the branch offices and the Washington Office for processing if filed in such offices. The procedure will be the same as set forth herein where no oral hearing is requested. In cases in which an oral hearing is requested, a Hearing Officer will be sent from the Manila Office to hold hearings at a branch office at such time as a sufficient number of appeals have accumulated. A Hearing Officer will hold oral hearings in the Washington Office, Washington, D. C., at stated times, when a sufficient number of appeals have accumulated.

PART 820—POLICY DETERMINATION

SUBPART A—GENERAL

- Sec.
820.1 Employment.
820.2 Affidavits.

SUBPART B—PRIVATE PROPERTY CLAIMS

- 820.20 Power of attorney.
820.21 Interest of claimants.
820.22 Priority of claims.
820.23 Filing of adjusted, corrected, or supplemental claim.
820.24 Payment.
820.25 Reinvestment.

SUBPART C—PUBLIC PROPERTY CLAIMS

- 820.50 Priority of claims.
820.51 Amount approved.

AUTHORITY: §§ 820.1 to 820.51, inclusive, issued under sec. 101 (c), 60 Stat. 128.

SUBPART A—GENERAL

§ 820.1 *Employment*—(a) *Ineligibility.* The Commission will not employ (1) any person who was employed by the Japanese Government or any agency of that Government; or any person employed by any Japanese firm during the period of occupation; or (2) any person who held a position involving the formu-

lation of policies in the Philippine Puppet Government which operated during the Japanese occupation. Persons occupying secondary and lesser positions will not be employed unless they are given a clear record in writing by the Counter Intelligence Corps of the U. S. Army.

(b) *Political activities.* All employees of the Commission as a condition precedent to their continued employment with the Commission are prohibited from taking any active part in political management or in political campaigns. All such employees shall retain the right to vote as they choose and to express their opinions on all political subjects and candidates.

§ 820.2 *Affidavits.* The Commission will consider affidavits filed with the Commission as privileged documents.

SUBPART B—PRIVATE PROPERTY CLAIMS

§ 820.20 *Power of attorney.* (a) All private claimants must sign and swear to the contents of the Commission's claim forms in person, except where the claim form must be executed through agents or representatives as in the cases of corporations, other legal entities, estates, or guardianships. Exceptions to the foregoing will be made only where good cause is shown in writing and approved by the Commission.

(b) In order to identify claimants for purposes of investigations and in order to see that funds paid are properly reinvested in the Philippines, the Commission will forward check payments to claimants at their normal residential mailing addresses, and will require that such addresses appear on the claim forms.

§ 820.21 *Interest of claimants*—(a) *Mortgagors and mortgagees.* Both mortgagors and mortgagees may file claims for adjudication as their interests may appear, as the Commission can not attempt to make payments except to claimants.

(b) *Consignors and consignees.* In the case of consignors and consignees, each should file a claim for subsequent determination by the Commission in the light of each existing contract.

(c) *Undivided or joint interest.* Where claimants are owners of undivided or joint interest in property, the Commission will look to individuals as claimants and not the property as a unit, so that each claimant in such interest shall file a claim separately, including therein his portion of such undivided or joint interest as a part of his various personal interests on the basis of which he may claim for loss or damage.

(d) *Claimant entitled to make only one claim.* The Commission will recognize each claimant, whether a natural person or legal entity, such as a corporation, as having one claim and as being required to file one claim for the loss of or damage to all property or properties legally owned by him and subject to compensation under the act, including his undivided share of any joint interests. Regardless of the manner in which claims are actually filed, the necessary

facts will be developed in each case, to consolidate all property rights of a claimant into one claim for appropriate adjudication in accordance with the foregoing policy.

§ 820.22 *Priority of claims.* The Office of Chief Examiner, in the adjudication of private property claims, will be governed by the following priorities:

- (a) Hospitals privately owned or owned by religious organizations;
 - (b) Non-public schools of general educational nature;
 - (c) Public utilities, especially in the fields of communication, transportation, gas, and light;
 - (d) Manufacturing and processing plants such as sugar mills, decorticating plants, rope factories, coconut-oil mills, desiccated coconut factories, cigar and cigarette factories, rice mills, and others capable of providing employment.
- Preference is not intended between the above listed categories.

§ 820.23 *Filing of adjusted, corrected, or supplemental claim.* (a) The Commission requires that claims shall be complete at the time of filing not later than February 29, 1948. Claimants shall have the right to file adjusted or corrected claims any time until and including February 29, 1948, providing that such corrections or adjustments are not made to correct false or fraudulent statements in the original claim.

(b) The Commission will accept during the filing period supplemental claims submitted either before or after settlement of the original claim. The Chief Examiner, in the adjudication of such supplemental claims, will consider those which contain items and evidence which could not have been submitted in the original claim.

§ 820.24 *Payments.* (a) All payments on private property claims will be made solely in Philippine pesos regardless of the country in which the claimant is domiciled.

(b) The Commission will not authorize payment for nationals of countries which have adopted reciprocal war damage legislation covering their home territories but not foreign possessions or territories.

§ 820.25 *Reinvestment.* The Commission has determined that the following shall be considered reinvestments, and the Commission may require proof that any funds paid to claimants have been so used:

- (a) Investment in any type of property similar to that which was destroyed, regardless of its location in the Philippines;
- (b) Purchase of other types of real or personal property in the Philippines for business, agricultural, or residential purposes;
- (c) The acquisition or purchase of tools or equipment in the Philippines to enable the claimant to earn a livelihood;
- (d) Investment in securities of the Republic of the Philippines or any agency or political subdivision thereof, purchased in the Philippines or from any agency or representative of the Republic of the Philippines in foreign countries;
- (e) The purchase in the Philippines of the capital stock or bonds of organiza-

tions, or any partnership interest in organizations, engaged in business, production, or exploitation of natural resources in the Philippines; and

(f) Any other investment in the Philippines made with the approval of the Commission.

SUBPART C—PUBLIC PROPERTY CLAIMS

§ 820.50 *Priority of claims.* Pursuant to authorization under section 304 of the act, the Commission, after consultation with the Philippine Government, and after taking into account the importance of various projects to the reconstruction and rehabilitation of the economy of the Philippines, has established the following priority for claims for which compensation will be awarded or property rebuilt, repaired or replaced, subject to the availability of funds for payment of such claims:

- (a) Hospitals and dispensaries;
- (b) Waterworks and irrigation systems;
- (c) Schools;
- (d) National government buildings;
- (e) Provincial and municipal government buildings;
- (f) Government corporations.

The Commission will determine the order in which claimants within each classification will be paid.

§ 820.51 *Amount approved.* In considering approval of public property claims, it is the policy of the Commission to approve such claims in amounts which will result in the construction or creation of a useable facility or a useable unit.

Approved: December 26, 1947.

FRANK A. WARING,
Commissioner (Chairman).
FRANCISCO A. DELGADO,
Commissioner.
JOHN A. O'DONNELL,
Commissioner.

[F. R. Doc. 48-702; Filed, Jan. 26, 1948; 8:50 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—ORGANIZATION, PRACTICE AND PROCEDURE

DELEGATION OF AUTHORITY

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of January 1948;

The Commission having under consideration a proposal to amend § 1.142 of its rules and regulations to provide for a delegation of authority to the Secretary, upon securing the approval of the Engineering Department, to act on applications for special temporary operator license authorization for use in the Territory of Alaska in connection with the protection of life or property during an emergency period; and

It appearing, that the adoption of the proposed amendment will serve the public interest; and

It further appearing, that the proposed amendment is procedural and that the public notice and procedure provided for in section 4 of the Administrative Procedure Act is not required herein;

It is ordered, That, effective immediately, § 1.142 be amended by adding the following new paragraph:

§ 1.142 *Authority delegated to Secretary upon securing approval of Engineering Department.* * * *

(g) Applications in any acceptable form filed at Commission Field Offices located in the Territory of Alaska for special temporary operator license authorization, in lieu of regular commercial radio operator license, when it is shown that there is a need for such an authorization for use in connection with the protection of life or property during an emergency period.

(Sec. 4 (i), 48 Stat. 1066, sec. 5 (e), 48 Stat. 1068; 47 U. S. C. 154 (i), 155 (e))

Released: January 19, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-710; Filed, Jan. 26, 1948; 8:45 a. m.]

PART 5—EXPERIMENTAL RADIO SERVICES

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of January 1948;

The Commission having under consideration a proposal to amend Part 5 of its rules and regulations by making various minor editorial changes; and

It appearing, that the proposed editorial changes are not substantive and do not in any way affect the requirements of any of the Commission's rules and regulations; that said changes consist of improvements in language, corrections of section numbers of other rules to which reference is made, and the deletion of an obsolete footnote; and that these changes will clarify the content of said rules and will facilitate the understanding and use of Part 5; and

It further appearing, that because of the minor nature of the proposed changes and the benefits to be derived by the immediate effectuation thereof, compliance with the provisions of section 4 of the Administrative Procedure Act is unnecessary;

It is ordered, That, effective immediately, Part 5 of the Commission's rules and regulations is amended in the following respects:

1. Section 5.12 (f) is amended by transposing the word "only" to follow the word "operated".

2. Section 5.32 (c) is amended so that the parenthetical reference reads as follows:

(Section 1.320 of the rules relating to organization and practice and procedure).

3. The first sentence of § 5.33 is amended by deleting the words "Section 1.365 of the rules of practice and procedure" and substituting therefor the words "Section 1.324 of the rules relating to organization and practice and procedure".

4. Section 5.53 (c) (1) is amended by substituting the words "engineer in charge" for the words "inspector in charge".

5. Section 5.73 (c) is amended by deleting footnote 9, which reads "See footnote (2), p. 1."

Released: January 19, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 48-708; Filed, Jan. 26, 1948; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 9621]

[Docket No. AO-162-A1]

FRESH PEACHES GROWN IN GEORGIA

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER REGULATING HANDLING

Correction

In Federal Register Document 48-697, appearing at page 329 of the issue for Friday, January 23, 1948, in § 962.7 the phrase "notification of the committee," occurring at the end of paragraph (b), should read "notification to the committee," and the word "notify," occurring in the second sentence of paragraph (c), should read "modify."

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 31]

[Docket No. 8736]

ALLOCATION OF TELEVISION CHANNELS TO METROPOLITAN DISTRICTS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 3.606 of the Commission's rules and regulations.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. It has been recognized that a bilateral arrangement between the Dominion of Canada and the United States of America for the use of the 44 to 88 megacycle frequency band and the 174 to 216 megacycle frequency band for television broadcasting is necessary in order to prevent undue interference between broadcast stations in the respective countries. Accordingly, informal discussions have been held and negotiations have been conducted among the representatives of Canada and the United States for the purpose of arriving at a mutually acceptable allocation plan for the assignment of television channels to each country. Tentative agreements have been reached with respect to television stations situated within 250 miles of the United States-Canadian border.

3. In order to permit the United States to carry out its obligations under said tentative agreements, the Federal Communications Commission proposes to take the following action:

(a) Reassign Television Channel No. 9 from Cleveland, Ohio, to Canton, Ohio.

(b) Assign Television Channel No. 7 to Akron, Ohio.

(c) Reassign Television Channel No. 11 from Akron, Ohio, to Cleveland, Ohio.

(d) Withdraw Television Channel No. 13 from Buffalo, N. Y.

(e) Consider pending applications for television stations in Akron, Ohio, as requests for Channel No. 7 instead of Channel No. 11.

(f) Modify the construction permit heretofore issued to the Empire Coll Co., Inc., for a television station in Cleveland, Ohio, by substituting therein Channel No. 11 in place of Channel No. 9.

Accordingly, it is proposed to amend § 3.606 of the Commission's rules and regulations to effectuate the above reassignments and withdrawal of Television Channels.

4. Authority to issue the proposed amendments is vested in the Commission by sections 301, 303 (c) and 303 (r) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed changes should not be adopted, or should not be adopted in the manner set forth above may file with the Commission on or before February 27, 1948, a written statement or brief setting forth his comments. The Commission will consider all such comments that are received before taking final action in the matter, and if any comments are submitted which appear to warrant the holding of an oral argument, notice of the time and place of such oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: January 16, 1948.

Released: January 20, 1948.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Doc. 48-731; Filed, Jan. 26, 1948; 9:21 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR, Part 207]

[Ex Parte No. MC-43]

LEASE AND INTERCHANGE OF VEHICLES BY MOTOR CARRIERS

NOTICE OF PROPOSED RULE MAKING

At a session of the Interstate Commerce Commission, Division 5, held at its

office in Washington, D. C., on the 9th day of January A. D. 1948.

Sections 202 (a), 204 (a) (1), (2), and (6), 215, 216 (b), (c) and (e), 220 (a) and (d), and 224 of the Interstate Commerce Act being under consideration; and good cause appearing therefor:

It is ordered, That an investigation be, and it is hereby instituted by the Commission, Division 5, on its own motion, into the lawfulness of the practices of motor common and contract carriers of property respecting the performance of transportation in interstate or foreign commerce, subject to the general provisions of part II of the act, by such carriers with motor vehicles owned by others, including those driven by the owners of the vehicles or employees of the owners of the vehicles, and including the use by one such motor carrier of part of the carrying capacity of a vehicle owned by another, the interchange of vehicles between such motor carriers, and the lease of vehicles by such motor carriers, with and without drivers, to private motor carriers and shippers, with a view to determining (1) whether any or all of the present practices of the said carriers, with respect to the performance of transportation by the use of vehicles owned by others, the interchange of vehicles, and the leasing of vehicles to private carriers and shippers, should be required to be discontinued because unlawful or contrary to the public interest; and if any or all of the present practices are to be continued (2) whether:

(a) The renting of vehicles by or to motor common and contract carriers, with or without drivers, should be limited to long-term leases;

(b) The use of leased vehicles by motor common and contract carriers should be limited to a fixed percentage of the number of vehicles to which the using motor carrier holds title; and

(c) The motor carriers' practices should be governed by the rules and regulations set forth in tentative form in the attached appendix or such other rules and regulations as may be found to be reasonable;

and to take such other action in the premises as the facts and circumstances shall appear to warrant.

It is further ordered, That all motor common and contract carriers of property subject to the general provisions of part II of the act be, and they are hereby, made respondents to this proceeding.

It is further ordered, That the proceeding be, and it is hereby, assigned for hearing before Examiner C. Evans Brooks, at 9:30 o'clock a. m., United

States standard time, on the 19th day of April, A. D. 1948, at the office of the Interstate Commerce Commission, Washington, D. C.

It is further ordered, That any person desiring to be notified of any change in the time or place of the said hearing (at his own expense, if telegraphic notice becomes necessary) shall inform the Interstate Commerce Commission, Washington, D. C., to that effect by notice which must reach the Commission on or before February 16, 1948.

And it is further ordered, That a copy of this order be served upon each of the respondents and that notice to the general public be given by posting a copy of it in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Division of the Federal Register.

By the Commission, Division 5.

[SEAL]

W. P. BARTEL,
Secretary.

Rules proposed for consideration, governing the practices resulting from agreements, contracts, or leases entered into by authorized carriers of property for the purpose of (1) augmenting their equipment, (2) interchange of equipment, and (3) renting of vehicles or equipment to private carriers or shippers.

§ 207.1 *Definitions*—(a) *Authorized carrier.* A person or persons authorized by the Interstate Commerce Commission to engage in transportation of property as common or contract carriers under the provisions of sections 206, 207, 208, or 209 of Part II of the Interstate Commerce Act.

(b) *Equipment.* A motor vehicle, straight truck, tractor, semi-trailer, full trailer, or a combination tractor and semi-trailer and combination straight truck and full trailer.

(c) *Interchange of equipment.* The physical exchange of equipment between authorized carriers at a point which both carriers are authorized to serve.

(d) *Regular employee.* A person not an agent but regularly and in exclusive full time employment.

(e) *Non-carrier.* A person other than an authorized carrier.

§ 207.2 *Augmenting equipment.* Authorized carriers may perform authorized transportation in vehicles to which they do not hold title only under the conditions specified in this section, except that vehicles and equipment rented or leased from another authorized carrier may be utilized in interchange service only as provided in § 207.3.

(a) Contract, lease, or other arrangement for the use of equipment under this section:

(1) Shall be in writing and signed by the makers;

(2) Shall be made direct between the owner of the equipment or a person in his regular employ, on the one hand, and the authorized carrier or a regularly employed supervisory employee of the carrier, on the other hand;

(3) Shall provide for the exclusive use of the equipment during the full period of the lease and shall not permit the subletting or subleasing of the equipment

in whole or in part, or permit use of the equipment for the transportation of property of the lawful owner of the equipment, or property which is in his custody or control as agent of shippers; and

(4) Shall specify the time and date the contract, lease, or other arrangement begins and ends, which shall be the times of the giving of receipts for the equipment as required by paragraph (b) of this section.

(b) Equipment may be used under this section only during the time it is in possession of the authorized carrier. The authorized carrier or its regularly employed supervisory employee shall, at the time it takes possession, give to the owner or its agent, a receipt specifically identifying the equipment; and, at the time its possession ends, shall obtain from the owner or its agent, a receipt delivered to the authorized carrier or its regularly employed supervisory employee.

(c) Compensation for the use of the equipment shall be computed on a use (such as time or mileage) basis, and no contract, lease, or other arrangement for the use of equipment under this section shall provide for payment for such use based on the revenue earned by the equipment.

(d) It shall be the duty of the authorized carrier, before taking possession of equipment in accordance with paragraph (b) of this section, to require a responsible and competent regular employee to inspect the equipment proposed to be used under this section to insure that it complies with Parts 3 and 6 of the Motor Carrier Safety Regulations (Rev.) pertaining to "Parts and accessories necessary for safe operations" and "Inspection and Maintenance" and if it is proposed to transport explosives or other dangerous articles further to inspect and check such vehicle or equipment to insure that it complies with Part 7 of the Safety Regulations pertaining to "Safe Transportation of Explosives." If it is found that the equipment proposed to be rented does not comply with the safety regulation requirements, possession shall not be taken.

(e) The authorized carrier acquiring the use of the equipment shall properly and correctly identify such equipment as operated by it during the period of the contract, lease, or other arrangement in accordance with the Commission's requirements and in the following manner:

(1) If a removable device is used to identify the authorized carrier as the operating carrier, such device shall be on durable material, such as wood, plastic, or steel, and bear a serial number in the authorized carrier's own series so as to keep proper record of each of the identification devices in use on rented equipment.

(2) Proper record of the affixing of the removable device shall be maintained at the authorized carrier's terminal and shall show the serial number of the device that is affixed to the rented equipment, the date affixed, the name and address of the lawful owner of the equipment, the State registration number of the equipment to which device is affixed,

and the date the device was removed by the authorized carrier.

(3) The authorized carrier shall remove the device upon relinquishing possession in accordance with paragraph (b) of this section, and before final settlement for the rental charges is made.

(f) The authorized carrier shall prepare and preserve for two years a truck or load manifest covering each load or trip for which the equipment is used in its service, such manifest record to show:

(1) Name and address of the lawful owner of the equipment;

(2) State registration number of the equipment;

(3) Name and address of the driver operating the equipment;

(4) Description and weight of the commodities transported in the equipment;

(5) Point or place of origin and time and date of departure;

(6) Point and place of final destination and time and date of arrival; and

(7) Carrier's serial number of identification device affixed to the equipment.

(g) Before any person other than a regular employee of the carrier is engaged and assigned to drive equipment operated under this section, it shall be the duty of the authorized carrier to:

(1) Insure that the driver is familiar with Parts 2, 4, and 5 of the Motor Carrier Safety Regulations (Rev.) pertaining to "Driving of motor vehicles," "Reporting of accidents," and "Hours of service of drivers"; and

(2) Require such drivers to furnish a certificate of physical examination in accordance with Part 1 of the Motor Carrier Safety Regulations (Rev.) pertaining to "Qualifications of drivers," or in lieu thereof furnish a photostatic copy of the original certificate of physical examination which shall be retained in the authorized carrier's files for a period of not less than two years after the termination of the driver's employment.

(h) The person assigned to drive equipment operated under this rule shall be an employee of the carrier, and his wages shall be separate and distinct from the charges made for the use of the equipment and shall not be made part of the terms or conditions of the contract, lease, or other arrangement covering the use of the equipment.

(i) The terms and conditions of the agreement, contract, or lease for the use of the equipment, shall be in writing and shall set forth (1) the charges to be made for the use of the equipment, (2) the method of arriving at such charges, (3) a complete statement of all the terms, agreements, or practices affecting the charges or the value of the rental service, and (4) the time and date the agreement, contract, or lease begins and ends together with a written endorsement of each party to such agreement, contract, or lease that (i) it contains an accurate and complete statement of the terms thereof, (ii) the equipment covered in the agreement has been inspected and checked and found to meet the requirements of Parts 3 and 6 of the Motor Carrier Safety Regulations (Rev.), and if it is proposed to transport explosives or other dangerous articles that it also meets the requirements of Part 7 of the

Safety Regulations pertaining to "Safe transportation of explosives," and (iii) the authorized carrier acquiring the use of the equipment will exercise full control, direction, and domination of the service and accepts full responsibility to the general public, shipper, and Interstate Commerce Commission for the transportation furnished to the same extent as if it were the lawful owner of the equipment for the duration of the agreement, contract, or lease.

(j) It shall be the duty of the authorized carrier acquiring the use of the equipment to have the agreement, contract, or lease, as set forth in this part, prepared in writing and duly executed by both parties before the arrangement is placed in effect, to retain in its files for not less than two years after the termination of the arrangement the original copy of the written agreement, contract, or lease, and to furnish the driver of the equipment a true and certified copy of such agreement, lease, or contract to be carried in his possession while driving the rented equipment during the full period of the arrangement.

(k) The provisions of paragraphs (a), (c), (d), and (h) of this section shall not apply to operation of equipment by any carrier in accordance with a plan heretofore submitted by such carrier in a formal proceeding and specifically approved by the Commission.

§ 207.3 *Interchange of equipment.* Authorized carriers may not interchange equipment, excepting that common carriers of property may by agreement, contract, or lease interchange semi-trailer or full trailer equipment with other common carriers of property for the purpose of transporting through traffic under the following conditions:

(a) Proposed through service is from a point on one carrier's lines to a point on the other carrier's lines, both of which points are not authorized in a certificate held by either carrier.

(b) Contract, lease, or other arrangement for the use of the equipment is made direct by the carrier who is the lawful owner of the equipment and another carrier proposing to acquire the use of the equipment, or by persons who are in their regular employ: *Provided*, That the arrangement will not permit the subletting or subleasing of the equipment in whole or in part.

(c) The certificates held by the carriers participating in the interchange arrangement authorize the transportation of the commodities proposed to be transported in the through movement and further authorize service from and to the points where the physical interchange occurs.

(d) Each carrier assigns its own driver to operate the tractor or straight truck that it proposed to be operated in combination with the rented semi-trailer or full trailer from and to the point of interchange and over the route or routes authorized in the participating carriers' respective certificates.

(e) Traffic moves on through bills of lading issued by the carrier originating the traffic which shall show the name of the carrier with which it is proposed to interchange equipment. The rates

charged and revenues collected shall be accounted for in precisely the same manner as if there had been no interchange of equipment and in the manner prescribed by the Commission. The charge for the rental of the equipment shall be separate and distinct from the divisions of the joint rates or the proportions accruing to the carriers by the application of local or proportional rates.

(f) It shall be the duty of the carrier that acquires the use of the equipment in interchange service to require a responsible and competent employee to inspect the equipment before it is accepted and operated over its lines to insure that such equipment complies with Parts 3 and 6 of the Motor Carrier Safety Regulations (Rev.) pertaining to "Parts and accessories necessary for safe operation" and "Inspection and maintenance." If it is proposed to transport explosives and other dangerous articles, a further inspection or check shall be made to insure that the equipment complies with the provisions of Part 7 of the Motor Carrier Safety Regulations (Rev.) pertaining to the "Safe transportation of explosives." If the equipment is found not to meet the safety regulation requirements, it shall be the duty of both carriers not to permit its operation in their respective service until the defects have been corrected.

(g) The terms and conditions of the agreement, contract, or lease for the use of the equipment shall set forth:

(1) The charges to be made for the use of the equipment which shall have no relation to the lawfully filed rates and charges of the carriers participating in the arrangement;

(2) The method of arriving at such charges;

(3) A complete statement of all the terms, agreements, or practices affecting the charges or the value of the rental service;

(4) Time and date agreement, contract, or lease begins and ends;

(5) Specific points or places where physical interchange of equipment will occur; and

(6) A description of the type of equipment proposed to be interchanged.

(h) The agreement, contract, or lease shall include a written endorsement of each carrier participating in the agreement that (1) it contains an accurate and complete statement of the terms thereof, (2) the equipment covered in the agreement has been inspected and checked and found to meet the requirements of Parts 3, 6, and 7 of the Motor Carrier Safety Regulations (Rev.) and (3) the carrier acquiring the use of the equipment will exercise full control, direction, and domination of the service and accepts full responsibility to the general public, shipper, and Interstate Commerce Commission for the transportation furnished to the same extent as if it were the lawful owner of the equipment while operating over its lines for the duration of the agreement, contract, or lease. The agreement, contract, or lease as set forth in these regulations shall be prepared in writing and duly executed by the interested parties, copies of which shall be retained in the files of each of

the participating carriers at their principal place of business for not less than two years after the termination of the arrangement.

§ 207.4 *Rental of motor vehicles and equipment to private carriers or shippers.* (a) Authorized carriers are prohibited from renting equipment to non-carriers with drivers, and shall not directly or indirectly assist such non-carriers to select or obtain drivers for equipment rented to them.

(b) Authorized carriers may not furnish equipment without drivers to non-carriers except under the following conditions:

(1) The agreement, contract, or lease is made direct between the authorized carrier who is the lawful owner of the equipment and the private carrier or shipper or between persons who are in their regular employ.

(2) Period of the agreement, contract, or lease is for not less than 180 days.

(3) Arrangement, contract, or lease for the use of equipment shall provide for the exclusive use of the equipment during the full period of the rental agreement and shall not permit the subletting or subleasing of such equipment in whole or in part.

(4) Before the effective date of the agreement, contract or lease, the authorized carrier shall cause to be removed from the equipment all marks of identification that indicate that such equipment is utilized in its operations. The authorized carrier's markings or identifications removed from the equipment will not be restored until the termination of the agreement.

(5) It shall be the duty of the private carrier or shipper to require a responsible and competent person in its regular employ to inspect the equipment proposed to be rented to insure that the equipment complies with Parts 3 and 6 of the Motor Carrier Safety Regulations (Rev.) pertaining to "Parts and accessories necessary for safe operation" and "Inspection and Maintenance". In the event that it is proposed to transport explosives and other dangerous articles, a further inspection or check shall be made to insure that the equipment complies with the provisions of Part 7 of the Safety Regulations pertaining to "Safe transportation of explosives." If the equipment is found not to meet these requirements, it shall be the duty of the private carrier or shipper not to operate such equipment.

(6) The terms and conditions of the agreement, contract, or lease for the use of the equipment shall be in writing and shall set forth (i) the charges to be made for the use of the equipment, (ii) the method of arriving at such charges, (iii) a complete statement of all the terms, agreements, or practices affecting the charges or the value of the rental service, and (iv) the time and dates the agreement, contract, or lease begins and ends.

(7) The agreement, contract, or lease shall include a written endorsement of each party thereto that (i) an accurate and complete statement of the terms thereof, (ii) the equipment covered in the agreement has been inspected and

checked and found to meet the requirements of Parts 3, 6, and 7 of the Motor Carrier Safety Regulations (Rev.), and (iii) the private carrier or shipper acquiring the use of the equipment will exercise full control, direction, and domination of the service and accepts full responsibility to the general public and the Interstate Commerce Commission for the transportation furnished to the

same extent as if it were the lawful owner of the equipment for the duration of the agreement, contract, or lease.

(8) It shall be the duty of both the authorized carrier and private carrier or shipper to prepare the agreement, contract, or lease as set forth in this part in writing, duly execute same before the arrangement is made effective, and to retain in each of its files for not less than

two years after the termination of the arrangement true copies of the agreement, contract, or lease, the original of which shall be mailed by the authorized carrier, five days before its effective date, to the district office, Bureau of Motor Carriers, Interstate Commerce Commission, in which it is domiciled.

[F. R. Doc. 48-717; Filed, Jan. 26, 1948; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

HUNGRY HORSE PROJECT, MONTANA

FIRST FORM RECLAMATION WITHDRAWAL

SEPTEMBER 4, 1947.

Pursuant to the authority delegated by Departmental Order No. 2238 of August 16, 1946 (43 CFR 4.410), I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

HUNGRY HORSE PROJECT

PRINCIPAL MERIDIAN, MONTANA

T. 28 N., R. 17 W.,

Sec. 27, those portions thereof located below elevation 3500 as shown by USGS River Survey Map of the South Fork Flathead River (Sheet "B").

T. 30 N., R. 19 W.,

Sec. 16, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 17, lot 1 and E $\frac{1}{2}$ SE $\frac{1}{4}$;

Secs. 23, 25 and 36, a strip of land on the north side (right bank) of the South Fork Flathead River lying between elevations 3500 and 3600 as shown by USGS River Survey Map of the South Fork Flathead River (Sheet "A");

Secs. 21, 26, 27, 28, 35, and 36, a strip of land on the south side (left bank) of the South Fork Flathead River lying between elevations 3500 and 3600 as shown by USGS River Survey Map of the South Fork Flathead River (Sheet "A").

The above areas approximate 600 acres.

CLIFFORD E. FIX,
Acting Commissioner.

DECEMBER 15, 1947.

I concur. The records of the Bureau of Land Management and of the District Land Office will be noted accordingly.

FRED W. JOHNSON,
Director,
Bureau of Land Management.

Notice for Filing Objections to Order of September 4, 1947, Withdrawing Public Lands for the Hungry Horse Project, Montana

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order of September 4, 1947, withdrawing certain public lands for use in connection with the Hungry Horse Project, Montana, may present their objections to the Secretary

of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

CLIFFORD E. FIX,
Acting Commissioner,
Bureau of Reclamation.

[F. R. Doc. 48-709; Filed, Jan. 26, 1948; 8:53 a. m.]

HUNGRY HORSE PROJECT, MONTANA

FIRST FORM RECLAMATION WITHDRAWAL

SEPTEMBER 4, 1947.

Pursuant to the authority delegated by Departmental Order No. 2238 of August 16, 1946 (43 CFR 4.410), I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

HUNGRY HORSE PROJECT

PRINCIPAL MERIDIAN, MONTANA

A strip of land along the north and south sides (right and left banks, respectively) of the South Fork Flathead River lying between elevations 3500 and 3600 as shown by USGS River Survey Map of the South Fork Flathead River (Sheets "A" and "B"), to include parts of the following described sections:

T. 26 N., R. 16 W.,

Secs. 3, 4, 5, 6, 9, 10, 11, 13, 14, 15, 23, 24, 25, 26 and 36.

T. 27 N., R. 16 W.,

Secs. 19 and 29 to 33, inclusive.

T. 26 N., R. 17 W.,

Sec. 1.

T. 27 N., R. 17 W.,

Secs. 2 to 15, inclusive, 22, 23, 24, 25 and 36.

T. 28 N., R. 17 W.,

Secs. 4 to 10, inclusive, 15, 16, 17, 20, 21, 27, 28, 29, 30, 32, 33 and 34.

T. 29 N., R. 17 W.,

Secs. 7, 18, 19, 20 and 29 to 33, inclusive.

T. 27 N., R. 18 W.,

Secs. 1 and 12.

T. 29 N., R. 18 W.,

Secs. 3 to 19, inclusive, 22 to 26, inclusive and 36.

T. 30 N., R. 18 W.,

Secs. 15, 17, 20, 21, 22 and 28 to 32, inclusive.

T. 29 N., R. 19 W.,

Sec. 1.

The above areas approximate 10,000 acres.

CLIFFORD E. FIX,
Acting Commissioner.

DECEMBER 15, 1947.

I concur. The records of the Bureau of Land Management and of the District Land Office will be noted accordingly.

FRED W. JOHNSON,
Director,
Bureau of Land Management.

Notice for Filing Objections to Order of September 4, 1947, Withdrawing Public Lands for the Hungry Horse Project, Montana

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order of September 4, 1947, withdrawing certain public lands for use in connection with the Hungry Horse Project, Montana, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

CLIFFORD E. FIX,
Acting Commissioner,
Bureau of Reclamation.

[F. R. Doc. 48-707; Filed, Jan. 26, 1948; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 7672, 8719]

EAGLE PRINTING CO., INC., AND JULIAN LOUIS LIEBMAN

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Eagle Printing Company, Inc., Butler, Pa., Docket No. 7672, File No. BP-4800; Julian Louis Liebman, Kittanning, Pa., Docket No. 8719, File No. BP-6471; for construction permit.

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

The Commission having under consideration the above-entitled applications of Eagle Printing Company, Inc., and Julian Louis Liebman, each requesting a construction permit for a new standard broadcast station to operate on the frequency 1600 kc, with 1 kw, daytime only in the places specified above,

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

1. To determine the legal, technical, financial, and other qualifications of the applicant Julian Louis Liebman and the applicant corporation Eagle Printing Company, Inc., its officers, directors and stockholders to construct and operate the respectively proposed stations.

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

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

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

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

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

7. To determine on a comparative basis which, if either, of the applications in

this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-732; Filed, Jan. 26, 1948; 9:21 a. m.]

[Docket Nos. 8222-8225]

NIAGARA BROADCASTING SYSTEM ET AL.

CORRECTED ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications Gordon P. Brown, tr/as Niagara Broadcasting System, Niagara Falls, New York, Docket No. 8222, File No. BP-5760; Concord Broadcasting Corporation, Niagara Falls, New York, Docket No. 8223, File No. BP-5825; Lockport Union-Sun and Journal, Inc., Lockport, New York, Docket No. 8224, File No. BP-5880; Great Lakes System, Inc., Buffalo, New York, Docket No. 8225, File No. BP-5891; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 6th day of November 1947;

The Commission having under consideration the above-entitled application of Lockport Union-Sun and Journal, Inc., requesting construction permit for a new standard broadcast station to operate on 1340 kc, 250 w power, unlimited time, at Lockport, New York;

It appearing, that the Commission on March 12, 1947, designated for hearing in a consolidated proceeding the above-entitled applications of Lockport Union-Sun and Journal, Inc., for construction permit for a new standard broadcast station to operate on 1340 kc, 250 w power, unlimited time, at Lockport, New York; Niagara Broadcasting System and Concord Broadcasting System, each requesting a construction permit for a new standard broadcast station to operate on 1340 kc, 250 w power, unlimited time, at Buffalo, New York, but subsequently accepted on amendment to the application of Lockport Union-Sun and Journal, Inc. and removed said application from the hearing docket; and

It further appearing, that applicant Lockport Union-Sun and Journal, Inc. has now re-amended its application to again specify the frequency 1340 kc;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application, Lockport Union-Sun and Journal, Inc., be, and it is hereby, designated for hearing in the above consolidated proceeding at Lockport, New York, to follow the taking of testimony in the other applications, at Buffalo, New York, and Niagara Falls, New York, on January 28 and 29, 1948, upon the following issues:

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

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

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

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

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

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

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

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-733; Filed, Jan. 26, 1948; 9:33 a. m.]

[Docket Nos. 7998, 7999]

JORAMA-FER RADIO CORP. AND CAGUAS RADIO BROADCASTING, INC.

ORDER CONTINUING HEARING

In re applications of Jorama-Fer Radio Corporation, Caguas, Puerto Rico, Docket No. 7998, File No. BP-5174; Caguas Radio Broadcasting, Inc., Caguas, Puerto Rico, Docket No. 7999, File No. BP-5475; for construction permits.

The Commission having under consideration a petition filed January 13, 1948, by Jorama-Fer Radio Corporation and Caguas Radio Broadcasting, Inc., Caguas, Puerto Rico, requesting that the consolidated hearing on their above-entitled applications, now scheduled for January 22, 1948, be continued for a period not to exceed twenty days;

It is ordered, This 16th day of January 1948, that the petition be, and it is hereby, granted in part; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Tuesday, February 10, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-736; Filed, Jan. 26, 1948; 9:33 a. m.]

[Docket No. 8380]

OZARKS BROADCASTING CO. (KWTO)

ORDER CONTINUING HEARING

In re application of Ozarks Broadcasting Company (KWTO), Springfield, Missouri, Docket No. 8380, Filed No. BP-5259; for construction permit.

The Commission having under consideration a petition filed January 8, 1948, by Ozarks Broadcasting Company (KWTO), Springfield, Missouri, requesting a 30-day continuance from January 29, 1948, of the separate hearing scheduled at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 16th day of January 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Friday, February 27, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-737; Filed, Jan. 26, 1948;
9:33 a. m.]

[Docket No. 8512]

THOMAS PATRICK, INC. (KWK)

ORDER CONTINUING HEARING

In re applications of Thomas Patrick, Inc. (KWK), St. Louis, Missouri, Docket No. 8512, File No. BP-4843; for construction permit.

The Commission having under consideration a petition filed January 9, 1948, by Thomas Patrick, Inc. (KWK), St. Louis, Missouri, requesting a 30-day continuance of the hearing on its above-entitled application for construction permit now scheduled for January 23, 1948, at Washington, D. C.;

It is ordered, This 16th day of January 1948, that the petition be, and it is hereby, granted in part; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, February 20, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-738; Filed, Jan. 26, 1948;
9:33 a. m.]STEEL CITY BROADCASTING CORP., STATION
WHOD, HOMESTEAD, PA.¹PUBLIC NOTICE CONCERNING PROPOSED
TRANSFER OF CONTROL

The Commission hereby gives notice that on January 13, 1948 there was filed with it an application (BTC-607) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of WHOD, Homestead, Pa., from a total of 17 original

¹ Section 1.321, Part 1, Rules of Practice and Procedure.

stockholders who had subscribed for 402 shares of the \$50 par value common voting stock to a total of 32 stockholders (including the original subscribers) who would upon consummation of the application hold a total of 935 shares. From the application and associated papers it appears that of the 32 proposed stockholders 22 are new subscribers to stock. These parties would hold a total of 646 shares while the original subscribers would hold a total of 289 shares. The stock involved in the transfer (646 shares) was subscribed for at par (\$50 a share) and such parties would pay in consideration therefor a total of \$32,300. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on January 13, 1947, that starting on January 16, 1947, notice of the filing of the application would be inserted in a newspaper of general circulation at Homestead Pa., in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from January 16, 1947, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Section 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-734; Filed, Jan. 26, 1948;
9:33 a. m.]HOPKINS COUNTY BROADCASTING CO.,
LICENSEE OF STATION KSST, SULPHUR
SPRINGS, TEXAS¹PUBLIC NOTICE CONCERNING PROPOSED
TRANSFER OF CONTROL

The Commission hereby gives notice that on December 12, 1947, there was filed with it an application (BTC-598) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Hopkins County Broadcasting Company, licensee of Standard Station KSST from Howard S. Smith and others to Earl Fletcher, Truett Kimsey, Jack C. Elliott, Wm. N. Edwards and J. Warren Day. The proposal to transfer control arises out of a contract of November 26, 1947, pursuant to which Howard S. Smith, R. E. Pratt, Howard Hicks, John A. Hicks and Ross Bohannon agree to sell all of the 180 shares of issued and outstanding stock of Hopkins County Broadcasting Company to Earl Fletcher, Truett Kimsey, Jack C. Elliott, Wm. N. Edwards and J. Warren Day for the sum of \$40,000 plus an amount equal and equivalent to the total cash and ac-

counts receivable of said corporation as of the close of business on November 30, 1947, less liabilities of the corporation as of that date. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on December 12, 1947, that starting on December 15, 1947, notice of the filing of the application would be inserted in The Daily News Telegram, a newspaper of general circulation at Sulphur Springs, Texas, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application until March 1, 1948, until which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Section 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.[F. R. Doc. 48-735; Filed, Jan. 26, 1948;
9:33 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-966]

CITIES SERVICE GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CER-
TIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY

JANUARY 21, 1948.

Notice is hereby given that, on January 21, 1948, the Federal Power Commission issued its findings and order entered January 20, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 48-711; Filed, Jan. 26, 1948;
9:54 a. m.]

[Docket No. G-979]

UNION GAS SYSTEM, INC.

NOTICE OF FINDINGS AND ORDER ISSUING CER-
TIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY

JANUARY 21, 1948.

Notice is hereby given that, on January 21, 1948, the Federal Power Commission issued its findings and order entered January 20, 1948, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 48-712; Filed, Jan. 26, 1948;
9:54 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 410]

RECONSIGNMENT OF TOMATOES AT PHILADELPHIA, PA.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Penna., January 16, 1948, by Justman Frankenthal, of car URTX 7703, tomatoes, now on the PRR to Richmond Tomato Packing Co., Richmond, Va., RF&P (C&O).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 16th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-718; Filed, Jan. 26, 1948; 8:53 a. m.]

[S. O. 396, Special Permit 411]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill. (Wood St. Sta.), January 16, 1948, by National Produce Co., of car ART 18833, onions, now on the CNW to National Produce Co., Cincinnati, Ohio (PRR).

The waybill shall show reference to this special permit.

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

No. 18—3

Issued at Washington, D. C., this 16th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-719; Filed, Jan. 26, 1948; 8:53 a. m.]

[S. O. 396, Special Permit 412]

RECONSIGNMENT OF ONIONS AT KANSAS CITY, MO.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., January 16, 1948, by National Produce Co., of car RD 32974, onions, now on the Milwaukee to Houston, Texas (KCS) (TNO).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 16th day of January 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-720; Filed, Jan. 26, 1948; 8:54 a. m.]

[S. O. 396, Special Permit 413]

RECONSIGNMENT OF POTATOES AT ST. LOUIS, MO.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at St. Louis, Mo., January 16, 1948, by National Produce Co., of car PFE 44893, potatoes, now on the Missouri Pacific to Max Roth Co., Chicago (WAB).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the

office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-721; Filed, Jan. 26, 1948; 8:54 a. m.]

[S. O. 396, Special Permit 414]

RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., January 16, 1948, by Gianukos and Bemmos, of car PFE 95767, apples, now on the CB&Q to Conrad Schopp Fruit Co., St. Louis (Wab).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 16th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-722; Filed, Jan. 26, 1948; 8:54 a. m.]

[S. O. 396, Special Permit 415]

RECONSIGNMENT OF SPINACH AT DECATUR, ILL.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Decatur, Ill., January 17, 1948, by F. H. Vahlsing, of car PFE 96062, spinach, now on the Wabash to F. H. Vahlsing, Enola, Panna. (Wab-PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-723; Filed, Jan. 26, 1948;
8:54 a. m.]

[S. O. 396, Special Permit 416]

RECONSIGNMENT OF CAULIFLOWER AT
ST. LOUIS, MO.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at St. Louis, Mo., January 17, 1948, by La Rosa Distributors, of car PE 62692, cauliflower, now on the Wabash to Chicago, Ill.

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 19th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-724; Filed, Jan. 26, 1948;
8:54 a. m.]

[S. O. 396, Special Permit 417]

RECONSIGNMENT OF SPINACH AT
PHILADELPHIA, PA.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Philadelphia, Pa., January 19, 1948, by H. Rothstein & Son, of car ART 21928, spinach, now on the PRR to Center Bros., New York City (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American

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

Issued at Washington, D. C., this 19th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-725; Filed, Jan. 26, 1948;
8:54 a. m.]

[S. O. 396, Special Permit 418]

RECONSIGNMENT OF APPLES AT
CINCINNATI, OHIO

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Cincinnati, Ohio, January 19, 1948, by Auster Co., of car PFE 60340, apples, now on the C&O to F. H. Cronk, Huntington, W. Va. (C&O).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 19th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-726; Filed, Jan. 26, 1948;
8:54 a. m.]

[S. O. 396, Special Permit 419]

RECONSIGNMENT OF ONIONS AT WICHITA
FALLS, TEX.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Wichita Falls, Tex., January 19, 1948, by National Produce Co., of car SFRD 25978, onions, now the MKT to Oliver Taylor Co., Dallas, Texas (MKT).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 19th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-727; Filed, Jan. 26, 1948;
8:54 a. m.]

[S. O. 396, Special Permit 420]

RECONSIGNMENT OF TOMATOES AT CHICAGO,
ILL.

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

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., January 19, 1948, by C. H. Robinson Co., of car ART 17570, tomatoes, now on the Chicago Produce Terminal to J. Weiner & Sons, New York City (PRR).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 19th day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-728; Filed, Jan. 26, 1948;
8:54 a. m.]

[S. O. 790, Amtd. 9 to Corr. Special
Directive 1]

PENNSYLVANIA RAILROAD CO. TO FURNISH
CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 1 (12 F. R. 8280, 8389; 13 F. R. 160), under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 1 be, and it is hereby amended by adding to Appendix A of Amendment No. 5 the following:

Mine:	Cars per day
Empire.....	3
Hays No. 1.....	5
Rose.....	3

A copy of this amendment shall be served upon The Pennsylvania Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-729; Filed, Jan. 26, 1948; 8:54 a. m.]

[S. O. 790, Amdt. 5 to Special Directive 5]
PITTSBURG & SHAWMUT RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 5 (12 F. R. 7952) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 5 be, and it is hereby, amended by substituting paragraph (1) hereof for paragraph (1) thereof:

(1) To furnish to the mines listed below cars for the loading of Pennsylvania Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine	Cars	
	Per day	Per week
Wayne.....	4	2
Fairview.....	10	2
Seneca and various.....	2	3
Mohawk.....	3	
Compton.....		

A copy of this amendment shall be served upon The Pittsburg & Shawmut Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of January A. D. 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-730; Filed, Jan. 26, 1948; 8:54 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1701]

WEST PENN ELECTRIC CO. ET AL.

SUPPLEMENTAL ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

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

office in the city of Washington, D. C., on the 21st day of January A. D. 1948.

In the matter of The West Penn Electric Company, The Potomac Edison Company and Northern Virginia Power Company; File No. 70-1701.

The West Penn Electric Company ("West Penn Electric"), a registered holding company, The Potomac Edison Company ("Potomac"), also a registered holding company and a direct subsidiary of West Penn Electric, and Northern Virginia Power Company ("Northern Virginia"), a direct subsidiary of Potomac, having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 regarding, among other things, the issuance and sale by Potomac, pursuant to the competitive bidding requirements of Rule U-50, of \$4,000,000 principal amount of First Mortgage and Collateral Trust Bonds, the price to Potomac for such securities and the interest rate applicable thereto to be fixed at competitive bidding;

The Commission having by an order entered herein on January 9, 1948 granted and permitted effectiveness to this joint application-declaration subject, among other things, to the condition that the proposed issuance and sale of these bonds should not be consummated until the results of competitive bidding, held pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order entered by this Commission in the light of the record so completed;

Potomac having now filed an amendment to the joint application-declaration setting forth the action taken by it to comply with the requirements of Rule U-50, and stating that pursuant to the invitation for competitive bids the following bids were received:

Name of group representative	Interest rate	Percent of principal amount	Cost to company
Harriman, Ripley & Co.....	3 3/4	100.3191	3.108568
Salomon Bros. & Hutzler.....	3 3/4	100.1807	3.115225
Blyth & Co.....	3 3/4	100.04	3.125874
Halsey, Stuart & Co., Inc.....	3 3/4	100.0399	3.125884
Lehman Bros.....	3 3/4	102.2259	3.134986
Kidder, Peabody & Co.....	3 3/4	102.141	3.139309
Alex. Brown & Sons.....	3 3/4	102.1399	3.139365
W. C. Langley & Co.....	3 3/4	102.089	3.141962
Shields & Co.-White, Weld & Co.....	3 3/4	102.073	3.142779
Glore, Forgan & Co.-Central Republic Co., Inc.....	3 3/4		

It further appearing that Potomac has accepted the bid of Harriman, Ripley & Co. and that the bonds are to be resold to the public at 100.486% of the principal amount thereof, plus accrued interest from January 1, 1948, representing a spread to the underwriters of .1669% on said bonds;

The record also having been completed with respect to fees and expenses to be paid by Potomac and West Penn Electric in connection with the proposed transactions and the fees and expenses to be born by the successful bidders, among these fees being fees of counsel to Potomac aggregating not to exceed \$15,425 and fees of counsel for the successful bidders of \$6,500.

It is ordered, That said joint application-declaration, as amended, be and the

same hereby is granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the condition that the reservation of jurisdiction, with respect to the payment of fees and expenses applicable to these transactions and heretofore reserved by the Commission, be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-715; Filed, Jan. 26, 1948; 9:53 a. m.]

[File No. 70-1704]

BIRMINGHAM GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of January A. D. 1948.

Birmingham Gas Company ("Birmingham"), a subsidiary of Southern Natural Gas Company, a registered holding company and a subsidiary of Federal Water and Gas Corporation, a registered holding company, having filed an application with amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Birmingham proposes to issue and sell to Northwestern Mutual Life Insurance Company, owner of all its outstanding First Mortgage Bonds, \$1,000,000 principal amount of First Mortgage Bonds 3 1/2% Series due 1971 as an additional issue and sale under its present First Mortgage and Deed of Trust to the Chemical Bank and Trust Company, Trustee, dated April 1, 1941. The issue and sale is to be made under a Supplemental Indenture on the basis of bondable property additions as provided in the First Mortgage and Deed of Trust. The proceeds will be used to reimburse Birmingham for fixed capital additions previously made.

The proposed transactions have been approved by the Alabama Public Service Commission.

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 within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to this application that the requirements of the applicable provisions of the act and the rules and regulations thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted.

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 be, and the same hereby is, granted, to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-714; Filed, Jan. 26, 1948;
9:53 a. m.]

[File No. 812-511]

ATLAS CORP. AND NORTHEAST AIRLINES, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C. on the 21st day of January A. D. 1948.

Notice is hereby given that Atlas Corporation ("Atlas"), a registered investment company, and Northeast Airlines, Inc. ("Northeast"), have filed an application pursuant to Section 17 (b) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 17 (a) of the act, a proposed loan extension agreement between Atlas and Northeast pursuant to which Northeast proposes to issue \$400,000 principal amount of secured promissory notes (hereinafter called "Refunding Notes") to refund in part certain notes heretofore issued by Northeast to Atlas under a loan agreement dated December 31, 1946.

Northeast has presently outstanding 500,000 shares of capital stock of which Atlas owns 100,000 shares. Northeast is therefore an affiliated person of Atlas. Section 17 (a) of the act prohibits a registered investment company from making loans to an affiliated person. Atlas and Northeast have therefore filed an application pursuant to section 17 (b) of the act for an order of the Commission exempting the proposed loan extension agreement from the provisions of section 17 (a) of the act. Atlas and Northeast assert that the proposed extension agreement meets the standards and requirements of section 17 (b).

The original loan agreement dated December 31, 1946, was the subject of a prior application pursuant to section 17 (b) of the act. On the basis of its Findings and Opinion the Commission entered an order on January 29, 1947, exempting the said loan agreement from the provisions of section 17 (a) of the act. Subsequent to the date of said order and in accordance with the terms of the loan agreement Atlas made various loans to Northeast aggregating as of December 31, 1947, the sum of \$1,100,000 and acquired the secured promissory notes of Northeast in an equivalent face amount. All such notes bear interest at 3% per annum and matured on or before December 31, 1947. However, the due date of such notes has been extended to March 31, 1948, subject to the Commission's entry of an order under section 17 (b) of the act exempting the said transaction from the provisions of section 17 (a) of the act. Salta Holding Corporation, a wholly owned subsidiary of Atlas, also holds promissory notes of Northeast aggregating \$747,005 as of December 31, 1947, issued in connection with certain conditional sales agreements executed by

Northeast. The due date of said notes also has been extended to March 31, 1948.

The execution of the Loan Extension Agreement by Atlas and the issuance of the Refunding Notes is conditioned upon the prior payment by Northeast, from funds obtained through the issuance and sale of a new issue of Convertible Preferred Stock, of the note issued to Salta Holding Corporation and all but \$400,000 of the aggregate amount loaned by Atlas to Northeast. Such unpaid balance of \$400,000 is to be refinanced by issuance of Refunding Notes which are to mature at December 31, 1954, bear interest at the rate of 4% per annum on the outstanding unpaid balance and are to be amortized at the rate of \$4,000 per month commencing January 1, 1948. Said notes are to be secured by a first mortgage on the hangar and service building of Northeast at General Edward Lawrence Logan Airport, Boston, Massachusetts, of the fixtures so attached as to be part of the real estate, and of the leasehold of the site upon which said hangar and service building is located.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission on or at any time after January 30, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than January 28, 1948, at 5:30 p. m., in writing submit to the Commission his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-713; Filed, Jan. 26, 1948;
9:53 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, 618; 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 10341]

MINAO MIYAHARA

In re: Estate of Minao Miyahara, deceased. File D-39-19043; E. T. sec. 15866.

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 Kathryn Miyoko Kawamura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

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

3. That such property is in the process of administration by Mildred Masami Takashima, as Administratrix, acting under the judicial supervision of the Circuit Court, First Judicial Circuit, Territory of Hawaii;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (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. 48-739; Filed, Jan. 26, 1948;
9:21 a. m.]

[Vesting Order 10344]

MARQUARD PETERSEN

In re: Estate of Marquard Petersen, deceased. File No. D-28-9535; E. T. sec. 12985.

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 Margareta Schiesewitz and Christina Mangelsen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown, of Margareta Schiesewitz, 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 whatso-

ever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created pursuant to an order, dated October 1, 1946, of the County Court of Box Butte County, Nebraska, and entered in a proceeding entitled "Estate of Marquard Petersen, 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 George J. Dietlein, Trustee, acting under the judicial supervision of the County Court of Box Butte County, State of Nebraska;

and it is hereby determined:

5. That to the extent that the above named persons and the children, names unknown, of Margareta Schiesewitz, 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 December 15, 1947.

For the Attorney General.

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

[F. R. Doc. 48-740; Filed, Jan. 26, 1948; 9:21 a. m.]

[Vesting Order 10348]

JISAKU TAKAHASHI

In re: Estate of Jisaku Takahashi, deceased. File D-39-19061; E. T. sec. 16967.

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 Shigeno Takahashi, Sumayo Takahashi and Fumiyo Takahashi, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

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

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

dicial supervision of the Circuit Court, Fifth Judicial Circuit, Territory of Hawaii;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-741; Filed, Jan. 26, 1948; 9:21 a. m.]

[Vesting Order 10350]

LOUIS ARNDT ZORN

In re: Estate of Louis Arndt Zorn, deceased. File D-28-10119; E. T. sec. 14392.

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 Werner Zorn, Erika Zorn and Else (Elsie) Zorn Haertel, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$5,819.84 was paid to the Attorney General of the United States by Charles F. Pattlock, Executor, of the Estate of Louis Arndt Zorn, deceased;

3. That the sum of \$42.32 was paid to the Attorney General of the United States by Charles F. Pattlock, Executor, of the Estate of Louis Arndt Zorn, deceased;

4. That the said sum of \$5,819.84 was accepted by the Attorney General of the United States on February 20, 1947, pursuant to the Trading with the Enemy Act, as amended;

5. That the said sum of \$42.32 was accepted by the Attorney General of the United States on May 29, 1947, pursuant to the Trading with the Enemy Act, as amended;

6. That the said sums of \$5,819.84 and \$42.32 are presently in the possession of the Attorney General of the United States and were 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 were evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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

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

For the Attorney General.

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

[F. R. Doc. 48-742; Filed, Jan. 26, 1948; 9:21 a. m.]

[Vesting Order 10363]

KATHERINA LEITZ

In re: Estate of Katherina Leitz, deceased. File No. D-28-12020; E. T. sec. 16193.

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

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

2. That the heirs, names unknown, of Frederick Auwarter, 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 Katherina Leitz, 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 John Leitz, as Executor, acting under the judicial supervision of the Superior Court, State of Washington, in and for the County of Spokane;

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof and the heirs, names unknown, of Frederick Awarter, 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 December 19, 1947.

For the Attorney General.

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

[F. R. Doc. 48-743; Filed, Jan. 26, 1947;
9:22 a. m.]

[Vesting Order 10401]

ERNEST TRELLE

In re: Stock owned by Ernest Trelle. F-28-22598-D-2/3.

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 Ernest Trelle, whose last known address is 26 Beringhauser Strasse, Meschede, I. W. Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Fifty and one-half (50½) shares of \$2 par value capital stock of Transamerica Corporation, 4 Columbus Avenue, San Francisco, California, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered SFA 29051 and SFS 16845 for fifty (50) shares and one-half (½) share respectively, registered in the name of Ernest Trelle, together with all declared and unpaid dividends thereon,

b. Ten (10) shares of \$12.50 par value common capital stock of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, evidenced by certificate number A 61687, registered in the name of Ernest Trelle, together with all declared and unpaid dividends thereon, and

c. Six (6) shares of \$12.50 par value common capital stock of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, evidenced by certificate number F 98985, registered in the name of Ernest Trelle and presently in the custody of said Bank of America National

Trust and Savings Association, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

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

[F. R. Doc. 48-744; Filed, Jan. 26, 1948;
9:22 a. m.]

[Vesting Order 10389]

CARL H. LICHEY ET AL.

In re: Stock owned by Carl H. Lichey and others. F-28-23032-D-1, F-28-23033-D-1, F-28-23034-D-1.

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

1. That Carl H. Lichey, whose last known address is Roblingen, Kr. Breslau, Germany; Lothar Mayer, whose last known address is 104 Forststrasse, Stuttgart, Germany; and Richard Schneider, whose last known address is Dammweg 121, Berlin-Treptow, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: Eight (8) shares of \$100 par value preferred capital stock of International Harvester Company, 180 North Michigan Avenue, Chicago, Illinois, a corporation organized under the laws of the State of New Jersey, evidenced by the certificates whose numbers are listed below, registered in the names of the persons listed below in the amounts set forth opposite said names as follows:

Certificate No.	Name in which registered	Number of shares
CF-11067.....	Carl H. Lichey.....	8
CIF-93690.....	Lothar Mayer.....	1
CIF-123516.....	do.....	1
CIF-10038.....	Richard Schneider.....	1

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Carl H. Lichey, Lothar Mayer and Richard Schneider, the aforesaid nationals of a designated enemy country (Germany);

3. That the property described as follows: Four (4) shares of no par value common capital stock of International Harvester Company, 180 North Michigan Avenue, Chicago, Illinois, a corporation organized under the laws of the State of New Jersey, evidenced by certificate number FC-11097, registered in the name of Richard Schneider, together with all declared and unpaid dividends thereon,

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

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 December 19, 1947.

For the Attorney General.

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

[F. R. Doc. 48-694; Filed, Jan. 23, 1948;
10:21 a. m.]

[Vesting Order 10400]

KAORU AND KOZO TAMAKI

In re: Bank account owned by Kaoru Tamaki, also known as Kaoruko Nakamura Tamaki, also known as Mrs. K. Tamaki, and stock owned by Kozo Tamaki and Kaoru Tamaki, also known as

Kaoruko Nakamura Tamaki, also known as Mrs. K. Tamaki. D-39-12312-E-1, D-39-12312-D-1.

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

1. That Kozo Tamaki and Kaoru Tamaki, also known as Kaoruko Nakamura Tamaki, also known as Mrs. K. Tamaki, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kaoru Tamaki, also known as Kaoruko Nakamura Tamaki, also known as Mrs. K. Tamaki by the Bank of America National Trust and Savings Association, San Francisco, California, arising out of a Savings Account, Account Number 2435, entitled Mrs. K. Tamaki, maintained at the Fillmore Post No. 271, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kaoru Tamaki, also known as Kaoruko Nakamura Tamaki, also known as Mrs. K. Tamaki, the aforesaid national of a designated enemy country (Japan);

3. That the property described as follows: Seventy (70) shares of \$2.00 par value common stock of the New Amsterdam Casualty Company, 227 St. Paul Street, Baltimore 3, Maryland, evidenced by certificate numbered 75814, dated October 20, 1941, registered in the names of Kozo Tamaki and Kaoru Tamaki, as Joint Tenants, with right of survivorship and not as tenants in common, together with all declared and unpaid dividends thereon, evidenced in whole or in part by certain dividend checks in the custody of the New Amsterdam Casualty Company, together with said checks,

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

and it is hereby determined:

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

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

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

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

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

Executed at Washington, D. C., on December 19, 1947.

For the Attorney General.

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

[F. R. Doc. 48-695; Filed, Jan. 23, 1948; 10:21 a. m.]

[Return Order 48]

EMIL REICHERT

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

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

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

Emil Reichert, Glenside, Pennsylvania, Claim No. 6471; July 12, 1947 (12 F. R. 4660); Nineteen (19) shares of \$100 par value common capital stock of the American Telephone and Telegraph Company, evidenced by certificates numbered P 153863 and P 153864 for four (4) shares each, R 288393 for five (5) shares, and PN 92890 for six (6) shares, registered in the name of the Attorney General of the United States, presently in custody of the Safekeeping Department of the Federal Reserve Bank of New York; \$126.79 in the Treasury of the United States representing dividends from said shares.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 21, 1948.

For the Attorney General.

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

[F. R. Doc. 48-750; Filed, Jan. 26, 1948; 9:23 a. m.]

[Return Order 82]

GISELA ALTSCHUL

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

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

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

Gisela Altschul, New York, N. Y., Claim No. 5775; December 13, 1947 (12 F. R. 8392); \$1,628.21 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-751; Filed, Jan. 26, 1948; 9:23 a. m.]

[Return Order 83]

YETTCHEN BEHR

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 provisions for taxes and conservatory expenses:

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

Yettchen Behr, Albergo Moderno, Potenza, Italy, Claim No. 6354; November 25, 1947 (12 F. R. 7934); \$1,853.01 in the Treasury of the United States. One (1) \$1500 U. S. Treasury 2 3/4 % Bond, Series 1960-1965, in the custody of the Safekeeping Department of the Federal Reserve Bank of New York for the Attorney General of the United States. All right, title, interest and claim of any kind or character whatsoever of Yettchen (Yettchen) Behr in and to the trust created under the will of Louis A. Behr, deceased, Trustee, Fidelity Trust Company, 343 Fourth Avenue, Pittsburgh, Pennsylvania.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-752; Filed, Jan. 26, 1948; 9:23 a. m.]

[Return Order 84]

MAX HOCH

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

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

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

Max Hoch, New York, N. Y., Claim No. 1997; December 13, 1947 (12 F. R. 8392); 9 shares of common capital stock of the Central American Plantations Corporation, registered in the name of the Attorney General of the

United States, presently in custody of the Safekeeping Department of the Federal Reserve Bank of New York. \$657.00 in the Treasury of the United States representing liquidating dividends from the said shares.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-753; Filed, Jan. 26, 1948;
9:23 a. m.]

[Return Order 85]

ERA McMURTRIE LICARI

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

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

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

Era McMurtie Licari, Denver, Colo., Claim No. 6008; December 13, 1947 (12 F. R. 8393); All right, title, interest, and claim of any kind or character whatsoever of Era McMurtie Licari in and to a trust created under the will of Era E. McMurtie, deceased; Trustee, International Trust Company, 635 17th Street, Denver, Colorado. \$1,490.14 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-754; Filed, Jan. 26, 1948;
9:23 a. m.]

[Return Order 86]

LOUIS MARX & CO., INC.

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

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

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

Louis Marx & Company, Inc., New York, N. Y., Claim No. 5391; (12 F. R. 8037), De-

ember 2, 1947; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to United States Letters Patent No. 2,086,947. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-755; Filed, Jan. 26, 1948;
9:23 a. m.]

[Return Order 87]

LUDVIK RASCH

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

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

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

Ludvik Rasch, Oslo, Norway, Claim No. 5901; December 13, 1947 (12 F. R. 8393); Property described in Vesting Order No. 672 (8 F. R. 5020, April 17, 1943) relating to United States Letters Patent Nos. 1,920,765 and 2,056,293. 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 January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-765; Filed, Jan. 26, 1948;
9:23 a. m.]

EMIL ZIPPER

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 located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property

Emil Zipper, Santa Monica, Calif.; 6817; Patent Application Serial No. 597,341, filed

May 29, 1945 as a divisional application of Patent Application Serial No. 336,290, filed May 20, 1940, vested by Vesting Order No. 205 (7 F. R. 8869, Oct. 27, 1942).

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-757; Filed, Jan. 26, 1948;
9:24 a. m.]

EMMA MEIER

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 the publication hereof, the following property, located in Washington, D. C., 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

Emma Meier, New York, N. Y.; 5397; \$1,876.23 in the Treasury of the United States.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-758; Filed, Jan. 26, 1948;
9:24 a. m.]

ROBERT SOMMER

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 the publication hereof, the following property, located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant; Claim No.; Property

Robert Sommer, Long Island, N. Y.; 6837; an undivided one-fourth part of the whole right, title and interest in and to United States Letters Patent No. 2,104,532.

Executed at Washington, D. C., on January 20, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.
[F. R. Doc. 48-759; Filed, Jan. 26, 1948;
9:24 a. m.]