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TITLE 3—THE PRESIDENT

PROCLAMATION 2767

PREVENTION AND CONTROL OF JUVENILE DELINQUENCY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the youth of this Nation is its most precious asset and best hope for the future; and

WHEREAS the incidence of juvenile delinquency is a reflection of the failure of our society to afford to all of its young people a full measure of protection and opportunity for health and happiness, and to inculcate in them a sense of the true values of life and citizenship; and

WHEREAS in November 1946 many important agencies, governmental and private, national and local, and individuals the country over, banded together, at the call of the Attorney General of the United States, in a National Conference on Prevention and Control of Juvenile Delinquency, to study and make recommendations for immediate action in every State and community for the solution of juvenile delinquency problems; and

WHEREAS this National Conference has now made available for use by individuals and organizations throughout the Nation, certain Action Reports, which are the best available tools for the prevention and control of juvenile delinquency, and has urged upon the States and communities immediate action with respect to the recommendations in those Reports, and, in particular, the holding of State and community conferences, developed on the general pattern of the National Conference on Prevention and Control of Juvenile Delinquency; and

WHEREAS the prevention and control of juvenile delinquency, to be effective, must be pursued primarily in the States and communities where daily contacts are maintained with the children themselves:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States, in their homes and churches, in the schools and hospitals, in social welfare and health agencies, in enforcement agencies and courts, in institutions for the care of delinquent juveniles, and in their minds and hearts, to act, individually and together, for the prevention and control of juvenile delinquency, so that our children and youth may fulfill their promise and become effective citizens in our Nation. I further urge them, as the most direct means to this end, to respond promptly to the call of the National Conference on Prevention and Control of Juvenile Delinquency by carefully preparing for, and holding, wherever possible during the month of April 1948, State and community conferences, developed on the general pattern of the National Conference, and at these conferences, or otherwise, to study State and local conditions in the light of the recommendations of the National Conference; to put into immediate effect such of the recommendations as are pertinent to State and local conditions; to develop firm foundations for continuing community action; and to take such other action as may be useful in solving this vital youth problem and in developing the genuine opportunities for useful living to which our young people are entitled. I urge this to the end that in no part of the Nation shall action be omitted which is practical and useful in reaching the objectives of the National Conference in the prevention and control of juvenile delinquency in this Nation.

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

DONE at the City of Washington this 27th day of January in the year of our Lord nineteen hundred and forty-eight, and of the Independence of the United States of America the one hundred and seventy-second.

[SEAL]

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
Secretary of State.

[F. R. Doc. 48-854; Filed, Jan. 27, 1948; 4:45 p. m.]

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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

[1] See Title 5, Part 6.

CODIFICATION GUIDE—Con.

EXECUTIVE ORDER 9929

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE AKRON, CANTON & YOUNGSTOWN RAILROAD COMPANY AND OTHER CARRIERS, AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the Akron, Canton & Youngstown Railroad Company and other carriers designated in the list attached hereto and made a part hereof, and certain of their employees represented by the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, and the Switchmen's Union of North America, labor organizations; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board

of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by any of the carriers involved or their employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 27, 1948.

LIST

EASTERN REGION

Akron, Canton & Youngstown Railroad Co.
Ann Arbor Railroad Company
Baltimore & Ohio Railroad Company
  B & O Chicago Terminal RR Co.
Bessemer & Lake Erie Railroad Company
Boston and Maine Railroad
Brooklyn Eastern District Terminal
Bush Terminal Railroad Company
Canadian National Railways
  Canadian Natl. Rys.—Lines in N. E.
  Champlain & St. Lawrence Railroad
  United States & Canada Railroad
  St. Clair Tunnel Company
Central Vermont Railway, Inc.
Chesapeake & Ohio Railway Co.
  Pere Marquette District
  Fort Street Union Depot Co.
Chicago, Indianapolis & Louisville Ry. Co.
Cincinnati Union Terminal Company
Delaware & Hudson Railroad Corporation
Delaware, Lackawanna & Western RR Co.
Detroit and Toledo Shore Line RR Co.
Detroit Terminal Railroad Company
Detroit, Toledo & Ironton Railroad Co.
Erie Railroad Company
Grand Trunk Western Railroad Company
Huntingdon & Broad Top Mt. RR & Coal Co.
Indianapolis Union Railway Company
Lake Terminal Railroad Company
Lehigh & New England Railroad Company
Lehigh Valley Railroad Company
Maine Central Railroad Company
  Portland Terminal Company
McKeesport Connecting Railroad
Monongahela Railway Company
Montour Railroad Company
New York Central RR (Full Line Agreements)
  NYC RR—Buffalo and East
  NYC RR—West of Buffalo
  Michigan Central Railroad
  C. C. C. & St. L. Railway
    Peoria & Eastern Railway
    L. & J. B. & Railroad Co.
  Boston & Albany Railroad
  Indiana Harbor Belt Railroad
  Chicago River & Indiana (C. J. Ry.)
  Pittsburgh & Lake Erie RR (L. E. & E.)
  Cleveland Union Terminals
New York, Chicago & St. Louis RR Co.
New York, New Haven & Hartford Railroad Co.
Northampton & Bath Railroad Company
Pennsylvania Railroad Company
  Baltimore & Eastern Railroad Co.
  Long Island Rail Road Company
Pennsylvania-Reading Seashore Lines
Pittsburgh & West Virginia Railway Co.
Pittsburgh, Chartiers & Youghiogheny Ry.
Reading Company
River Terminal Railway Co.
Staten Island Rapid Transit Railway
Union Freight RR Co. (Boston)
Washington Terminal Company
Wheeling & Lake Erie Railway Co.
  Lorain & West Virginia Railway Co.

SOUTHEASTERN REGION

Atlantic Coast Line
Atlanta & West Point RR
  Western Railway of Alabama
Atlanta Joint Terminals
Central of Georgia Ry.
Charleston & Western Carolina Ry.
Chesapeake & Ohio-Chesapeake Dist.
Clinchfield RR
Florida East Coast Ry.
Georgia RR
Gulf, Mobile & Ohio RR
Jacksonville Terminal Company
Kentucky & Indiana Terminal RR
Louisville & Nashville RR
Nashville, Chattanooga & St. Louis Ry.
Norfolk & Portsmouth Belt Line RR
Norfolk & Western Ry
Richmond, Fredericksburg & Potomac RR
Seaboard Air Line Ry
Southern
  Alabama Great Southern
  Cin. Burnside & Cumberland River Ry.
  Cin. New Orleans & Texas Pacific Ry
  Georgia Southern & Florida Ry
  Harriman & Northeastern RR
  New Orleans & Northeastern
  New Orleans Terminal
  St. Johns River Terminal
Virginian Ry.

WESTERN REGION

Atchison, Topeka & Santa Fe Ry.
  Gulf, Colorado & Santa Fe Ry.
  Panhandle & Santa Fe Ry.
Belt Ry. Co. of Chicago
Burlington-Rock Island RR
Camas Prairie RR
Chicago & Eastern Illinois RR
Chicago & Illinois Midland Ry
Chicago & North Western Ry
Chicago & Western Indiana RR
Chicago, Burlington & Quincy RR
Chicago Great Western Ry (Inc. S. St. Paul Terminal)
Chicago, Milwaukee, St. Paul & Pacific RR
  Chicago, Terre Haute & Southeastern Ry
Chicago, Rock Island & Pacific Ry
Chicago, St. Paul, Minneapolis & Omaha Ry
Colorado & Southern Ry
Colorado & Wyoming Ry
Davenport, Rock Island & Northwestern Ry
Denver & Rio Grande Western RR
  Denver & Rio Grande Western RR (Former D&SL)
Des Moines Union Ry
Duluth, Missabe & Iron Range Ry (Iron Range Div.)
Duluth, Missabe & Iron Range Ry (Missabe Div.)
Duluth, Winnipeg & Pacific Ry
East St. Louis Junction RR
Elgin, Joliet & Eastern Ry
Fort Worth & Denver City Ry
  Wichita Valley Ry
Galveston, Houston & Henderson RR
Great Northern Ry
Green Bay & Western RR
  Kewaunee, Green Bay & Western RR
Gulf Coast Lines—Comprising
  Asherton & Gulf Ry
  Asphalt Belt Ry
  Beaumont, Sour Lake & Western Ry
  Houston & Brazos Valley Ry
  Houston North Shore Ry
  Iberia, St. Mary & Eastern RR
  International-Great Northern RR
  New Iberia & Northern RR
  New Orleans, Texas & Mexico Ry
  Orange & Northwestern RR
  Rio Grande City Ry
  St. Louis, Brownsville & Mexico Ry
  San Antonio Southern Ry
  San Antonio, Uvalde & Gulf RR
  San Benito & Rio Grande Valley Ry
  Sugar Land Ry
Houston Belt & Terminal Ry
Illinois Central RR
  Chicago & Illinois Western RR
Kansas City Southern Ry
Kansas City Terminal Ry
Los Angeles Junction Ry
Louisiana & Arkansas Ry
Manufacturers Ry
Midland Valley RR
  Kansas, Oklahoma & Gulf Ry
  Oklahoma City-ADA-Atoka Ry
Minneapolis & St. Louis Ry
  Railway Transfer Co. of City of Minneapolis
Minneapolis, St. Paul & Sault Ste. Marie RR
  Duluth, South Shore & Atlantic Ry
  Mineral Range RR
Minnesota Transfer Ry
Missouri-Kansas-Texas RR
  Missouri-Kansas-Texas RR Co. of Texas
Missouri Pacific RR
Northern Pacific Ry
Northern Pacific Terminal Co. of Oregon
Northwestern Pacific RR
Ogden Union Ry. & Depot Co.
Oregon, California & Eastern Ry
Peoria & Pekin Union Ry
Port Terminal Railroad Association
St. Joseph Terminal RR
St. Louis-San Francisco Ry
  St. Louis, San Francisco & Texas Ry
St. Louis Southwestern Ry
  St. Louis Southwestern Ry. Co. of Texas
St. Paul Union Depot Co.
San Diego & Arizona Eastern Ry
Sioux City Terminal Ry
Southern Pacific Co. (Pacific Lines)—excluding former
  El Paso & Southwestern System
  Southern Pacific Co.—Former El Paso & Southwestern System
  Southern Pacific Co.—Former Arizona Eastern RR—Phoenix Dist.
Spokane, Portland & Seattle Ry
  Oregon Electric Ry
  Oregon Trunk Ry
Terminal Railroad Association of St. Louis
Texas & New Orleans RR
Texas & Pacific Ry
  Abilene & Southern Ry
  Fort Worth Belt Ry
  Texas-New Mexico Ry
  Texas Short Line Ry
  Weatherford, Mineral Wells & Northwestern Ry
Texas Mexican Ry
Texas Pacific-Missouri Pacific Terminal RR of New Orleans
Union Pacific RR
Union Railway Co. (Memphis)
Union Terminal Co. (Dallas)
Wabash RR—Lines West of Detroit and Toledo
Wabash RR—Lines East of Detroit (Buffalo Div.)
Western Pacific RR

[F. R. Doc. 48-853; Filed, Jan. 27, 1948; 4:23 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 01—ORGANIZATION AND OFFICIAL RECORDS OF THE COMMISSION

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

MISCELLANEOUS AMENDMENTS

1. The location of the Commission's Fourth Regional Office as set forth under § 01.16 (a) is amended to read as follows:

4—Temporary Building "R," 4th and Jefferson Drive SW., Washington 25, D. C. Maryland, Virginia, West Virginia, District of Columbia.

(The Branch Regional Office formerly listed under this heading has been abolished.)

2. Under authority of § 6.1 (a) of Executive Order 9830 and at the request of the Secretary of Defense, the Commission has determined that ten positions of Manager or Secretary of Committees, Special Programs Division, should be excepted from the competitive service, and that appointments to such positions, for not to exceed two years, may be made in the same manner as under Schedule A. Effective upon publication in the FEDERAL REGISTER, § 6.4 (a) (20) is therefore amended by the addition of a subdivision, numbered (v), as follows:

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

(20) *National Military Establishment* * * *

(v) Ten positions of Manager or Secretary of Committees, Special Programs Division, Office of the Secretary of Defense. Appointments under this subdivision shall not exceed two years.

(Sec. 6.1 (a) E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-842; Filed, Jan. 28, 1948; 8:59 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspection, Marketing Practices)

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (GRADING, CERTIFICATION AND STANDARDS)

UNITED STATES STANDARDS FOR FRESH SPINACH LEAVES

On December 27, 1947, notice of proposed rule making was published in the FEDERAL REGISTER (12 F. R. 8843) regarding the proposed issuance of United States Consumer Standards for Fresh Spinach Leaves. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Consumer Standards for Fresh Spinach Leaves are hereby promulgated pursuant to the provisions of the Department of Agriculture Appropriation Act, 1948 (Pub. Law 266, 80th Cong., 1st Sess., approved July 30, 1947):

§ 51.394 *Consumer standards for fresh spinach leaves*—(a) *Grades.* (1) U. S. Grade A shall consist of spinach leaves of similar varietal characteristics which are fresh, clean, well trimmed, and of reasonably good green color, and which are free from coarse stalks, seedstems, seedbuds, crowns and roots, sandburs or other kinds of burs, soft rot and from damage caused by clusters of leaves, leaf stems without blades, discoloration, freezing, foreign material, disease, insects, mechanical or other means. Spinach on the shown face shall be reasonably representative in size and quality of the contents of the container.

(i) Incident to proper grading and handling not more than 7 percent, by weight, of the spinach in any lot may be small pieces of leaves, not more than 3 percent of the spinach leaves may be damaged by clusters, and not more than 3 percent may fail to meet the remaining requirements of the grade, including not more than 1 percent for serious damage: *Provided*, That no tolerance shall be permitted for sandburs or other kinds of burs.

(2) U. S. Grade B shall consist of spinach leaves which meet the requirements for U. S. Grade A, except that they shall be reasonably clean, and except for the increased tolerances for defects specified below.

(i) Incident to proper grading and handling, not more than 15 percent, by weight, of the spinach in any lot may be small pieces, not more than 5 percent of the spinach leaves may be damaged by clusters, and not more than 5 percent may fail to meet the remaining requirements of the grade, including not more than 2 percent for serious damage: *Provided*, That no tolerance shall be permitted for sandburs or other kinds of burs.

(b) *Off-Grade spinach leaves.* Spinach leaves which fail to meet the requirements of either of the foregoing grades shall be Off-Grade spinach leaves.

(c) *Definitions.* (1) "Similar varietal characteristics" means that the spinach leaves shall be generally of one type, as crinkly leaf type, or flat leaf type. No mixture of varieties shall be permitted which materially affects the appearance of the lot.

(2) "Fresh" means that the leaves are not more than slightly wilted.

(3) "Clean" means that the spinach does not show more than a trace of grit, sand, dirt, silt, muck or other similar water insoluble, inorganic material.

(4) "Well trimmed" means that the leaf stems or petioles are not excessively long in relation to the size of the leaf blades.

(5) "Damage" means any injury or defect which materially affects the appearance, or the edible, shipping or keeping quality of the individual leaves or of the lot as a whole. The following defects or any combination of defects the seriousness of which exceeds the amount allowed for any one defect shall be considered as damage:

(i) Clusters, when there are more than 3 leaves attached, except that clusters of heart leaves with any number of leaves shall not be considered as damaged, provided the length of the longest leaf in the cluster is not over 3 inches.

(ii) Leaf stems without blades attached when present to such an extent as to materially affect the appearance of the lot, or when the individual stem is damaged.

(iii) Discoloration, when the appearance of the leaf is materially affected. Heart leaves which are yellow or partially blanched shall not be considered as damaged by discoloration.

(iv) Mechanical damage, when the leaf is very badly crushed, torn, or broken. (Owing to the many necessary handlings in the harvesting, icing, shipping, sorting, washing, and packing operations in preparing spinach for consumer use some leaves are crushed, torn or broken but only those leaves which are very badly crushed, torn or broken shall be considered as damaged by mechanical means.)

(6) "Serious damage" means any injury or defect which seriously affects the appearance, or the edible, shipping or keeping quality of the individual leaves or of the lot as a whole. The following defects shall be considered as serious damage:

(i) Badly discolored leaves.

(ii) Leaves severely affected by mildew or white rust.

(iii) Leaves on which insects are present, or leaves which are seriously damaged by insects.

(iv) Leaves which are affected by soft rot.

(v) Weeds, grass or pieces thereof, and other extraneous matter.

(7) "Reasonably clean" means that the spinach is reasonably free from grit, sand, dirt, silt, muck or other similar water insoluble, inorganic material.

(d) *Effective time.* The United States Consumer Standards for Fresh Spinach Leaves contained in this section shall become effective thirty (30) days after the date of publication of these standards in the FEDERAL REGISTER.

(Pub. Law 266, 80th Cong., 11 F. R. 7713)

Done at Washington, D. C. this 26th day of January 1948.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 48-841; Filed, Jan. 28, 1948; 8:58 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch)

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE PRICES FOR 1948 CROP OF HAWAIIAN SUGARCANE

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, after investigation, and due consideration of the evidence obtained at the public hearings held in Honolulu and in Hilo, Territory of Hawaii, on October 20 and 22, 1947, respectively, the following determination is hereby issued:

§ 802.32k *Fair and reasonable prices for the 1948 crop of Hawaiian sugarcane.* Fair and reasonable prices for the 1948 crop of Hawaiian sugarcane to be paid by processors who, as producers, apply for payment under the Sugar Act of 1948 shall be not less than those provided for in the agreements heretofore made and agreed upon between the several processors in Hawaii and the producers of such sugarcane: *Provided, however*, That the processor shall not reduce the returns to producers below those determined herein through any subterfuge or device whatsoever.

Statement of Bases and Considerations—(a) *General.* The foregoing determination provides for fair and reasonable prices to be paid by producers of sugarcane who, as processors, purchase sugarcane from other producers. Compliance with this determination is required as one of the conditions which must be met by producer-processors of sugarcane in Hawaii in order to qualify for payments under the Sugar Act of 1948. In this Statement the foregoing determination as well as determinations for prior years will be referred to as "price determination" identified by the crop year for which effective.

(b) *Requirements of the Sugar Act and standards employed.* In determining fair and reasonable prices, the Sugar Act requires that public hearings shall be held and that investigations shall be made. On October 20 and 22, 1947, public hearings were held in Honolulu and Hilo, Territory of Hawaii, at which time interested parties were given an opportunity to present testimony with respect to fair and reasonable prices for sugarcane of the 1948 crop. In addition, investigations have been made of conditions relating to the sugar industry in Hawaii. Consideration has been given to the information obtained at the hearing and to information obtained as a result of the investigations. The foregoing price determination and similar determinations for prior years have been based primarily upon agreements between the parties, but the relationship of costs, returns, and profits of the producer-processor and the producer, as well as other pertinent factors have been considered.

(c) *Background.* Determinations of fair and reasonable prices for Hawaii have been issued each year since 1938. The price determinations in each of these years have approved the prices payable in agreements which have been negotiated between producer-processors and producers. During this period, the contracts between the parties have been modified over those previously in existence by: (1) The adoption of a supplemental agreement to the Cane Purchase Contracts which set forth the manner in which Sugar Act payments are divided; (2) changes in the sharing ratio of sugar proceeds as between the mill and farm on several plantations and in the quality ratio factor on other plantations; and (3) reduction in interest rates and certain concessions regarding payment of property taxes and points of delivery for sugarcane. The effect of each of the above mentioned changes has been to increase slightly the share of proceeds accruing to the producer.

Slightly over 90 percent of Hawaiian sugarcane is produced by producer-processors with the balance being grown by a group of producers known as adherent planters. The status of adherent planters ranges from small farmers to individuals who are primarily plantation employees devoting only a nominal amount of time to their farming operations. Included as adherent planters is a group of homesteaders, some of whom are bona fide farmers who fulfil their obligations as planters under the Cane Purchase Contracts, but a few are absentee landlords who rely entirely on the plantation for service in the production, cultivation, and harvesting of the crop under special types of agreements.

(d) *1948 price determination.* After appropriate investigation, and due consideration of the evidence submitted at the public hearings, the terms and conditions of the 1947 price determination are deemed fair and reasonable for the 1948 crop of sugarcane.

(e) *General discussion of factors.* An analysis of available data indicates: (1) Payments made for purchased sugarcane in recent years have exceeded payments made for such cane in prewar years and are slightly greater than the increase in gross proceeds of the industry for a similar period, and (2) on the basis of available data the division of gross proceeds between the producer-processor and the producer is approximately the same as the relation between the division of the cost of producing sugarcane and the cost of manufacturing sugar.

Accordingly, I find and conclude that the foregoing price determination for the 1948 crop of Hawaiian sugarcane is fair and reasonable and that compliance therewith will effectuate the purposes of the Sugar Act of 1948. (Secs. 301 and 403 of Pub. Law 388, 80th Cong.)

Issued this 26th day of January 1948.

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

[F. R. Doc. 48-822; Filed, Jan. 28, 1948; 8:53 a. m.]

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FAIR AND REASONABLE PRICES FOR 1948 CROP OF VIRGIN ISLANDS SUGARCANE

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, after investigation, and due consideration of the evidence obtained at the public hearing held in Christiansted, St. Croix, Virgin Islands, on October 2, 1947, the following determination is hereby issued:

§ 802.53f *Fair and reasonable prices for the 1948 crop of Virgin Islands sugarcane.* The requirements of section 301 (c) (2) of the Sugar Act of 1948, with respect to fair and reasonable prices for the 1948 crop of Virgin Islands sugarcane, shall be deemed to have been met by any processor who, as a producer, applies for a payment under the said act if:

(a) Purchased sugarcane is paid for at the rate of not less than the f. o. b. mill value of 6 pounds of 96° sugar per hundred pounds of such sugarcane when the average quantity of such sugar recovered for the season represents less than 10 percent of the weight of such sugarcane; 63 percent of the f. o. b. mill value of the quantity of 96° sugar recovered when the average quantity of such sugar represents 10 percent or more but less than 12 percent of the weight of such sugarcane; and 65 percent of the f. o. b. mill value of the quantity of 96° sugar recovered when the average quantity of such sugar represents 12 percent or more of the weight of such sugarcane. The average price of 96° sugar (duty paid basis, delivered) for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar (other than bags, storage in company warehouses, or any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the Federal Government or any agency thereof) shall be deemed to be the f. o. b. mill value of such sugar. The weekly average price of raw sugar (duty paid basis, delivered) shall be determined by taking the simple average of the daily domestic "spot" quotations of 96° raw sugar of the New York Coffee and Sugar Exchange (adjusted to a duty paid basis, delivered, by adding to each daily quotation the United States duty prevailing on Cuban raw sugar on that day); and

(b) There is paid, per hundred pounds of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced per hundred pounds of sugarcane of the 1948 crop, over the net proceeds from the sale of blackstrap produced per hundred pounds of sugarcane from the 1941 crop.

Statement of Bases and Considerations

(a) *General.* The foregoing determination prescribes fair and reasonable prices to be paid by producers of sugarcane who, as processors, purchase sugarcane from other producers. Compliance with this determination is required as one of the conditions which must be met by producer-processors of sugarcane in the Virgin Islands in order to qualify for payments under the Sugar Act of 1948. In this statement the foregoing determination as well as determinations for prior years will be referred to as "price determination" identified by the crop year for which effective.

(b) *Requirements of the Sugar Act and standards employed.* In determining fair and reasonable prices, the Sugar Act requires that public hearings shall be held and that investigations shall be made. A public hearing was held in Christiansted, St. Croix, Virgin Islands, on October 2, 1947, at which time interested parties were given an opportunity to present testimony with respect to fair and reasonable prices for sugarcane of the 1948 crop. In addition, investigations have been made of the present conditions relating to the sugar industry in the Virgin Islands. Consideration has been given to the information obtained at the hearing and to information obtained as a result of investigations. The foregoing price determination and similar determinations for prior years have been based in part upon the relative distribution of costs, returns, and profits of producers and producer-processors but primarily upon economic factors peculiar to this area, such as the operation of the sugar mill by another Government agency for the express purpose of providing employment in the Islands, and the low yields of sugarcane and sugar which are typical of this area.

(c) *Background.* The Sugar Act was made applicable to the Virgin Islands beginning with the 1942 crop of sugarcane.

Under the price determinations for the 1942, 1943, and 1944 crops, producers were paid a f. o. b. mill value of 6 pounds of sugar for each hundred pounds of sugarcane delivered regardless of the quality of the cane. This sharing relationship continued that which was in effect in years prior to 1942. Beginning with the 1944 crop, recovery of sugar from sugarcane was improved through the operation of a more efficient sugar mill. Since the operating results were significantly better than the results obtained in prior years, the 1945 price determination provided that the producers share of the f. o. b. mill value of raw sugar should be 65 percent when the average outturn was 12 pounds or more of sugar per hundred pounds of sugarcane and 63 percent when the average outturn was 10 to 12 pounds. When the average outturn was less than 10 pounds of sugar per hundred pounds of sugarcane, it was provided that producers were to receive the f. o. b. mill value of 6 pounds of 96° sugar per hundred pounds of sugarcane. This sharing relationship was continued in the price determinations for the 1946 and 1947 crops. Each price determination since 1942 has provided for payment to producers of a molasses bonus equal to one-half of the amount by which the net proceeds for blackstrap molasses exceeded such proceeds from the 1941 crop.

(d) *1948 price determination.* After appropriate investigation, and due consideration of evidence submitted at the public hearing, the terms and conditions of the 1947 price determination are deemed fair and reasonable for the 1948 crop of sugarcane with the provision that the weekly average price of raw sugar is to be determined by taking the simple average of the daily domestic "spot" quotations of 96° sugar of the New York Coffee and Sugar Exchange (adjusted to a duty paid basis, delivered, by adding to each daily quotation the United States duty prevailing on Cuban raw sugar on that day).

(e) *General discussion of factors.* An examination of conditions within the sugar industry in the Virgin Islands indicates that the usual standards cannot be applied. The Virgin Islands Company, under the direction of the Interior Department, is the only purchaser of sugarcane in the Islands. The project was developed and has continued to operate primarily to provide employment to the people of the Islands. The financial results of the operations of the company with respect to sugar have been generally unfavorable, due in large part to small volume and low quality sugarcane. The average loss on sugar operations for the past 5 years has been approximately $86,000 and it is not expected that sugar production will reach a level in 1948 which will yield a profit to the company.

While it is recognized that the producer is subject to the several hazards herein mentioned and that the present sharing of sugar values may not result in individually profitable operations, producers in this area enhance their income through employment by the Virgin Islands Company which produces about 70 percent of the annual crop of sugarcane. The present sharing relationship provides returns to producers for low quality sugarcane considerably in excess of returns to producers in other domestic producing areas for similar sugarcane.

Accordingly, I hereby find and conclude that the foregoing price determination for the 1948 crop of Virgin Islands sugarcane is fair and reasonable and that compliance therewith will effectuate the purposes of the Sugar Act of 1948. (Secs. 301 and 403 of Pub. Law 388, 80th Cong.)

Issued this 26th day of January 1948.

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

[F. R. Doc. 48-823; Filed, Jan. 28, 1948; 8:53 a. m.]

TITLE 10—ARMY

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

MONTANA

CROSS REFERENCE: For order revoking withdrawal of lands for use by the War Department at Fort William Henry Harrison of Mar. 24, 1909, and making the lands available for grazing uses, which affects the tabulation in § 501.1, see Public Land Order 440, Title 43, Chapter I, Appendix.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5410]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HAMMACHER SCHLEMMER & CO., INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.6 (ee 5) *Advertising falsely or misleadingly—Tests and investigations.* In connection with the offering for sale, sale and distribution in commerce of respondent's device designated "Gasconomy", or any substantially similar device, whether sold under the same name or any other name, representing, directly or by implication, (a) that the use of said device on an automobile or truck will result in the saving of gasoline or oil, or will increase the mileage which may be obtained per gallon of gasoline; (b) that the use of said device on an automobile or truck will cause the motor thereof to have quicker acceleration or to give better performance; or (c) that the City of New York has conducted any tests of said device or authorized or directed the use of such device on any of its official cars; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Hammacher Schlemmer & Co., Inc., Docket 5410, November 28, 1947]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 28th day of November A. D. 1947.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, and a stipulation as to the facts entered into between the respondent herein and Daniel J. Murphy, Assistant Chief Trial Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon respondent herein findings as to the facts and conclusion based thereon, and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Hammacher Schlemmer & Co., Inc., trading as Hammacher Schlemmer or under any other name, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of its device designated "Gasconomy," or any substantially similar device, whether sold under the same name or any other name, do forthwith cease and desist from representing, directly or by implication:

1. That the use of said device on an automobile or truck will result in the saving of gasoline or oil, or will increase the mileage which may be obtained per gallon of gasoline.

2. That the use of said device on an automobile or truck will cause the motor thereof to have quicker acceleration or to give better performance.

3. That the city of New York has conducted any tests of said device or authorized or directed the use of such device on any of its official cars.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-810; Filed, Jan. 28, 1948; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amendment 383]

PART 803a—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

Subchapter B—Export Control is amended by adding and inserting therein a new Part to read as follows:

§ 803a.1 *Export licensing general policy.* (a) The following general, but not exclusive, policy for export licensing, and

related procedures, are hereby established.[1]

(b) *Private trade channels*—(1) *Issuance of licenses to private exporters; private and governmental consignees.* Where the American exporter is the presently established channel, through which shipments of a given commodity to a given country are effected, whether the purchaser abroad is a private importer or an agency of an importing government, licenses will continue to be issued to the private American exporter, but on the following conditions:

(i) Where the customary channel of importation is through a private importer, licenses naming private importers as consignees will be given preference and licenses for shipment to foreign government distributive agencies will be considered only under the most exceptional circumstances.

(ii) Where the importing government desires the Office of International Trade to approve export license applications naming an agency of the importing government as consignee, requests for this privilege will be considered by the Office of International Trade, provided such requests do not constitute an unwarranted departure from current established trade practices.

(2) *Recommendations of importing governments concerning license applications; review and action.* If under either of the conditions described above in subparagraph (1) of this paragraph the importing government desires to recommend the approval of certain of the applications submitted by American exporters, the Office of International Trade will issue its licenses after review of the recommendations received from the embassy of the importing country. For the purpose of this review, the importing government will submit to the Office of International Trade through its embassy in Washington complete specifications of the commodities being purchased, together with the prices to be paid to the exporters. The Office of International Trade will review all export license applications submitted. With respect to those quotas on which the recommendations of the importing government are appropriate, and where the Office of International Trade concurs in these recommendations, such cases will be approved; all other cases will be rejected or returned without action to the applicant.

(3) *License applications not carrying importing government recommendations.* Where the embassy of the importing country is not in a position to assist in the identification of these export contracts which will provide the desired shipments with minimum impact on dollar exchange balances, applications will then be approved so as to minimize the consumption of dollar exchange in the acquisition of goods of comparable type, grade, and condition of supply.

(4) *License application requirements.* Exporters are required to submit with each license application evidence of the accepted firm order covering the proposed shipment. This evidence must include the specifications for the commodity and the total price which the exporter will receive for it. Where the normal trade practice in a commodity precludes the establishment of a firm export price at time of acceptance of the foreign order, applications will be considered in the absence of an answer to question 9 (d) of Form IT 419, provided the manner in which price will be determined is shown (e. g., price on United States commodity exchange plus specified mark-up).

(5) *License applications: where end-use is a basis of approval.* Where commodities are licensed for export on a basis of the specific end use to which the material will be applied abroad, applications will be considered for approval only if they satisfy the applicable end-use requirements. Quotas oversubscribed by applications covering valid end-uses will be distributed among applicants in accordance with the foregoing provisions of this section.

(c) *Foreign government purchasing missions*—(1) *Continuation of procurement by missions.* Where the importing country maintains a purchasing mission in the United States for the procurement of any commodity, the country may request a continuation of governmental procurement with respect to such commodity. Where these requests are approved, the Office of International Trade will validate export licenses submitted in accordance with the provisions of paragraph (b) of this section for those firms with which the foreign purchasing mission makes contracts. It is not intended to extend by this procedure the use of the foreign purchasing mission as a procurement device; the necessity for such procurement will be subject to continuous review in line with the announced policy of the United States to maximize the restoration of private trade.

(2) *Requirement as to competitive nature of procurement.* The purchasing mission will, moreover, before it buys the commodity, establish to the satisfaction of the Office of International Trade the competitive nature of its procurement. This will take the form generally of a public request for sealed bids from American suppliers, giving complete specifications for the commodity to be purchased. The mission will furnish the Office of International Trade with a copy of the specifications, a list of the suppliers submitting bids, the bids submitted by each, and a statement of the amounts purchased from each firm. Upon receipt of this information, the Office of International Trade will validate licenses for the bidders successful in making contracts with the purchasing mission. Subsequently, the Office of International Trade will examine the bids in detail and any necessary modifications will be brought to the attention of the purchasing mission for consideration in future contract negotiations.

(3) *Exportations in name of purchasing missions.* While it is the wish of the Office of International Trade to minimize the issuance of export licenses to applicants other than private United States exporters, it is recognized that during a transition period, the length of which may vary with the commodity or destination in question, it may be necessary to authorize the exportation of some quotas in the name of the foreign purchasing mission itself. Where this is the case, the procedures described above in this section will be modified accordingly, but the same evidence of competitive practices will be required, as set forth in subparagraph (2) of this paragraph.

(d) *U. S. Government procurement.* Certain allocations will continue to be programmed for purchase in their entirety by agencies of the United States Government. Where this procedure must be continued, licenses where required will be issued to the United States purchasing agency making the export shipment. The Office of International Trade reiterates, however, its continued desire to minimize the extent of Governmental procurement for export whether such procurement is performed by United States or foreign government agencies. Exports of such governmentally-procured material will be authorized only where it is evident that alternative techniques are inappropriate.

(e) *Transition period*—(1) *Effective date of this export licensing policy; applicability.* The export licensing policy set forth in this section becomes effective as of January 2, 1948. Because of the physical task involved in implementing this policy it cannot be made immediately applicable to all commodities presently controlled for export. The commodities listed below in paragraph (f) of this section will be subject to this revised policy in the first calendar quarter of 1948. Many of these commodities have already been licensed to specified areas in this manner. Licensing of commodities not listed in paragraph (f) of this section will follow present procedures until further announcement by the Office of International Trade.

(2) *Pending and new license applications.* All export license applications for the commodities listed in paragraph (f) of this section which have not been validated against fourth quarter 1947 quotas will be returned, if necessary, to the applicants for resubmission, along with the required information on price and the required evidence of an accepted firm order. In order to obtain consideration against first quarter 1948 quotas, all applications for the listed commodities, including resubmissions, should be filed on or before January 23, 1948.

(f) *Commodities subject to this export licensing policy.* The export licensing policy set forth in the preceding paragraphs of this section shall be applicable to the following commodities.

(1) All commodities with the following Processing Code symbols of the Office of International Trade:

FOOD.	TEXT.
AGSU.	TINPL.
CHEM (except streptomycin, Schedule B No. 813575).	TINL.
	MSMN.
	TRAN.
STEE.	CONT.

[1] A general statement in explanation and support of the above licensing policy is contained in Part A of Current Export Bulletin 431, dated December 31, 1947, published and heretofore released for public distribution by the Department of Commerce, Office of International Trade. Copies of this Bulletin were filed with the Division of the Federal Register simultaneously with the filing of this amendment.

(2) In addition, the following commodities:

	Dept. of Comm. Sched. B No.
Cadmium metals	664915
Cadmium alloys	664917
Wood, unmanufactured	401200–403400
Railroad ties	415600
Oak flooring	413100
Other hardwood flooring	413200
Plywood	421407
Port Orford cedar veneers	421603
Doors	422600
Trim and moulding	422800
Sash and blinds	423200
Wood prefabricated houses	423950
Panels and sections	423990
Other millwork	423990
Port Orford cedar battery separators	429900
Coal and coke	500100–500400
Petroleum coke	504800
Mineral wax: ceresin, orange and white; and hardening	590205
Steel prefabricated houses	604600
Cast iron soil pipe	606805
Cast iron soil pipe fittings	606898
Aluminum houses	630998

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, 61 Stat. 214, 61 Stat. 321; Pub. Law 395, 80th Cong.; 50 U. S. C. App. & Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245; E. O. 9919, January 3, 1948, 13 F. R. 59)

Dated: January 23, 1948.

FRANCIS MCINTYRE,
Director,
Export Supply Branch.

[F. R. Doc. 48-839; Filed, Jan. 28, 1948; 8:58 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 13, Revocation]

PART 8313—STANDARD GENERAL PURPOSE AND SPECIAL MACHINERY

War Assets Administration Regulation 13, June 17, 1947, entitled "Standard General Purpose and Special Machinery" (12 F. R. 4094), is hereby revoked and rescinded, provided that any offers to purchase which have been accepted prior to the effective date hereof for the disposal of property under the provisions of said regulation may be processed to a conclusion thereunder.

(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 revocation shall be effective February 14, 1948.

Order 1 under this regulation will be revised and re-enacted as Order 1 under Regulation 21.

JESS LARSON,
Administrator.

JANUARY 26, 1948.

[F. R. Doc. 48-884; Filed, Jan. 28, 1948; 11:30 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 440]

MONTANA

REVOCATION OF WITHDRAWAL OF LANDS FOR USE OF THE WAR DEPARTMENT IN THE CONSTRUCTION OF A PIPE LINE TO SERVE FORT WILLIAM HENRY HARRISON

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 withdrawal, made pursuant to telegram of March 24, 1909, of the hereinafter-described public lands in Montana for the use of the War Department pending location and construction of a water pipe-line to serve Fort William Henry Harrison is hereby revoked.

The jurisdiction over and use of such lands by the War Department shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record, and the lands shall become immediately available for grazing uses.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on March 25, 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 25, 1948, to June 24, 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. Sup. 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), as amended, 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 6, 1948, to March 25, 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 25, 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 25, 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 5, 1948, to June 25, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on June 25, 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, Great Falls, Montana, 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 Acting Manager, District Land Office, Great Falls, Montana.

The lands affected by this order are described as follows:

PRINCIPAL MERIDIAN

T. 10 N., R. 4 W.,
Sec. 5, lot 1;
Sec. 6, lots 3, 4, 5, 6, 7, SE¼NW¼, E½SW¼, and SE¼;
Sec. 8, W½W½.
T. 10 N., R. 5 W.,
Secs. 1 and 2.

The areas described aggregate 2,021.24 acres.

The land varies from rough and rolling to mountainous in character.

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

JANUARY 22, 1948.

[F. R. Doc. 48-805; Filed, Jan. 28, 1948; 8:55 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 790, Amdt. 1]

PART 95—CAR SERVICE

FURNISHING CARS FOR RAILROAD COAL SUPPLY

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 23d day of January A. D. 1948.

Upon further consideration of Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor: *It is ordered*, That:

Section 95.790 *Furnishing cars for railroad coal supply* of Service Order No. 790, be, and it is hereby, amended by adding the following paragraph (f) thereto:

(f) Any common carrier by railroad subject to the Interstate Commerce Act, having a total supply of less than sixteen days' supply of its own fuel coal (including fuel coal stockpiled or loaded in cars on its line) at any point where such coal is used to provide electric power for railroad operation and desiring to increase its supply of fuel coal, shall through its chief operating officer certify that fact to the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., with complete information as to the source of said railroad's supply of coal for fuel purposes.

It is further ordered, That this amendment shall become effective at 5:00 p. m., January 23, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Secs. 1, 15, 24 Stat. 379, 384 amended; 49 U. S. C. 1 (10)–(17), 15 (4))

By the Commission.

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

[F. R. Doc. 48–821; Filed, Jan. 28, 1948; 8:49 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Part 61]

RADIO HEADSETS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Safety Bureau, notice is hereby given that the Bureau will propose to the Board an amendment of Part 61 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Safety Bureau, Washington 25, D. C. All communications received by March 1, 1948, will be considered by the Board before taking further action on the proposed rule.

Section 61.7804 requires that "a radiotelephone headset shall be worn by the first pilot or by a second pilot and the radio tuned to appropriate frequencies at least during the time while the aircraft is in flight or taxiing."

Loud speakers for cockpit use have recently been developed and tested successfully in connection with aircraft radio equipment. It appears that a loud speaker installation offers several advantages over the conventional headset now in use, and there is sufficient justification to amend the Civil Air Regulations by eliminating the requirement that headsets be worn, so as to permit the use of the loud speaker installation, at least to the extent of a combination of headset and loud speaker.

It is proposed to amend Part 61 by deleting § 61.7804 therefrom.

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601–610, 52 Stat. 984, 1007, 1012; 49 U. S. C. 425 (a), 551–560)

Dated January 26, 1948, at Washington, D. C.

By the Safety Bureau.

[SEAL] JOHN M. CHAMBERLAIN, *Assistant Director (Regulations).*

[F. R. Doc. 48–840; Filed, Jan. 28, 1948; 8:58 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21–397]

RENDERING INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS WITH RESPECT TO TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 26th day of January 1948.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Rendering Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than February 20, 1948. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., February 20, 1948, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street, NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

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

[F. R. Doc. 48–824; Filed, Jan. 28, 1948; 8:55 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[1646281]

UTAH

NOTICE OF FILING OF PLATS OF DEPENDENT RESURVEY AND SURVEY ACCEPTED FEBRUARY 13, 1945

JANUARY 21, 1948.

Notice is given that plats of (1) dependent resurvey of part of T. 6 S., R. 24 E., S. L. M. Utah, delineating a retracement and reestablishment of the lines of the original survey as shown upon the plat approved August 11, 1880, and (2) survey of Tps. 6 and 7 S., R. 23 E., S. L. M. Utah, including lands hereinafter described will be officially filed in the District Land Office, Salt Lake City, Utah, effective at 10:00 a. m. on March 24, 1948.

SALT LAKE MERIDIAN

T. 6 S., R. 23 E.,
Secs. 25 to 36 incl.,
T. 7 S., R. 23 E., all.

The area described aggregates 31,607.82 acres.

The lands in Tps. 6 and 7 S., R. 23 E., S. L. M. Utah, were temporarily withdrawn by the Secretary of the Interior on September 26, 1933 for the Umcompahgre Indians.

The E½SW¼, SW¼SE¼, sec. 17, T. 7 S., R. 23 E., S. L. M., Utah, are included in Power Project No. 107 of April 17, 1926 by B. L. M. Order of September 18, 1945.

Anyone having a valid settlement or other right to any of the lands in Tps. 6 and 7 S., R. 23 E., S. L. M., initiated prior to the withdrawal of September 26, 1933, should assert the same within three

months from the date on which the plats are officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Salt Lake City, Utah.

FRED W. JOHNSON,
Director.

[F. R. Doc. 48-806; Filed, Jan. 28, 1948; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

INFORMAL PUBLIC CONFERENCE CONCERNING INTERNATIONAL TELEGRAPH COMMUNICATIONS

JANUARY 21, 1948.

The International Telegraph Consultative Committee (CCIT), a body set up pursuant to the International Telegraph Regulations and composed of representatives of telegraph administrations throughout the world, has scheduled a meeting to be convened in Brussels, Belgium in May of this year. It is expected that at this meeting various telegraph problems will be considered which are of concern to this Commission in carrying out its duties under the Communications Act, including such matters as the categories of international telegrams to be offered, the ratios of charges therefor, the level of collection rates, limitations on terminal and transit charges, and technical and operating questions. Before arriving at a position with respect to these matters, the Commission desires to obtain the views of interested parties.

An informal public conference will be held in Room 6121 in the New Post Office Building, Washington, D. C., at 10 a. m. on February 3, 1948, at which time the various questions contained in the attached outline will be discussed, together with any other pertinent questions which the participants may desire to raise. Those who expect to attend the informal public conference should bring with them traffic or other data which may be of help in the discussions.

Anyone intending to be represented at the conference should so inform the Commission as soon as possible.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

QUESTIONS TO BE DISCUSSED AT INFORMAL PUBLIC CONFERENCE TO BE HELD FEBRUARY 3, 1948

I. Categories of telegrams:
A. Unification of full rate and CDE classifications:
1. Is unification desirable?
2. If desirable, at what rate level should unification be accomplished?
3. Should there be unification as to rates only, or should there be a complete merger of full rate and CDE as to word count, etc.?
B. Elimination of deferred (LC) classification:
1. Is elimination desirable?
2. How does this question impinge on unification, retention of urgent and modification of letter?
3. If deferred is retained:
(a) Should code be permitted in deferred messages?
(b) What ratio should apply?
(c) What minimum wordage should apply?
C. Modification of the letter (NLT-DLT) classification:
1. Should delivery time be liberalized?
2. Should the minimum wordage be changed?
3. Should code be permitted?
4. What ratio should apply?
D. Urgent clasisfication:
1. Should commercial urgent be permitted?
2. What ratio should apply?
E. Government classifications:
1. Should a standard ratio be fixed?
F. Press classifications:
1. Should a standard ratio be fixed?

II. British proposal for a world telegraph tariff:
A. Should there be one or more ceiling collection rate patterns (on the understanding that such rates should be remunerative for the operating organizations)?

III. Terminal and transit charges:
A. European countries:
1. Should existing maximum charges for intra-European and extra-European traffic be made uniform?
B. Other countries:
1. Should maximum charges be established?

IV. Phototelegrams:
A. Are operating standards and other regulations necessary for the extra-European Regime? If so, what should these standards and regulations include?

V: Subscriber telegraph service:
A. Are regulations needed?

[F. R. Doc. 48-832; Filed, Jan. 28, 1948; 8:56 a. m.]

[Docket Nos. 6741, 8333]

CLEAR CHANNEL BROADCASTING IN STANDARD BROADCASTING BAND AND DAYTIME SKYWAVE TRANSMISSIONS OF STANDARD BROADCAST STATIONS

NOTICE WITH RESPECT TO ORAL ARGUMENT

JANUARY 16, 1948.

In the matter of clear channel broadcasting in the standard broadcast band, Docket No. 6741. Promulgation of rules and regulations and standards of good engineering practice concerning daytime skywave transmissions of standard broadcast stations, Docket No. 8333.

The parties set out below have filed briefs in the above-entitled matters upon which oral argument is scheduled to commence January 19, 1948, at 9:30 a. m. before the Commission in Room 6121 at the Commission's offices in Washington, D. C. After discussion with counsel for the parties, the Commission has allocated to each party an amount of time for argument as indicated below. It is requested that each participant in the oral argument make every effort to limit his presentation to the shortest possible time consistent with adequate discussion of the issues involved.

	Hours
Clear Channel Broadcasting Service	4
American Broadcasting Co., Inc.	1
Columbia Broadcasting Co., Inc.	1
National Broadcasting Co., Inc.	1
Crosley Corp. (WLW)	½
Radio Service Corp. of Utah (KSL)	½
Regional Broadcasters Committee	4
Interstate Broadcasting Co., Inc. (WQXR)	½
(WLAC Broadcasting Service (WLAC))	½
(KSTP, Inc. (KSTP))	
(L. B. Wilson, Inc. (WCKY))	
Certain licensees and applicants for daytime facilities	½
Oklahoma A. & M. College (KOAG)	½
National Association of Educational Broadcasters	½

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary

[F. R. Doc. 48-833; Filed, Jan. 28, 1948; 8:56 a. m.]

[Docket Nos. 8359, 8369]

ALL-OKLAHOMA BROADCASTING CO. AND KUOA, INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of All-Oklahoma Broadcasting Company, Tulsa, Oklahoma, Docket No. 8369, File No. BP-4797; KUOA, Inc. (KUOA), Siloam Springs, Arkansas, Docket No. 8359, File No. BP-5400; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 21st day of January 1948;

The Commission having under consideration a petition filed January 6, 1948, by KUOA, Inc., requesting that its above-entitled application for a construction permit to change the facilities of Station KUOA, Siloam Springs, Arkansas, as amended to request 740 kc, 10 kw, unlimited time, DA-2, be designated for hearing in a consolidated proceeding with the applications of Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company (File No. BP-5820, Docket No. 8258), All-Oklahoma Broadcasting Company (File No. BP-4797, Docket No. 8369), and Louis Leurig and F. F. McNaughton, d/b as Seminole Broadcasting Company (File No. BP-5270, Docket No. BP-8025), requesting construction permits for new standard broadcast stations to operate on 740 kc, unlimited time, 5 kw, 10 kw-LS, DA-2, at Dallas, Texas, 740 kc, unlimited time, 25 kw, 50 kw-LS, DA-2, at Tulsa, Oklahoma, and 720 kc, 250 w power, daytime only, at Wewoka, Oklahoma, respectively; and

Whereas, the Commission on January 16, 1948, granted the aforesaid petition insofar as it requested amendment of the above-entitled application of KUOA, Inc. (KUOA) to request the facilities hereinabove referred to; and

Whereas, the aforesaid petition was unaccompanied by an engineering study of interference with the aforesaid applications; and

Whereas, the Commission on April 25, 1947, designated for hearing the above-entitled application of All-Oklahoma Broadcasting Company in a consolidated proceeding with the aforesaid applications of Texas Star Broadcasting Company and Seminole Broadcasting Company and on November 28, 1947, dissolved the consolidated hearing, retained the said three applications in hearing status

and ordered that each be heard upon stated issues; and

It appearing, that the above-entitled applications of KUOA, Inc. (KUOA), and All-Oklahoma Broadcasting Company would involve mutually prohibitive interference;

It is ordered, That, the aforesaid petition of KUOA, Inc. (KUOA), insofar as it seeks designation for hearing of its above-entitled application in a consolidated proceeding with the above-entitled application of All-Oklahoma Broadcasting Company, be, and it is hereby, granted, and insofar as it seeks designation for hearing of its above-entitled application in a consolidated proceeding with the aforesaid applications of Texas Star Broadcasting Company and Seminole Broadcasting Company, be, and it is hereby, denied; and

It is further ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of KUOA, Inc. (KUOA), be, and it is hereby, designated for hearing in a consolidated proceeding with the application of All-Oklahoma Broadcasting Company, at Washington, D. C., on January 28, 1948, upon the following issues:

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

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of station KUOA as proposed 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 KUOA as proposed would involve objectionable interference with any other 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 KUOA as proposed 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 station KUOA as proposed 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.

It is further ordered, That the Commission's order of April 25, 1947, as amended by its Order of November 28, 1947, be, and it is hereby, amended, to include the above-entitled application of KUOA, Inc. (KUOA), and to include as issue No. 8, issue No. 7 as above stated.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-834; Filed, Jan. 28, 1948; 8:57 a. m.]

[Docket Nos. 8083, 8084]

CAPITOL BROADCASTING CO. AND WSWZ, INC.

ORDER CONTINUING HEARING

In re applications of Capitol Broadcasting Company, Trenton, New Jersey, Docket No. 8083, File No. BP-4832; WSWZ, Incorporated, Trenton, New Jersey, Docket No. 8084, File No. BP-5590; for construction permits.

The Commission having under consideration a joint petition filed January 13, 1948, by Capitol Broadcasting Company, and WSWZ, Incorporated, Trenton, New Jersey, requesting continuance from January 23, 1948, to February 11, 1948, of the consolidated hearing on their above-entitled applications for construction permits;

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. 48-835; Filed, Jan. 28, 1948; 8:57 a. m.]

[Docket Nos. 8727-8729]

LEHIGH VALLEY BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Lehigh Valley Broadcasting Company, Allentown, Pennsylvania, Docket No. 8727, File No. BPCT-232; Easton Publishing Company, Easton, Pennsylvania, Docket No. 8728; File No. BPCT-261; Philco Television Broadcasting Corporation, Philadelphia, Pennsylvania, Docket No. 8729, File No. BPCT-263; for construction permits for commercial television stations.

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

The above applications of Lehigh Valley Broadcasting Company (File No. BPCT-232), Easton Publishing Company (File No. BPCT-261) and Philco Television Broadcasting Corporation (File No. BPCT-263) each request a construction permit for a television broadcast station to operate unlimited time on Channel No. 8 in the Allentown-Bethlehem-Easton metropolitan district area; and

It appearing that the above-entitled applications are mutually exclusive because of destructive interference that would result from the proposed television station operations;

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

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

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

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-836; Filed, Jan. 28, 1948; 8:57 a. m.]

[File Nos. 7287, 8693-8695, 8730]

ALLEGHENY BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Allegheny Broadcasting Corporation, Pittsburgh, Pennsylvania, Docket No. 7287, File No. BPCT-147; Empire Coil Company, Inc., Allison Park, Pennsylvania, Docket No. 8693, File No. BPCT-215; Westinghouse Radio Stations, Inc., Pittsburgh, Pennsylvania, Docket No. 8694, File No. BPCT-221; WPIT, Incorporated, Pittsburgh, Pennsylvania, Docket No. 8695, File No. BPCT-241; WWSW, Inc., Pittsburgh, Pennsylvania, Docket No. 8730, File No. BPCT-254; For construction permits for television stations.

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 the above-entitle applications for construction permits for television stations at Pittsburgh, Pennsylvania; and

It appearing, that on December 15, 1947 the applications for television broadcast stations for the Pittsburgh, Pennylvania area exceeded the number of television channels allocated to said area and that on the same date the Commission designated the said applications for hearing in a consolidated proceeding, i. e., Allegheny Broadcasting Corporation (File No. BPCT-147), Empire Coil Company, Inc. (File No. BPCT-215), Westinghouse Radio Stations, Inc. (File No. BPCT-221) and WPIT, Incorporated (File No. BPCT-241);

It is ordered, That pursuant to Section 309 (a) of the Communications Act of 1934, as amended, the above application of WWSW, Inc. (File No. BPCT-254) be, and it is hereby, designated by the Commission for hearing in the consolidated proceeding with the other above-entitled applications for television stations in the Pittsburgh, Pennsylvania area i. e., File Nos. BPCT-147, BPCT-215; BPCT-221 and BPCT-241, at a time

and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

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

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-837; Filed, Jan. 28, 1948; 8:58 a. m.]

[Docket Nos. 8731-8733]

BEACON BROADCASTING CO., INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Beacon Broadcasting Company, Inc., Boston, Massachusetts, File No. BPH-1320, Docket No. 8731; Boston Radio Company, Inc., Boston, Massachusetts, File No. BPH-1385, Docket No. 8733; The Northern Corporation, Boston, Massachusetts, File No. BPH-1372, Docket No. 8732; for FM construction permits.

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 the above-entitled applications for construction permits for new Class B FM broadcast stations in the Boston, Massachusetts area; and

It appearing, that there are only two Class B FM channels available for immediate assignment to two of the three above-entitled applications;

It is ordered, Pursuant to section 309 (a) of the Communications Act of 1934, as amended, that the above-entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding at a date and place to be specified by a subsequent order upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. 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. 48-838; Filed, Jan. 28, 1948; 8:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. ID-289]

HERMAN A. BUSCH

NOTICE OF AUTHORIZATION

JANUARY 23, 1948.

Notice is hereby given that, on January 22, 1948, the Federal Power Commission issued its order entered January 20, 1948, in the above-designated matter, authorizing Herman A. Busch to hold certain positions in Metropolitan Edison Company, Jersey Central Power and Light Company, New Jersey Power and Light Company and New York State Electric & Gas Corporation, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-807; Filed, Jan. 28, 1948; 8:55 a. m.]

[Project No. 1438]

MRS. H. L. QUALLS

NOTICE OF ORDER ACCEPTING SURRENDER OF LICENSE (MINOR)

JANUARY 23, 1948.

Notice is hereby given that, on January 21, 1948, the Federal Power Commission issued its order entered January 20, 1948, in the above-designated matter, accepting surrender of license (minor) as of December 31, 1946.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-808; Filed, Jan. 28, 1948; 8:56 a. m.]

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT CO.

ORDER POSTPONING HEARING

Upon consideration of the motion for continuance filed by Arkansas Power & Light Company on January 22, 1948;

It appearing to the Commission that: Good cause exists for the further postponement of the public hearing in this matter as hereinafter provided;

The Commission orders that: The public hearing in the above-entitled proceeding, now set to commence on February 3, 1948, be and the same is hereby postponed to commence at 10:00 a. m. (e. s. t.), on February 18, 1948, in the Hearing Room of the Federal Power Commission, 18th and Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: January 23, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-809; Filed, Jan. 28, 1948; 8:56 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 29901]

STATUS OF ALLEGHENY AND SOUTH SIDE RAILWAY CO.

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 5th day of January A. D. 1948.

It appearing, that a question has arisen as to whether the operations of the Allegheny and South Side Railway Company are transportation subject to the Interstate Commerce Act:

It is ordered, That a proceeding of investigation and inquiry be, and it is hereby, instituted by the Commission on its own motion for the purpose of determining whether the aforesaid operations are transportation subject to Part I of the Interstate Commerce Act, with a view to entering such orders as may be deemed appropriate in the premises;

It is further ordered, That the Allegheny and South Side Railway Company be, and it is hereby, made the respondent to this proceeding;

It is further ordered, That a copy of this order be sent by regular mail to the Pennsylvania Public Utilities Commission at Harrisburg, Pa.;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.

It is further ordered, That this proceeding be, and it is hereby, assigned to Division 3 for handling and disposition;

And it is further ordered, That this proceeding be, and the same is hereby, assigned for hearing March 2, 1948, 9:30 o'clock a. m., United States standard time, at the rooms of the Chamber of Commerce, Pittsburgh, Pa., before Examiners Andrew J. Banks and Edward L. Boisseree.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-812; Filed, Jan. 28, 1948; 8:48 a. m.]

[S. O. 396, Special Permit 431]

RECONSIGNMENT OF LETTUCE 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 Produce Terminal, Chicago, Ill., January 21, 1948, by La Mantia Bros. Arrigo Co., of car PFE 74112, lettuce, now on the Chicago Produce Terminal, to Great Produce Co., Terre Haute, Ind. (C&EI).

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 21st day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-814; Filed, Jan. 28, 1948; 8:48 a. m.]

[S. O. 396, Special Permit 432]

RECONSIGNMENT OF PERISHABLES 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 Morgan Street, Chicago, Ill., January 21, 1948, by Granukos, Bemos & Co., of car URT 9916, now on the CNW to M. Rosen, Philadelphia, Pa. (B&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 21st day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-815; Filed, Jan. 28, 1948; 8:48 a. m.]

[S. O. 396, Special Permit 433]

RECONSIGNMENT OF POTATOES 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 22, 1948, by Norman H. Vetter, of car ART 26272, potatoes, now on the B/4 to Portsmouth, Ohio, Gilbert Grocery Co. (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 22d day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-816; Filed, Jan. 28, 1948; 8:49 a. m.]

[S. O. 396, Special Permit 434]

RECONSIGNMENT OF BROCCOLI 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 22, 1948, by Rothstein Co., of car PFE 60389, broccoli, now on the Chicago Produce Terminal to Rothstein Co., Philadelphia, Pa. (PRR).

The waybill shall show reference to this special permit.

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

Issued at Washington, D. C., this 22d day of January 1948.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-817; Filed, Jan. 28, 1948; 8:49 a. m.]

[S. O. 790, Amdt. 5 to Special Directive 25]

BALTIMORE AND OHIO RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 25 (12 F. R. 8389), under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 25, be, and it is hereby amended by substituting paragraph 1 hereof for paragraph 1 thereof:

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

Mine:	*Cars per day*
Cliff	2
Keeley	1
Henshaw	2
Riley	2
Elk Hill	1
Roberta	1
Dola	1
Katherine and Pepper	3
Linda	1

A copy of this amendment shall be served upon The Baltimore and Ohio 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 22d day of January A. D. 1948.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-818; Filed, Jan. 28, 1948; 8:49 a. m.]

[S. O. 790, Special Directive 38]

BALTIMORE AND OHIO RAILROAD CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

On January 22, 1948, the Boston and Maine Railroad have certified that they have on that date in storage and in cars a total supply of less than 16 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Baltimore and Ohio Railroad Company is directed:

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

Mine:	*Cars per week*
Christopher No. 6	40
Katherine	13
Lockview	5
Glen Cambria	25
Consolidation Nos. 37, 38, 39	22

(2) That such cars furnished in excess of the mines' distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for the Boston and Maine Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable, after the end of each week, information showing the total

number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive 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 23d day of January A. D. 1948.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-819; Filed, Jan. 28, 1948; 8:49 a. m.]

[S. O. 790, Special Directive 39]

MONONGAHELA RAILWAY CO. TO FURNISH CARS FOR RAILROAD COAL SUPPLY

On January 22, 1948, the Boston and Maine Railroad certified that they have on that date in storage and in cars a total supply of 10 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Monongahela Railway Company is directed:

(1) To furnish weekly to mines listed below cars for the loading of the Boston and Maine Railroad fuel coal from its total available supply of cars suitable for the transportation of coal:

Mine:	*Cars per week*
Christopher No. 3	13
Booth	35
Rosedale	25
Federal Nos. 1 and 3	22

(2) That such cars furnished in excess of the mine's distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for the Boston and Maine Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mine for the preceding week under the authority of this directive and to indicate how many such cars were in excess of the daily distributive share car supply of such mine.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive 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 23d day of January A. D. 1948.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-820; Filed, Jan. 28, 1948; 8:49 a. m.]

[S. O. 803]

UNLOADING OF COAL AT TIOGA, W. VA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of January A. D. 1948.

It appearing, that 13 cars of coal at Tioga, West Virginia, on The Baltimore and Ohio Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Coal at Tioga, West Virginia, be unloaded.* The Baltimore and Ohio Railroad Company, its agents or employees, shall unload immediately B&O 329633 and 12 other cars, containing coal, now on hand at Tioga, West Virginia, loaded by Juliette Coal Co. of Tioga, W. Va., at Meeks No. 30 mine.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges for the detention under load of any car specified in paragraph (a) of this order for the detention period commencing at 7:00 a. m., January 24, 1948, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify Homer C. King, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

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

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-813; Filed, Jan. 28, 1948; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

[Vesting Order 10364]

DOROTHY DUNCAN LUDWIG

In re: Estate of Dorothy Duncan Ludwig, deceased. File No. D-28-12068. E. T. sec. 16259.

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 Oscar R. Ludwig, whose last known address is Germany, is a resident of Germany and national of a designated enemy country (Germany);

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 Dorothy Duncan Ludwig, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Harry E. Duncan, Administrator, acting under the judicial supervision of the Probate Court of Hamilton County, State of Ohio;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (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. 48-826; Filed, Jan. 28, 1948; 8:55 a. m.]

[Vesting Order 10409]

GOTTFRIED BECK

In re: Estate of Gottfried Beck, deceased. File D-28-9597; E. T. sec. 13223.

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 Amelia Wondratschek, Eugene Beck, Wilhelmina Keinarth, Anna ——— (nee Beck), Christian Beck, Amelia Alt, Karl Beck, Wilhelm Beck, Jr. and August Beck, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by the Treasurer of Wayne County, Detroit, Michigan, under the judicial supervision of the Probate Court for the County of Wayne, State of Michigan;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-827; Filed, Jan. 28, 1948; 8:55 a. m.]

[Vesting Order 10412]

MARIE FUNDUS

In re: Estate of Marie Fundus, deceased. File No. D-28-7924; E. T. sec. 8741.

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 Karoline Bader and Robert Huhn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by Gustave W. Huhn, as Administrator, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

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 26, 1947.

For the Attorney General.

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

[F. R. Doc. 48-828; Filed, Jan. 28, 1948; 8:56 a. m.]

[Vesting Order 10413]

FRANK HATWIG

In re: Estate of Frank Hatwig, deceased. File No. D-28-9395; E. T. sec. 12499.

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 Marie Krug, Hubert Schindler, Anton Schindler, Joseph Becker, Agnes Sindermann, Maria Monse, Maria Sindermann, Wilhelm Hatwig, Joseph Hatwig and Franz Hatwig, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children of Herrman Schindler, names unknown, and the children of Hedwig Meixner, names unknown, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Frank Hatwig, 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 August Bruggemann, as Executor of the Estate of Frank Hatwig, deceased, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

and it is hereby determined:

5. That to the extent that the above named persons, the children of Herrman Schindler, names unknown, and the children of Hedwig Meixner, names unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-829; Filed, Jan. 28, 1948; 8:56 a. m.]

[Vesting Order 10417]

HERMAN H. NOLTE

In re: Estate of Herman H. Nolte, deceased. File D-28-8896; E. T. sec. 11090.

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

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 Herman H. Nolte, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Frank J. Feldmann, as Executor, acting under the judicial supervision of the Probate Court, City of St. Louis, Missouri;

and it is hereby determined:

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

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

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

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

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

For the Attorney General.

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

[F. R. Doc. 48-830; Filed, Jan. 28, 1948; 8:56 a. m.]

[Vesting Order 10434]

FREDERICK A. VIESER AND CAMDEN SAFE DEPOSIT AND TRUST CO.

In re: Trust agreement dated November 10, 1932, between Frederick A. Vieser, settlor, and Camden Safe Deposit and Trust Company, trustee. D-28-2599; E. T. sec. 4092.

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

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 and arising out of or under that certain trust agreement dated November 10, 1932, by and between Frederick A. Vieser, Settlor, and Camden Safe Deposit and Trust Company, Trustee, 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 identified 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 26, 1947.

For the Attorney General.

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

[F. R. Doc. 48-831; Filed, Jan. 28, 1948; 8:56 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1718]

PUBLIC SERVICE CO. OF NEW MEXICO

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 22d day of January A. D. 1948.

Public Service Company of New Mexico ("Public Service"), a subsidiary of Cities Service Company, a registered holding company, having filed an application and an amendment thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the following transaction:

Public Service proposes to issue and sell $1,000,000 principal amount of First Mortgage Bonds, 3⅜% Series, due 1978, at a price equal to the principal amount thereof plus accrued interest from January 1, 1948. Of the total principal amount of bonds to be issued, $800,000 thereof are to be sold to John Hancock Mutual Life Insurance Company and $200,000 thereof are to be sold to New England Mutual Life Insurance Company. The bonds will be issued pursuant to the company's indenture dated as of June 1, 1947, as supplemented by a First Supplemental Indenture to be dated as of January 1, 1948.

Public Service states that the proceeds of the sale of the proposed bonds will be used to prepay the principal of its $1,000,000 bank loan note due April 24, 1948.

The issuance and sale of the proposed bonds have been approved by the New Mexico Public Service Commission.

The application having been filed January 2, 1948, and an amendment thereto having been filed on January 16, 1948, and Notice of 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 said application, as amended, that the bonds are being issued for the purpose of financing the business of applicant and have been approved by the State Commission in which Public Service is organized and doing business and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted, and further deeming it appropriate to grant the request of applicant that this order should be effective upon issuance:

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-804; Filed, Jan. 28, 1948; 8:55 a. m.]

[File No. 1-3094]

UNITED AIRCRAFT PRODUCTS, INC.

AMENDED NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23rd day of January A. D. 1948.

United Aircraft Products, Inc., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to withdraw its Common Stock, 50¢ Par Value, from listing and registration on the Los Angeles Stock Exchange.

The application alleges that (1) during the twelve months' period ended September 30, 1947, the volume of sales of this security on the Los Angeles Stock Exchange amounted to only 200 shares; (2) the continuance of listing and registration of this security on the Los Angeles Stock Exchange makes it advisable to maintain a Co-Registrar and Co-Transfer Agent in Los Angeles, in addition to the Registrar and Transfer Agent employed in New York, and requires additional legal services in the State of California, altogether necessitating additional expenditures of $800.00 per annum; (3) the issuer will continue the listing and registration of this security on the New York Curb Exchange; (4) the Los Angeles Stock Exchange has no rules respecting withdrawal of securities from listing and registration; and (5) the Los Angeles Stock Exchange has advised the issuer that the Exchange does not interpose objection to withdrawal of this security from listing and registration on the Exchange.

Upon receipt of a request, prior to April 7, 1948, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-803; Filed, Jan. 28, 1948; 8:55 a. m.]