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THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES

FEDERAL REGISTER

1934

VOLUME 13 NUMBER 237

Washington, Tuesday, December 7, 1948

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

GEOLOGIST

1. Section 24.31, *Geologist*, and § 24.37, *Geologist positions involving highly complicated or fundamental scientific research or similar difficult scientific duties*, are hereby revoked.

2. The following section is added:

§ 24.97 *Geologist, P-1338-0 (all grades)*—(a) *Educational requirement.* Applicants must have successfully completed either (1) or (2) of the following:

(1) A full 4-year curriculum in an accredited college or university leading to a bachelor's degree, including courses in geology and allied subjects consisting of lectures, recitations, and appropriate practical laboratory and field work totaling at least 30 semester hours.

(2) Courses in geology and allied subjects in an accredited college or university consisting of lectures, recitations, and appropriate practical laboratory and field work totaling at least 30 semester hours; plus additional appropriate experience or education which, when combined with the 30 semester hours, will total 4 years of education and experience and give the applicant a technical and professional knowledge comparable to that which would be acquired through the successful completion of a 4-year college course.

In either subparagraph (1) or (2) of this paragraph, the required 30 semester hours of study must have been in subjects as indicated by either subdivisions (i) or (ii) of this subparagraph:

(i) 30 semester hours in geology courses distributed in at least 5 of the following subjects: (a) Physiography, (b) structural geology, (c) mineralogy, (d) petrology, (e) paleontology, (f) stratigraphy, (g) sedimentation, (h) field geology, (i) geophysics, (j) geochemistry, (k) regional geology, (l) eco-

nomic geology (metals, nonmetals, or fuels) or (m) ground water geology.

(ii) 30 semester hours of which 24 or more are distributed in at least 4 of the geology subjects (a) to (j) listed in subdivision (i) of this subparagraph and the remainder are in one or more advanced courses in the related sciences of mathematics, physics, chemistry, zoology, or botany.

NOTE: For those positions involving highly complicated or fundamental scientific research or similar difficult scientific duties certification may be restricted to those eligibles who show the successful completion of a full college curriculum as prescribed in subparagraph (1) of this paragraph.

(b) *Duties.* Geologists perform professional geological work in one or more of the specialized fields of geology, including such duties as: making and recording geological observations; identifying and studying specimens of rocks, fossils, and ores; carrying on geologic mapping for the purpose of showing location and character of rock formations, mineral and ore deposits, or underground water; studying mineral deposits to determine extent and value; and preparing professional scientific and economic reports for publication. The duties performed and the responsibilities assumed vary with and are commensurate with the grade of the position. In the higher grades, in addition to performing difficult and responsible individual work, many geologists occupy administrative and supervisory positions, planning the work of a group of geologists or reviewing and directing the activities of lower grade geologists or assistants.

(c) *Knowledge and training requisite for the performance of duties.* For the successful performance of the duties described in paragraph (b) of this section the geologist needs a basic general knowledge of the principles of stratigraphy, sedimentation, structural geology, paleontology, ore depositon, and mineralogy, and a specialized knowledge of the various types of sedimentary, igneous, and metamorphic rocks, the rank and grade of coals, the characteristics of rocks as reservoirs of oil and underground water, the processes of erosion and sedimentation, and the application

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Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1947.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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UNITED STATES GOVERNMENT MANUAL

1948 Edition

(Revised through June 30)

Published by the Division of the Federal Register, the National Archives

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of mathematics and the physical and biological sciences to geological problems. The only method of obtaining this broad knowledge and training in the fundamentals of the various sciences involved, of the level and extent required, is by attending an accredited college or university where competent instruction and guidance are available. Where courses are arranged in a systematic schedule, where adequate laboratory and library facilities are provided and suitable standards for completeness of the program and thoroughness of the methods of instruction are maintained, and where objective evaluations are made of a person's progress in acquiring professional and scientific information. (Sec. 5, 58 Stat. 388; 5 U. S. C. 854)

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

[F. R. Doc. 48-10599; Filed, Dec. 6, 1948; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch)

[S. D. 274]

PART 802—SUGAR DETERMINATIONS
PROPORTIONATE SHARES FOR FARMS IN PUERTO RICO FOR THE 1948-49 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1948, the following determination is hereby issued:

§ 802.46 *Proportionate shares for sugarcane farms in Puerto Rico for the 1948-49 crop*—(a) *Farm proportionate share.* The proportionate share for each farm in Puerto Rico for the 1948-49 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1948-49 crop season.

(b) *Share tenant and share cropper protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) of this section, eligibility for payment of any producer of sugarcane shall be subject to the following conditions:

(1) That the number of share tenants or share croppers on any sugarcane farm shall not be reduced below the number on such farm during the previous crop year, unless such reduction is approved by the Director, or Acting Director, of the Caribbean Area Office of the Production and Marketing Administration; and

(2) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producer any payments to which share tenants or share croppers would be entitled if their leasing or cropping agreements for the previous crop year were in effect. (Secs. 302, 403, 61 Stat. 930, 932; 7 U. S. C. Supp. I, 1132, 1153)

Statement of Bases and Considerations Requirements of the Sugar Act. Section 302 of the act provides that the

amount of sugar with respect to which payment may be made shall be the amount of sugar (raw value) commercially recoverable from the sugarcane grown on a farm and marketed (or processed) for sugar or liquid sugar not in excess of the proportionate share established for the farm. Such proportionate share shall be the farm's share of the quantity of sugarcane required to be processed to enable the producing area to meet its quota (and provide a normal carryover inventory) estimated for the calendar year during which the larger part of the sugar from such crop normally is marketed.

The act also provides that the Secretary shall, insofar as practicable, protect the interest of producers who are share tenants and share croppers.

Sugar supply situation in Puerto Rico. The sugar extracted from sugarcane crops in Puerto Rico is normally marketed in the year in which it is produced, with comparatively small amounts carried over for marketing in the following year.

Based on 1948 quotas of 1,008,261 tons and 100,000 tons for marketing in the continental U. S. and in Puerto Rico, respectively, the carryover of sugar from the 1947-48 crop into the calendar year 1949 will be negligible. Preliminary forecasts of 1948-49 crop production range from 1,175,000 to 1,225,000 tons, or more than the previous record crop of 1,156,000 tons produced in 1941-42. Based on the statutory base quota of 910,000 tons for mainland marketings and assumed marketings in Puerto Rico of 100,000 tons (final 1948 local quota), a carryover ranging from 165,000 to 215,000 tons could result. However, such carryover would be reduced by any amount by which the crop outturn falls short of present expectations and by any quota increases for Puerto Rico that might result if quota deficits occur for other producing areas. The average carryover was 160,000 tons for the period 1934 through 1940. In view of these facts it appears that the establishment of restrictive proportionate shares for the 1948-49 crop would not be justified.

Share tenant and share cropper protection. The provisions of this determination with respect to the protection to share tenants and share croppers are substantially the same as those contained in previous determinations and are in conformity with the determination of "Proportionate Shares for Farms in the Domestic Beet, Mainland Cane, Hawaiian, and Virgin Islands Producing Areas for the 1948 Crop", (13 F. R. 4065) issued July 13, 1948.

In view of these circumstances, I hereby find and conclude that the foregoing determination will effectuate the purposes of section 302 of the Sugar Act of 1948.

Issued this 2d day of December 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10610; Filed, Dec. 6, 1948; 8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreement and Order)

PART 979—IRISH POTATOES IN EASTERN SOUTH DAKOTA PRODUCTION AREA

EXEMPTION CERTIFICATES

Notice of proposed rule making regarding rules and regulations for issuance of exemption certificates to be made effective under Marketing Agreement No. 103 and Order No. 79 regulating the handling of Irish potatoes grown in the Eastern South Dakota production area, was published in the FEDERAL REGISTER (13 F. R. 5686). This regulatory program is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the South Dakota Potato Committee (established pursuant to said agreement and order), the following rules and regulations are hereby approved.

§ 979.101 *Exemption certificates*—(a) *Application.* Any producer applying for exemption from grade or size regulation issued hereunder shall make application for such exemption on forms to be furnished by the South Dakota Potato Committee. Such application shall state:

- (1) The location of his farm;
- (2) The quantity of potatoes on said farm; and location thereon of such potato field or fields or storage;
- (3) The total estimated production of potatoes for the current season, stated in terms of varieties, hundredweights, and grades and sizes, not including potatoes which will not meet grade requirements set forth in the U. S. Standards for Potatoes;
- (4) An estimate of the percentage of such producers' crop which cannot be shipped because of grade, size and quality regulation then in effect, stated in terms of varieties, hundredweights, and grades and sizes, not including potatoes which will not meet grade requirements set forth in the U. S. Standards for Potatoes;
- (5) A statement of the amount, if any, of potatoes (not including potatoes which will not meet grade requirements set forth in the U. S. Standards for Potatoes) which have already been sold from said farm, or by said applicant, during the current marketing season;
- (6) Certification that the statement is true and correct;
- (7) Signature and address of producer.

(b) *Federal-State Inspector's report.* (1) Each request filed by a producer with the South Dakota Potato Committee shall be accompanied by a report of a Federal-State Inspector, which shall contain the following:

- (1) A statement by the inspector that he personally visited the field or fields or storage with respect to which exemption is requested, and that a representative sample of the potato crop in such field or fields or storage was taken by him.

(ii) A statement of the percentage of such crop which meets the required grade, size, and quality regulation then in effect.

(iii) A statement of the defects or damage causing such crop to fail to meet such grade, size, and quality requirements.

(2) In determining percentages, the Federal-State Inspector shall include only grades and sizes of potatoes as defined in the U. S. Standards for Potatoes. In the event that more than one variety of potatoes are involved in the regulation, the inspector shall determine the above percentages for each variety separately. The cost of the above inspection shall be borne by the applicant for exemption. The committee, or the manager thereof, or any specifically authorized representative thereof, may make such investigations as are deemed necessary to determine whether the exemption requested should be granted.

(c) *Issuance of certificate.* (1) Whenever the committee finds and determines from proof satisfactory to the committee that the applicant is entitled to an exemption certificate, the committee shall issue or authorize the issuance of an exemption certificate which shall permit the applicant to ship, or cause to be shipped, that quantity of the regulated grades, sizes, and qualities, or combinations thereof, of potatoes as will enable him to ship, or cause to be shipped, as large a percentage of his potatoes as the average percentage for all producers or, if regulation is by variety, the average percentage for all producers of the particular variety involved, as determined by the committee.

(2) The committee, or its duly authorized representative, may issue exemption certificates if the proof submitted by the applicant is satisfactory: *Provided*, That the committee, or its duly authorized representative, shall have first determined the grades, sizes, qualities, or combinations thereof, of potatoes grown in such area which would be available for shipment in the absence of any regulation, and shall have determined the percentage that the quantity of a particular variety or varieties of potatoes grown in such area, permitted to be shipped pursuant to regulation, is of the quantity which would have been shipped in the absence of regulation.

(3) If the committee, or its duly authorized representative, determines that the applicant is not entitled to an exemption certificate he shall be so advised in writing and given the reasons therefor.

(4) Each certificate of exemption issued as provided in this section shall contain the producer's name and address; the location of his farm; the location of the field or storage with respect to which the exemption is granted; the particular grade, size, and quality regulations from which exempted; the amount of potatoes which may be shipped by virtue of such exemption; and such other information as may be necessary to evidence the rights of the producer to ship potatoes which do not meet the requirements of the particular grade, size, and quality regulations.

(5) Each certificate of exemption shall be transferable, in whole or in part, with the potatoes in accordance with the amount of the potatoes transferred.

(d) *Reports and records.* (1) For the purpose of enabling the South Dakota Potato Committee to perform its functions, pursuant to the provisions hereof, each handler shall report shipments under exemption certificates to the committee, in such form and at such times and substantiated in such manner as shall be prescribed by the committee. All forms, reports, correspondence and documents used, pursuant to these rules and regulations, shall be kept on file by the committee and records thereof shall be maintained by the manager of the committee.

(2) A record of all applications for exemption received, exemption certificates issued, applications denied, and shipments made under exemption shall be kept by the committee and a record of all such transactions, if any, shall be reported weekly by the South Dakota Potato Committee to the Secretary.

(e) *Appeal procedure.* If any producer is dissatisfied with the determination of the South Dakota Potato Committee regarding any application for exemption certificate, or any duly issued exemption certificate, an appeal by said producer may be filed with the committee. Such appeal must be taken promptly after the issuance of the exemption certificate or the denial from which the appeal is taken. Any producer filing an appeal may furnish information with his appeal additional to that submitted with his original application. The committee may request such additional information as it deems necessary for a determination on the appeal. The committee shall act promptly upon any producer's appeal and it shall notify the appellant promptly of its determination. A copy of each appeal and a statement of consideration involved in making the final determination with respect thereto shall be furnished in each instance to the Secretary.

The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 103 and Order No. 79, and in the U. S. Standards for Potatoes (12 F. R. 3651). (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 202, 707; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 2d day of December 1948, to become effective on and after January 6, 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10609; Filed, Dec. 6, 1948;
8:47 a. m.]

TITLE 10—ARMY

Chapter VII—Personnel

PART 704—ENLISTMENT OF AVIATION CADETS

TRANSFER AND REVISION OF REGULATIONS

CROSS REFERENCE: The material contained in Part 704 is revised and transferred to Title 34, Chapter VII, Subchapter G, Part 874, *infra*.

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter VII—Department of the Air Force

Subchapter G—Personnel

PART 874—ENLISTMENT OF AVIATION CADETS

TRANSFER AND REVISION OF REGULATIONS

The material contained in Part 704, Chapter VII, Title 10 is hereby revised and transferred to Chapter VII, Title 34 and is redesignated Subchapter G, Part 874 as follows:

Sec.	
874.1	General information.
874.2	Eligibility requirements.
874.3	Applications.
874.4	Examinations.
874.5	Appointment and enlistment.
874.6	Training and commission.
874.7	Termination of status as aviation cadet.
874.8	Location of aviation cadet examining boards.

AUTHORITY: §§ 874.1 to 874.8 issued under 55 Stat. 239; secs. 207 (f), 208 (e), Pub. Law 253, 80th Cong., 61 Stat. 502, 503; 10 U. S. C. 297a; 5 U. S. C. Sup. 626, 626c; Transfer Order 21, Sep 4, 1948, 13 F. R. 5383.

§ 874.1 *General information.* The United States Air Force aviation cadet training program includes training at special service schools in such specified courses of instruction as the Chief of Staff, United States Air Force may prescribe. Detailed information with respect to the United States Air Force aviation cadet training program, application blanks, and instructions for executing same, etc., may be obtained from:

(a) Any Aviation Cadet and Officer Candidate Examining Board. (See § 874.8.)

(b) Any United States Air Force Base.

(c) Any Army and United States Air Force Recruiting Station.

(d) Chief of Staff, United States Air Force, Washington, D. C.

§ 874.2 *Eligibility requirements—(a) General requirements.* (1) The following are eligible for appointment as aviation cadets:

(i) Enlisted men of the United States Air Force and United States Army.

(ii) Officers and enlisted men of the National Guard.

(iii) Civilians.

(2) An applicant at time of application must:

(i) Be a male citizen of the United States.

(ii) Be between the ages of 20 and 26 years and 6 months.

(iii) Be able to pass such mental and aptitude qualifying examinations and/or possess such educational qualifications as are or may be prescribed by the Chief of Staff, United States Air Force.

(iv) Be of excellent character.

(v) Be of sound physique and in excellent health.

(vi) Possess such other general qualifications as may be prescribed by the Chief of Staff, United States Air Force.

(3) Eligibility is presently limited to those personnel within the continental limits of the United States, or one of

the United States territories in which an Aviation Cadet and Officer Candidate Examining Board is located.

(b) *Maximum age.* No applicant for flying training will be appointed or enlisted as an aviation cadet after he has reached his twenty-seventh birthday.

(c) *Ineligibility.* An applicant will not be eligible for aviation cadet pilot training if he:

(1) Has completed in a service flying school a course of instruction leading to an aeronautical rating of pilot.

(2) Has been eliminated because of failure in flying.

(3) Holds or has held the aeronautical rating of pilot in any of the armed forces of the United States.

(d) *Enlistment.* All enlistments as aviation cadets will be for a period of 3 years, unless sooner terminated by competent authority.

§ 874.3 *Application*—(a) *Form.* Applications for appointment or enlistment as aviation cadet will be submitted on Air Force Form #56 (Application for Aviation Cadet Training (Pilot)).

(b) *Who may submit.* Any persons fulfilling the requirements of § 874.2 may apply for appointment or enlistment as an aviation cadet. The necessary forms and instructions may be obtained as indicated in § 874.1.

(c) *Accompanying documents.* Each application will be accompanied by such affidavits, certificates, and evidence of age and citizenship as may be prescribed by the Chief of Staff, United States Air Force.

(d) *To whom forwarded.* Application and accompanying papers may be submitted to any Aviation Cadet and Officer Candidate Examining Board or to the Chief of Staff, United States Air Force.

(e) *Action upon.* When the application and accompanying papers are submitted to the president of an Aviation Cadet-Officer Candidate Examining Board, arrangements for taking the required examination will be made direct with the applicant by the president of the board.

(f) *Miscellaneous*—(1) *Change of address of applicants.* Any applicant who has submitted an application for appointment or enlistment as an aviation cadet will inform the Aviation Cadet and Officer Candidate Examining Board, which administered his examinations, of any change of station or address. Failure to do this is sufficient cause for removal of his name from the list of applicants.

(2) *Expenses of applicants other than enlisted men on active Federal service.* An applicant (other than enlisted man on active Federal service) will be required to bear all expenses incident to his appearance before a board or boards and no claims for reimbursement for expenses incurred by him before his enlistment will be considered.

(3) *Notification of ineligibility.* Applicants found ineligible will be so notified by authority designated to act upon applications as soon as their ineligibility shall have been determined.

§ 874.4 *Examinations*—(a) *Examining boards*—(1) *Appointment.* The Chief of Staff, United States Air Force, has authorized commanding generals of

the various air force commands, or other designated officers, to appoint such examining boards as may be necessary for the purpose of examining applicants for appointment as aviation cadets.

(2) *Composition.* Examining boards consist of:

(i) At least two suitably experienced Air Force officers and as many others as practicable.

(ii) One Medical Corps officer (flight surgeon or aviation medical examiner).

(3) *When and where convened.* Examining boards are convened regularly for the examination of applicants for appointment or enlistment as aviation cadets at the locations specified in the orders creating such board and at such other times and places as conditions warrant or necessitate.

(b) *Examinations.* Each applicant for aviation cadet training will be given examinations as follows, unless otherwise prescribed by the Chief of Staff, United States Air Force:

(1) A physical examination, for flying.

(2) The United States Air Force qualifying examination, which will be administered by examining boards as prescribed by the Chief of Staff, United States Air Force.

(3) An examination into and determination of the moral qualifications, adaptability, and general fitness, of each applicant appearing before an examining board will be made. These qualities will be determined by means of oral questioning of the applicant, consideration of the letters of recommendation submitted by him, and such other examinations as the board may consider necessary or desirable. In this phase of the examination, the applicant will be required to measure up to standards prescribed for cadets of the United States Military Academy.

(c) *Action upon completion of examination.* The president of the Aviation Cadet and Officer Candidate Examining Board will:

(1) Advise the applicant after successful completion of all prescribed examinations that he is qualified, that his name has been placed on the eligible list, and that he is to return to his duty station or residence to await his assignment to training when a quota exists in which he may be accommodated.

(2) Notify those applicants found disqualified of their disqualifications and return to those individuals their applications.

§ 874.5 *Appointment and enlistment*—(a) *Priority of assignment.* If there are more qualified applicants than vacancies, assignments, to training will be made from a list of qualified applicants in accordance with an order of priority established by the Chief of Staff, United States Air Force. This precedence will be published from time to time.

(b) *Enlistment.* (1) Aviation cadets will receive a letter authorizing him to report to the nearest United States Army and United States Air Force Recruiting Station for enlistment as aviation cadet and travel from place of enlistment to the appropriate school for training.

(2) *Training.* The Chief of Staff, United

States Air Force, will designate courses of training for aviation cadets and will prescribe the duration and scope thereof.

(b) *Commission.* (1) Aviation cadets who successfully complete a prescribed course of training will be commissioned second lieutenants in the Air Force Reserve.

(2) Aviation cadets who are commissioned as second lieutenants in the United States Air Force Reserve will be required to serve on active duty status for a minimum period of 3 years, unless sooner relieved by competent authority.

(3) Aviation cadets prior to being commissioned as second lieutenants in the Air Force Reserve, will be required to undergo a loyalty investigation (limited background). This investigation will be conducted in accordance with instructions issued by the Chief of Staff, United States Air Force.

§ 874.7 *Termination of status as aviation cadet.* (a) An aviation cadet will be discharged from the service upon being commissioned a second lieutenant in the United States Air Force Reserve.

(b) If at any time a board of officers appointed under the provisions of applicable regulations, decides that an aviation cadet is for any reason not qualified to continue his training, or that he possesses traits of character that would disqualify him for a commission as a second lieutenant in the Air Force Reserve, the commanding officer of the school, station, or separate detachment concerned will suspend the aviation cadet from training.

(c) An aviation cadet enlisted as such from civilian status who has been eliminated from a course of training will be discharged.

§ 874.8 *Location of Aviation Cadet examining boards.*

- Maxwell Air Force Base, Montgomery, Ala.
- Brookley Air Force Base, Mobile, Ala.
- Davis-Monthan Air Force Base, Tucson, Ariz.
- Williams Air Force Base, Chandler, Ariz.
- Castle Air Force Base, Merced, Calif.
- Fairfield-Suisun Air Force Base, Fairfield, Calif.
- Hamilton Air Force Base, San Rafael, Calif.
- McClellan Air Force Base, Sacramento, Calif.
- March Air Force Base, Riverside, Calif.
- Mather Air Force Base, Sacramento, Calif.
- Lowry Air Force Base, Denver, Colo.
- Hq 15th Air Force, Colorado Springs, Colo.
- Andrews Air Force Base, Washington, D. C.
- Bolling Air Force Base, Washington, D. C.
- Eglin Air Force Base, Valparaiso, Fla.
- MacDill Air Force Base, Tampa, Fla.
- Orlando Air Force Base, Orlando, Fla.
- Lawson Air Force Base, Columbus, Ga.
- Robins Air Force Base, Macon, Ga.
- Marietta Air Force Base, Marietta, Ga.
- Turner Air Force Base, Albany, Ga.
- Chanute Air Force Base, Rantoul, Ill.
- Scott Air Force Base, Belleville, Ill.
- Marshall Air Force Base, Ft. Riley, Kans.
- Sherman Air Force Base, Ft. Leavenworth, Kans.
- Smoky Hill Air Force Base, Salina, Kans.
- Barksdale Air Force Base, Shreveport, La.
- Dow Air Force Base, Bangor, Maine.
- Westover Air Force Base, Chicopee Falls, Mass.
- Selfridge Air Force Base, Mt. Clemens, Mich.
- Keesler Air Force Base, Biloxi, Miss.
- Great Falls Air Force Base, Great Falls, Mont.

Ott Air Force Base, Omaha, Nebr.
 Grenier Air Force Base, Manchester, N. H.
 Kirtland Air Force Base, Albuquerque, N. Mex.
 Walker Air Force Base, Roswell, N. Mex.
 Mitchel Air Force Base, Hempstead, N. Y.
 Stewart Field, Newburgh, N. Y.
 Pope Air Force Base, Ft. Bragg, N. C.
 Lockbourne Air Force Base, Columbus, Ohio.
 Wright-Patterson Air Force Base, Dayton, Ohio.
 Tinker Air Force Base, Oklahoma City, Okla.
 Olmsted Air Force Base, Middletown, Pa.
 Greenville Air Force Base, Greenville, S. C.
 Shaw Air Force Base, Sumter, S. C.
 Weaver Air Force Base, Rapid City, S. Dak.
 Biggs Air Force Base, El Paso, Tex.
 Bergstrom Air Force Base, Austin, Tex.
 Carswell Air Force Base, Fort Worth, Tex.
 Goodfellow Air Force Base, San Angelo, Tex.
 Kelly Air Force Base, San Antonio, Tex.
 Lackland Air Force Base, San Antonio, Tex.
 Perrin Air Force Base, Sherman, Tex.
 Randolph Air Force Base, San Antonio, Tex.
 Hill Air Force Base, Ogden, Utah.
 Langley Air Force Base, Hampton, Va.
 McChord Air Force Base, Tacoma, Wash.
 Spokane Air Force Base, Bong, Wash.
 Fort Francis E. Warren, Cheyenne, Wyo.

[SEAL] L. L. JUDGE,
 Colonel, U. S. Air Force,
 Air Adjutant General.

[F. R. Doc. 48-10600; Filed, Dec. 6, 1948;
 8:45 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter IV—Freedmens Hospital, Federal Security Agency

PART 400—AVAILABILITY OF RECORDS AND INFORMATION

REVISION OF PART

1. The statements respecting the organization and general procedures of Freedmens Hospital appearing under Part 400, Chapter IV, and constituting §§ 400.1 to 400.5, and §§ 400.51 to 400.55, are hereby withdrawn from the codified portion of the FEDERAL REGISTER. Such sections are hereby renumbered, respectively, sections 381 to 385 under the subheading "Organization," and sections 391 to 395 under the subheading "Procedure." Any amendments or new material with respect to these provisions will appear hereafter in the Notices section of the FEDERAL REGISTER.

2. The headnote of Part 400 is amended to read as set forth above.

Section 400.6 is hereby reconstituted §§ 400.1 and 400.2, and as reconstituted, is amended to read as follows:

Sec.
 400.1 Availability of official records.
 400.2 Disclosure of information.

AUTHORITY: §§ 400.1 and 400.2 issued under R. S. 161, 5 U. S. C. 22; Reorg. Plan 4, of 1940, 5 F. R. 2421.

§ 400.1 *Availability of official records.* The principal official records of the Hospital are administrative and clinical records. All clinical records are confidential. No records or other official instruments containing information shall be withdrawn from the files of the Hos-

pital by, or furnished to, any person not an authorized employee of the Hospital, without prior authority of the Hospital Superintendent, or the Federal Security Administrator.

§ 400.2 *Disclosure of information.* No copy of, or information relative to, any official record or other official business of the Hospital which appears to be of confidential nature, shall be given to any person unless:

(a) Such person obtains a court order therefor, or makes application therefor in the manner hereinafter prescribed in paragraph (b) of this section, and

(b) It appears to the Superintendent of the Hospital that the furnishing thereof would not be inimical to the public interest or to the welfare of the patient. The application mentioned above shall be addressed to the Superintendent and must set forth the interest of the applicant in the subject matter and the purpose for which such copy or information is desired.

[SEAL] LEONARD A. SCHEELE,
 Surgeon General.

Approved: December 2, 1948.

OSCAR R. EWING,
 Federal Security Administrator.

[F. R. Doc. 48-10613; Filed, Dec. 6, 1948;
 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Manage- ment, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 528]

ARIZONA

REVOKING PUBLIC LAND ORDER NO. 22 OF AUGUST 6, 1942, WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS A BOMBING RANGE

Correction

In Federal Register Document 48-10310 appearing on page 6977 of the issue of November 27, 1948, the fifth line of paragraph (d) should read: "period from April 1, 1949, to April 20,".

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 100—ORGANIZATION, DELEGATIONS OF FINAL AUTHORITY, AND PLACES AT WHICH INFORMATION MAY BE SECURED

DISCONTINUANCE OF CODIFICATION

CROSS REFERENCE: For discontinuance of the codification of this part, see Federal Security Agency, Office of Education, in the Notices section, *infra*.

TITLE 50—WILDLIFE

CHANGES IN STRUCTURE OF TITLE

In order to conform Title 50 to the scope and style of the Code of Federal Regulations, 1949 Edition, as prescribed

by the regulations of the Administrative Committee of the Federal Register and approved by the President effective October 12, 1948 (13 F. R. 5929), there is established the following new structure for Title 50 and all documents hereafter filed under Title 50 will conform to this structure.

TITLE 50—WILDLIFE

CHAPTER I—FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

SUBCHAPTER A—GENERAL PROVISIONS

Part 1—Definitions

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

Part 6—Migratory Birds and Certain

Game Mammals

Part 7—Nonmigratory Species

Part 8—Proclamations Designating Areas closed to Hunting

SUBCHAPTER C—MANAGEMENT OF WILDLIFE CONSERVATION AREAS

[Provisions of General Applicability]

Part 16—Definitions

Part 17—List of Areas

Part 18—General Provisions

Part 19—Fish Cultural Stations

Part 20—Game Ranges

Part 21—National Wildlife Refuges

Part 22—Cooperative Reguges

Part 23—Wildlife Management Areas

[Provisions of Special Applicability]

Part 31—Pacific Region

Part 32—Southwestern Region

Part 33—Central Region

Part 34—Southeastern Region

Part 35—Northeastern Region

Part 36—Alaska Region

SUBCHAPTER D—FEDERAL AID TO STATES IN WILDLIFE RESTORATION

Part 41—Restoration of Game Birds and Mammals

SUBCHAPTER E—ALASKA WILDLIFE PROTEC- TION

Part 46—Taking of Animals, Birds, and Game Fishes

SUBCHAPTER F—ALASKA COMMERCIAL FISH- ERIES

Part 101—Definitions

Part 102—General Provisions

Part 103—Yukon-Kuskokwim Area

Part 104—Bristol Bay Area

Part 105—Alaska Peninsula Area

Part 106—Aleutian Islands Area

Part 107—Chignik Area

Part 108—Kodiak Area

Part 109—Cook Inlet Area

Part 110—Resurrection Bay Area

Part 111—Prince William Sound Area

Part 112—Copper River Area

Part 113—Bering River—Icy Bay Area

Part 114—Southeastern Alaska Area

Salmon Fisheries—General Provi- sions

Part 115—Southeastern Alaska Area

Fisheries Other Than Salmon

Part 116—Southeastern Alaska Area,

Yakutat District, Salmon Fisheries

Part 117—Southeastern Alaska Area,

Icy Strait District, Salmon Fisheries

Part 118—Southeastern Alaska Area,

Western District, Salmon Fisheries

Part 119—Southeastern Alaska Area,

Eastern District, Salmon Fisheries

Part 120—Southeastern Alaska Area,

Stikine District, Salmon Fisheries

Part 121—Southeastern Alaska Area,

Sumner Strait District, Salmon Fish- eries

Part 122—Southeastern Alaska Area,

Clarence Strait District, Salmon

Fisheries

Part 123—Southeastern Alaska Area, South Prince of Wales Island District, Salmon Fisheries

Part 124—Southeastern Alaska Area, Southern District, Salmon Fisheries

SUBCHAPTER G—ALASKA AQUATIC MAMMALS OTHER THAN WHALES

Part 141—Administration of the Pribilof Islands

Part 142—Protection of Sea Lions

SUBCHAPTER H—WHALING

Part 151—Whaling Provisions

CHAPTER II—ALASKA GAME COMMISSION

Part 161—Guides

Part 162—Poisons

Part 163—Trapping and hunting licenses

CHAPTER III—INTERNATIONAL REGULATORY AGENCIES (FISHING AND WHALING)

SUBCHAPTER A—INTERNATIONAL FISHERIES COMMISSION

Dated: November 30, 1948.

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 48-10601; Filed, Dec. 6, 1948; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

United States Coast Guard

[33 CFR, Parts 80, 95]

[CGFR 48-66]

LIGHTS FOR BARGES, CANAL BOATS, SCOWS, RAFTS, AND OTHER NONDESCRIPT VESSELS

MERCHANT MARINE COUNCIL PUBLIC HEARING; NOTICE OF PROPOSED CHANGES

1. The Merchant Marine Council will hold a public hearing in Room 4120, Coast Guard Headquarters, 13th and E Streets NW., Washington, D. C., on December 20, 1948. The meeting will convene at 9:30 a. m. The Merchant Marine Council will consider a petition submitted by operators of vessels on the Gulf Intracoastal Waterway to change the requirements for lights for barges, canal boats, scows, and rafts when being towed by steam vessels on the Gulf Intracoastal Waterway and adjacent waters, including rivers crossing that waterway, and to prescribe lights for rafts when being towed on all inland waters and western rivers, and to consider all the comments, suggestions, and views which may be submitted prior to and at the hearing.

2. It is proposed to amend 33 CFR 80.16 (formerly § 312.16), regarding lights for barges, canal boats, and scows in tow of steam vessels on certain inland waters on the seaboard, except the Hudson River and adjacent waters and Lake Champlain, to require that barges, canal boats, scows, and other vessels of nondescript type not otherwise provided for when being towed on the Gulf Intracoastal Waterway and adjacent waters, including rivers crossing that waterway, carry the same lights as required by the Pilot Rules for Western Rivers for similar vessels when being towed, as follows:

(a) When one or more barges, canal boats, scows, or other vessels of nondescript type not otherwise provided for are being towed by pushing ahead of a steam vessel; such tow shall be lighted by an amber light at the extreme forward end of the tow and at the centerline of the tow, or as near the centerline as it is practicable to carry such light; and a green light on the starboard side and a red light on the port side, so placed that they mark the tow at its maximum projection to starboard and port, respectively.

(b) When being towed alongside a steam vessel on the starboard side, a barge, canal boat, scow, or other vessel of nondescript type not otherwise pro-

vided for shall have a green light on the starboard bow, and when being towed alongside on the port side, a red light on the port bow.

(c) When being towed on either side of a steam vessel, two or more abreast, only outboard barges, scows, canal boats, or other vessels of nondescript type not otherwise provided for shall carry the appropriate side lights.

(d) When being towed singly or in tandem on a hawser behind a steam vessel, each barge, canal boat, scow, or other vessel of nondescript type not otherwise provided for shall carry a white light at each end.

(e) When being towed in tiers, two or more abreast, each of the outside barges, canal boats, scows, or other vessels of nondescript type not otherwise provided for shall carry a white light on its outer bow, and in addition each of the outside boats in the last tier shall carry a white light on the outer part of the stern.

(f) When one or more barges, canal boats, scows, or other vessels of nondescript type not otherwise provided for are moored to the bank or dock in or near a fairway, such tow shall carry two white lights not less than four feet above the surface of the water, as follows: on a single moored barge, canal boat, scow, or other vessel of nondescript type not otherwise provided for, a light at each outboard or channelward corner; on barges, canal boats, scows, or other vessels of nondescript type not otherwise provided for when moored in a group formation, a light on the upstream outboard or channelward corner of the outer upstream boat and a light on the downstream outboard or channelward corner of the outer downstream boat, and in addition any boat projecting toward or into the channel from such group formation shall have two white lights similarly placed on its outboard or channelward corners.

(g) The colored side lights described herein must be fitted with inboard screens so as to prevent them from being seen more than half a point across the bow, of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least three miles, so constructed as to show a uniform and unbroken light over an arc of the horizon of ten points of the compass, and so fixed as to throw the light from right ahead to two points abaft the beam on either side.

(h) The amber light described herein shall be screened so as not to be visible more than two points abaft the beam

and shall be visible a distance of at least three miles.

(i) All lights described herein shall be carried at least eight feet above the surface of the water and at approximately the same height, except as provided in paragraph (f).

(j) The white lights described herein shall be so constructed as to show all around the horizon.

(k) Nothing in the rules prescribed herein shall be construed as compelling barges, canal boats, scows, or other vessels of nondescript type not otherwise provided for being towed by steam vessels, when passing through any waters coming within the scope of any regulations where lights for such boats are different from those of the waters whereon such boats are usually employed, to change their lights from those required on the waters from which their trip begins or terminates; but should such boats engage in local employment on waters requiring different lights from those where they are customarily employed, they shall comply with the local rules where employed.

3. It is proposed to amend 33 CFR 80.32 (formerly § 312.32), regarding lights for rafts and other watercraft operated by hand power, horsepower, or current to provide that rafts when being towed shall carry the same lights as rafts propelled by hand power, or by the current of the river or which shall be anchored or moored in or near a channel or fairway. It is also proposed to amend the regulations in 33 CFR 95.37 (formerly § 332.37), regarding lights for rafts and other craft, to require rafts when being towed shall carry the same lights as rafts propelled by hand power, or by the current of the river or which shall be anchored or moored in or near a channel or fairway. The lights to be required are as follows:

(a) Rafts of one crib and not more than two in length shall carry one white light.

(b) Rafts of three or more cribs in length and one crib in width shall carry one white light at each end of the raft.

(c) Rafts of more than one crib abreast shall carry one white light on each outside corner of the raft, making four lights in all.

(d) The white lights shall be carried from sunset to sunrise, in a lantern so fixed and constructed as to show a clear, uniform and unbroken light visible all around the horizon and of such intensity as to be visible on a dark night with a clear atmosphere at a distance of at least

one mile. The lights shall be suspended from poles of such height that the light shall not be less than eight feet above the surface of the water.

4. The authority for the proposed amendments to 33 CFR 80.16, 80.32, and 95.37 (formerly §§ 312.16, 312.32, and 332.37) is contained in R. S. 4233A, Public Law 544, 80th Congress, 30 Stat. 98, 102, and 38 Stat. 381, as amended, 33 U. S. C. 157, 178.

5. Comments on the proposed changes may be submitted in writing for receipt prior to December 20, 1948, by the Commandant (CMC), United States Coast Guard, Washington 25, D. C., or presented orally or in writing at the hearing.

Dated: December 2, 1948.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 48-10649; Filed, Dec. 6, 1948;
9:05 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR, Part 97]

SWAN ISLAND QUARANTINE STATION

NOTICE OF INTENTION TO ISSUE REGULATIONS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1946 ed. 1003 (a)), that the Secretary of Agriculture is considering the issuance of regulations under the act of Congress of July 24, 1946 (21 U. S. C. 1946 ed. 133) to read as follows:

PART 97—ADMISSION OF RUMINANTS AND SWINE TO SWAN ISLAND ANIMAL QUARANTINE STATION AND SHIPMENT OF ANIMALS THEREFROM

Sec.	Definitions.
97.1	Permits required for admission of ruminants and swine to quarantine station.
97.2	Certificates required for admission of ruminants and swine to quarantine station.
97.3	Handling of ruminants and swine en route to quarantine station.
97.4	Diagnostic tests required for cattle and goats.
97.5	Inspection on arrival at Swan Island port; disposal of affected or exposed animals, etc.
97.6	Articles accompanying animals.
97.7	Periods of quarantine.
97.8	Inspections and tests of ruminants and swine at quarantine station.
97.9	Test animals.
97.10	Handling of cattle from tick infested areas.
97.11	Feed and attendants for animals in quarantine.
97.12	Quarantine station: visiting restricted; sales prohibited.
97.13	Milk from quarantined animals.
97.14	Manure from quarantined animals.
97.15	Appearance of disease among animals in quarantine; disposal of animals.
97.16	Release of animals from quarantine.
97.17	Accommodations for animals transported from Swan Island.
97.18	Shipment of animals for admission to quarantine station as consent to requirements of regulations.
97.19	Fees.
97.20	

AUTHORITY: §§ 97.1 to 97.20 issued under 30 Stat. 633; 21 U. S. C. 133.

§ 97.1 *Definitions.* Whenever in the regulations in this part the following words are used, they shall be construed, respectively, to mean:

(a) *Department.* The United States Department of Agriculture.

(b) *Bureau.* The Bureau of Animal Industry of the Agricultural Research Administration of the Department.

(c) *Chief.* The Chief of the Bureau or any other officer or employee of the Agricultural Research Administration of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) *Animals.* Cattle, sheep, goats, other ruminants and swine.

(e) *Cattle.* Animals of the bovine species.

(f) *Ruminants.* All animals which chew the cud, such as cattle, sheep, goats, buffalo, camels.

(g) *Inspector.* An inspector of the Bureau.

(h) *Quarantine Station.* The International Animal Quarantine Station on Swan Island in the Caribbean Sea.

(i) *Fever tick.* *Boophilus annulatus*, including variety *microplus* or *australis*.

§ 97.2 *Permits required for admission of ruminants and swine to quarantine station—(a) Application for permit; waiver of claim.* Ruminants and swine shall be admitted to the quarantine station only if a permit has been issued therefor by the Bureau. Application for such a permit shall be made to the Bureau by each shipper of animals to be shipped to the quarantine station, or by his agent. This application shall be accompanied by an application for inspection and supervised dipping, executed by the shipper or his agent, wherein the shipper shall agree to waive all claims against the United States for any loss or damage to the animals resulting from any of the following: (1) Dipping for fever ticks; (2) continued infestation with fever ticks; (3) acquiring any disease or infection or being exposed to any disease or infection while being held at the quarantine station; (4) handling; (5) use of the quarantine station facilities; (6) the application of diagnostic tests; or (7) disposal of animals found affected with or exposed to disease as provided in the regulations in this part. A waiver of claim for any loss or damage to any other animals, in the possession of or controlled by the shipper, that may come in contact with animals dipped for fever ticks shall also be furnished by the shipper or his agent on his behalf.

(b) *Disposition of permit.* Upon issuance of a permit by the Chief the "Consul section" of the permit shall be presented by the shipper or his agent to the American Consulate in the district of the country of origin of the animals which includes the port of embarkation. The "Quarantine section" of the permit shall be forwarded by the Bureau to the inspector in charge of the quarantine station.

(c) *Limitations on granting of permits.* (1) Permits will be granted for admission of animals to the quarantine station only if the Chief finds after consideration of all relevant factors, such as the origin, proposed method of handling, and state

of health of the animals, that such admission will not be likely to result in the introduction of any communicable disease of animals into Swan Island. Permits will not be granted for any animals which have been vaccinated against foot-and-mouth disease within the twelve months immediately preceding the time at which they are to arrive at the quarantine station.

(2) Permits will not be granted in excess of the accommodations provided at the quarantine station.

(d) *Limitations on admission of animals under permit.* Animals will be admitted to the quarantine station only during the period prescribed in the permit for their arrival or at any time during 3 weeks immediately following such period, after which time the permit shall be void. Animals will not be admitted to the quarantine station if shipped from any foreign port other than that designated in the permit.

§ 97.3 *Certificates required for admission of ruminants and swine to quarantine station.* All ruminants and swine which are shipped to the quarantine station, and for which permits shall have been obtained previously from the Bureau, shall be admitted to such station only if accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin of the animals, stating that such animals are free from infectious or contagious diseases and have originated in an area in said country which has been free from foot-and-mouth disease, rinderpest, contagious pleuropneumonia, and surra for at least 60 days immediately preceding the date of movement therefrom, and that the animals have remained in that area continuously for that time: *Provided, moreover,* That for domestic swine the certificate shall also show that for 60 days immediately preceding the date of movement from the premises of origin, no hog cholera, swine plague, or swine erysipelas has existed on these or adjoining premises.

§ 97.4 *Handling of ruminants and swine en route to quarantine station.* All ruminants and swine shipped under the regulations in this part to the quarantine station shall be transported from the premises of their origin to the quarantine station in such a manner that they do not come in contact with and are not exposed to infectious or contagious disease. The transporting ship, vehicle, or aircraft shall be cleaned and disinfected before being used in moving the said animals from the point of origin to the quarantine station. Feed shall be taken on board the transporting ship, vehicle, or aircraft only from the point of origin of said animals or from the United States, and no feed, bedding or equipment to be used about the animals shall be taken aboard at any port of call in a country in which foot-and-mouth disease or rinderpest is known to exist, as determined by the Secretary of Agriculture or handled in such a manner that it may be contaminated with foot-and-mouth disease or rinderpest. At all ports of call, only the regular attendants shall be allowed to visit the part of the ship, vehicle, or aircraft where the animals are confined. An acceptable affidavit

that the requirements of this section have been observed shall be furnished to the inspector in charge of the quarantine station by the shipper or his agent before the animals are unloaded.

§ 97.5 *Diagnostic tests required for cattle and goats*—(a) *Certificate showing negative tests for tuberculosis and brucellosis required.* All cattle and goats shipped to the quarantine station shall be accompanied by a satisfactory certificate of a salaried veterinary officer of the national government of the country of origin showing that the animals have been tested for tuberculosis and brucellosis with negative results within 30 days preceding the date of exportation, except that the brucellosis test shall not be required for any animals less than 6 months old. The said certificate shall give the dates and places of testing, names of consignor and consignee, and a description of the cattle and goats, including the breeds, ages, and markings.

(b) *Further tests for tuberculosis and brucellosis required during quarantine.* Unless such tests are waived by the Chief of the Bureau, cattle and goats shall be retested for tuberculosis and brucellosis during the last 10 days of the quarantine period at the quarantine station by one or more methods approved by the Chief.

§ 97.6 *Inspection on arrival at Swan Island port; disposal of affected or exposed animals, etc.* (a) All ruminants and swine presented for admission to the quarantine station shall be examined upon arrival, and all such animals found to be free from evidence of disease and not to have been exposed to any contagious or infectious disease shall be admitted subject to the other provisions of the regulations in this part.

(b) Ruminants and swine found upon such examination to be affected with a contagious or infectious disease, or to have been exposed thereto, shall be refused admission and, unless promptly returned to the country of their origin or slaughtered, shall be dealt with as prescribed by the Chief. Such portions of the transporting ship or aircraft and its cargo as have been exposed to these animals or their excrements shall be cleaned and disinfected as prescribed by the inspector in charge of the quarantine station.

§ 97.7 *Articles accompanying animals.* No feed, litter, or manure, or equipment such as boxes, buckets, ropes, chains, or blankets, or other things to be used for or about the animals governed by the regulations in this part, shall be landed at Swan Island from any ship or aircraft except under such restrictions as the inspector in charge of the quarantine station shall prescribe.

§ 97.8 *Periods of quarantine.* Ruminants and swine admitted to the quarantine station shall be quarantined for not less than 90 days from the date of arrival at quarantine station. The period of quarantine may be extended at the discretion of the Chief for any particular shipment of animals.

§ 97.9 *Inspections and tests of ruminants and swine at quarantine station.* All ruminants and swine at the quaran-

quarantine station shall be subject, during the period of their quarantine, to such inspections, disinfections, blood tests, or other tests as may be required by the Chief to determine their freedom from disease and exposure to disease.

§ 97.10 *Test animals.* Such test animals as may be required to determine the freedom of a particular shipment of animals from disease shall be furnished by the shipper or his agent as directed by the Chief.

§ 97.11 *Handling of cattle from tick infested areas.* Cattle that have been infested with or exposed to fever ticks may be admitted to the quarantine station provided the following conditions are strictly observed and complied with:

(a) The cattle shall be shown by affidavit of the shipper or his agent to have been dipped twice, at intervals of 7 to 12 days, in an arsenical solution containing a minimum of 0.22 per cent of arsenious oxide in solution. The last dipping must have occurred immediately prior to departure for the country of origin. Other tickicides for use in removing fever ticks may be approved by the Chief at his discretion.

(b) The cattle when offered for admission to the quarantine station shall receive a chute inspection by an inspector. If found free from fever ticks, they shall be dipped as prescribed by the Chief. If found to be infested with fever ticks, they shall not be permitted entry until they have been freed therefrom by dipping in a permitted solution or by other treatment approved by the Chief.

§ 97.12 *Feed and attendants for animals in quarantine.* Each shipper of animals subject to quarantine under the regulations in this part shall arrange for their care, feeding, and handling from time of unloading at Swan Island to the time of movement from that Island. All feed for use of quarantined animals shall be furnished by the shipper and obtained from the United States: *Provided, however,* That on special permission of the Chief, feed may be obtained from a foreign country free from foot-and-mouth disease and fever ticks. Food and bedding of attendants of the animals also must be furnished by the shipper.

§ 97.13 *Quarantine station: visiting restricted; sales prohibited.* Visitors shall not be admitted to the quarantine enclosure during any time that animals are in quarantine, except that a shipper or his agent or veterinarian may be admitted to the yards and buildings containing his quarantined animals at such intervals as may be deemed necessary, and under such conditions and restrictions as may be imposed by the inspector in charge of the quarantine station. On the last day of the quarantine period, owners, officers of registry societies, and others who have official business or whose services may be necessary in the removal of the animals may be admitted upon written permission from the said inspector. No exhibition or sale shall be allowed within the quarantine premises.

§ 97.14 *Milk from quarantined animals.* Milk or cream from animals quarantined under the regulations in this

part shall not be used by any persons other than those in charge of such animals, nor be fed to any animals other than those within the same enclosure, without permission of the inspector in charge of the quarantine station and subject to such restrictions as he may consider necessary in each instance. No milk or cream shall be removed from the quarantine premises.

§ 97.15 *Manure from quarantined animals.* No manure shall be removed from the quarantine premises except as directed by the inspector in charge of the quarantine station.

§ 97.16 *Appearance of disease among animals in quarantine; disposal of animals.* If any contagious disease appears among animals during their quarantine period, special precautions shall be taken to prevent spread of the disease to other animals at or outside the quarantine station. Affected or exposed animals shall be slaughtered or otherwise disposed of as the Chief may direct, depending on the nature of the disease.

§ 97.17 *Release of animals from quarantine*—(a) *For export generally.* On expiration of the quarantine period, the animals may be released for export shipment, if the examinations, observations, and tests conducted at the quarantine station are satisfactory as determined by the inspector in charge of that station.

(b) *For shipment to other parts of the United States.* Ruminants and swine may be shipped from Swan Island to other parts of the United States only if the shipper first obtains a permit therefor from the Bureau. Permits will be issued for such shipments to be made only through the Port of New York, N. Y., or other ports designated as official quarantine stations (9 CFR 92.3, as amended) where necessary quarantine facilities are available. The applicable provisions of the regulations governing the importation of livestock into the United States (except from Mexico) (9 CFR Part 92, as amended) that are in effect at the time of the proposed shipment shall govern the importation of ruminants and swine from Swan Island into other parts of the United States except in so far as such regulations are in conflict with the regulations in this part or the act of July 24, 1946 (21 U. S. C. 1946 ed. 133). No animal intended for such importation shall be transported in a ship or other conveyance that has been used in the transportation of livestock since it was last cleaned and disinfected.

§ 97.18 *Accommodations for animals transported from Swan Island.* Owners or masters of ships or aircraft carrying animals from Swan Island to other parts of the United States shall provide for the animals such feed and water supply, space, ventilation, fittings, and other facilities as would be required under the regulations in Part 91 of this chapter, as amended, if the animals were being exported from the United States: *Provided, however,* That, in the case of aircraft, the Chief may permit such variations from those requirements as he deems necessary due to the differences between ships and aircraft.

premises

§ 97.19 *Shipment of animals for admission to quarantine station as consent to conditions of regulations.* Any person who ships animals to the quarantine station under the regulations in this part shall be deemed to consent that they shall be handled and disposed of as provided in said regulations.

§ 97.20 *Fees.* Every person who ships animals to the quarantine station under the regulations in this part shall pay such fees for use of the quarantine station facilities and services as may be prescribed by the Chief.

Any person who wishes to submit written data, views, or arguments concerning the proposed new regulations may do so by filing them with the Chief of the Bureau of Animal Industry, United States Department of Agriculture, Washington 25, D. C., within 30 days after publication of this Notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 2d day of December 1948. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10625; Filed, Dec. 6, 1948;
8:51 a. m.]

[9 CFR, Part 151]

RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS OFFERED FOR IMPORTATION

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by paragraph 1606 of section 201 of the Tariff Act of 1930, as amended (19 U. S. C. 1946 ed. 1201, par. 1606, and Pub. Law 475, 80th Cong., 62 Stat. 161), proposes to revise the regulations heretofore adopted under said paragraph governing the recognition of breeds and books of record of purebred animals (9 CFR Cum., 1943, 1944, 1945, 1946, and 1947 Supps. Part 151, and 13 F. R. 1146, 2368, 3457, and 5936), to read as follows:

DEFINITIONS

Sec.	
151.1	Terms defined.
CERTIFICATION OF PUREBRED ANIMALS	
151.2	Issuance of certificates of pure breeding.
151.3	Application for certificates of pure breeding.
151.4	Pedigree certificates.
151.5	Transfers of ownership.
151.6	Alteration of pedigree and transfer certificates.
151.7	Affidavit of identity.
151.8	Examination of animals.
151.9	Eligibility of animals for certification.

RECOGNITION OF BREEDS AND BOOKS OF RECORD

151.10	Recognized breeds and books of record.
151.11	Recognition of additional breeds and books of record.

AUTHORITY: §§ 151.1 to 151.11 Issued under sec. 201, 46 Stat. 672-685, Pub. Law 475, 80th Cong., 62 Stat. 161; 19 U. S. C. 1201 Par. 1606.

§ 151.1 *Terms defined.* Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand. Unless otherwise clearly indicated by the context, whenever the following words, names, or terms are used in the regulations in this part they shall be construed, respectively, to mean:

(a) *Animal.* Any purebred animal imported specially for breeding purposes except a black, silver, or platinum fox, or any fox which is a mutation, or type developed, therefrom.

(b) *Purebred.* A term applicable to animals which are the progeny of known and registered ancestors of the same recognized breed and for which at least three generations of ancestry can be traced.

(c) *Book of record.* A printed book sponsored by a registry association and containing breeding data relative to a large number of registered purebred animals used for the issuance of pedigree certificates.

(d) *Pedigree certificate.* A document issued by a registry association giving the pedigree of an animal and certifying that it is registered in the book of record of the association issuing the document.

(e) *Certificate of pure breeding.* A document issued by the Chief of the Bureau to, and for the exclusive use of, the collector of customs, United States Treasury Department.

(f) *Port of arrival.* The port (coastal or border) where animals first come into the United States.

(g) *Port of entry.* The port where customs entry is made.

(h) *Inspector.* An inspector of the Bureau of Animal Industry of the United States Department of Agriculture or of the Bureau of Customs of the United States Treasury Department authorized to perform functions under the regulations in this part.

(i) *Bureau.* The Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture.

(j) *Chief of the Bureau.* The Chief of the Bureau or any officer or employee of the Bureau to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

(k) *Department.* The United States Department of Agriculture.

(l) *The act.* Paragraph 1606 of section 201 of the Tariff Act of 1930, as amended (19 U. S. C. 1946 ed. 1201, paragraph 1606, and Pub. Law 475, 80th Cong., 62 Stat. 161).

CERTIFICATION OF PUREBRED ANIMALS

§ 151.2 *Issuance of certificates of pure breeding.* The Bureau will issue certificates of pure breeding for animals claimed to be entitled to free entry under the act upon compliance by the importer with the requirements of the regulations in this part. Such certificates will be issued to the collector of customs at the port of entry of such animals.

§ 151.3 *Application for certificates of pure breeding.* Application for certificates of pure breeding executed by the

importer of the animals or his agent may be made to the Bureau after customs entry has been made, on forms furnished or approved by the Bureau, showing the surname of the importer and his given name, or initials, if any; the address (in the United States) of the importer; the number, breed, and sex, and port and date of arrival of the animals imported; the customs entry number of the importation; and the name of the vessel or other carrier by which shipped.

§ 151.4 *Pedigree certificates.* Pedigree certificates for the animals listed in § 151.10, issued by the custodian of the appropriate book of record listed in said section, shall be furnished by the importer or his agent to the inspector at the time of examination of the animals as provided in § 151.3. Following examination of the animals, the importer or his agent shall present the pedigree certificate to the Bureau at the time of making application for certificates of pure breeding as provided in § 151.3. The Bureau will later return the papers to the party who submitted them. A verbatim translation of the description relating to color and markings shall appear in English in the pedigree certificate for each animal or in a separate certificate appended to the pedigree certificate.

§ 151.5 *Transfers of ownership.* A complete record of transfers of ownership, from the breeder to and including the United States importer, of animals for which certificates of pure breeding have been requested shall be furnished to the Bureau by the importer or his agent. Such transfers shall have been recorded on the pedigree certificates by the registry association or on certificates of transfer issued and approved by the registry association.

§ 151.6 *Alteration of pedigree and transfer certificates.* No pedigree certificate or certificate of transfer of ownership which in the opinion of the Chief of the Bureau has been substantially altered will be accepted.

§ 151.7 *Affidavit of identity.* An affidavit by the owner, agent, or importer, duly acknowledged before an officer having authority to administer oaths, stating that the animals declared for free entry under the Act are the identical animals described in the pedigree certificates, shall be furnished to the Bureau by the importer or his agent.

§ 151.8 *Examination of animals.* An examination (for the purpose of determining identity) shall be made by an authorized inspector at the coastal or border port of arrival of all animals imported under the regulations in this part. The importer or his agent shall provide adequate assistance and facilities for restraining and otherwise handling the animals and present them in such manner and under such conditions as in the opinion of the inspector will make a proper examination possible. Otherwise the examination of the animals will be refused or postponed by the inspector until the importer or his agent meets these requirements at the port of arrival. Pedigree certificates and certificates of

transfers of ownership for all animals for which free entry is claimed under the act, shall be presented at the port of arrival of the animals to the inspector making the examination. Removal of the animals from the port of arrival prior to the presentation of the pedigree certificates and certificates of transfers shall constitute a waiver of any further claim to certification under the regulations in this part.

§ 151.9 *Eligibility of animals for certification.* To be eligible for certification under the act, animals must be purebred of a recognized breed and have been registered in good faith in a book of record listed in § 151.10 and must not have

been registered on inspection without regard to purity of breeding.

RECOGNITION OF BREEDS AND BOOKS OF RECORD

§ 151.10 *Recognized breeds and books of record.* Breeds of animals and books of record listed in paragraphs (a) and (b) of this section are hereby recognized. Recognition of such breeds and books of record will be continued, however, only if the books of record involved are kept by the custodians thereof in a form which is reasonably current in the opinion of the Chief of the Bureau. Books of purebred registration shall be sent to the Bureau at Washington 25, D. C., through the United States Govern-

ment Despatch Agency, 45 Broadway, New York 6, N. Y., U. S. A., immediately following their publication.

(a) *Breeds and books of record in countries other than Canada.* Books of record of the registry associations listed below are recognized for the following breeds: *Provided*, That no Norman cattle or Criolla or Westland horse or dog or cat registered in any of the books named shall be certified under the act as purebred unless a pedigree certificate showing three complete generations of known and recorded purebred ancestry of the particular breed involved, issued by the appropriate association listed below, is submitted for such animal.

Name of breed	Book of record	By whom published	Name of breed	Book of record	By whom published
CATTLE			CATTLE—Continued		
Aberdeen-Angus.....	Aberdeen-Angus Herd Book.	Aberdeen-Angus Cattle Society, Alexander Keith, secretary, 91 Union St., Aberdeen, Scotland.	Red Danish.....	Stambog over Køer af Rød Dansk Malke race. Stambog over Tyre af Rød Dansk Malke race. Register-Stambog over Kvaeg af Rød Dansk Malke race.	De Samvirkende Danske Landboforeninger, M. Nielsen, consultant, Axelborg 4 Sal, Copenhagen V, Denmark.
Africander.....	Africander Section of the South African Stud Book.	South African Stud Book Association, W. Smith, secretary, Whiteo House, St. Andrew St., Bloemfontein, Union of South Africa.	Red Poll.....	Red Poll Herd Book.....	Red Poll Cattle Society of Great Britain and Ireland (Incorporated), C. H. Clarke, secretary, Commerca Chambers, 10 High St., Ipswich, England.
Alderney.....	Herd Book of the Bailwick of Guernsey (Alderney Branch).	Royal Alderney Agricultural Society (The Alderney Branch of the Royal Guernsey A. and H. Society), Captain James A. L. Bryan, secretary, 5 Little St., Alderney, C. I., Channel Islands.	Shorthorn.....	Coate's Herd Book.....	Shorthorn Society of Great Britain and Ireland, Leonard Bull, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
Ayrshire.....	Ayrshire Herd Book.....	Ayrshire Cattle Herd Book Society of Great Britain and Ireland, Hugh Bone, secretary, 1 Racecourse Rd., Ayr, Scotland.	South Devon.....	Herd Book of South Devon Cattle.	South Devon Herd Book Society, R. F. Johnson, secretary, Midland Bank Chambers, Newton Abbot, Devon, England.
Charolaise.....	Herd Book De La Race Bovine Charolaise.	Syndicat Central D'Exportation De La Race Bovine Charolaise Etienne Chatelin, secretary, 9 Rue Gambetta, Nevers, France.	Sussex.....	Sussex Herd Book.....	Sussex Herd Book Society, A. G. Holland, secretary, 5 Broadway East, Deunham, Uxbridge, Middlesex, England.
Devon.....	Davy's Devon Herd Book.	Devon Cattle Breeders' Society, Francis James Morle, secretary, Wiveliscombe, Somerset, England.	Welsh.....	Welsh Black Cattle Herd Book.	Welsh Black Cattle Society, G. O. Thomas, secretary, Bank Chambers, Bangor, North Wales.
Dexter.....	Dexter Herd Book.....	Dexter Cattle Society, M. F. J. Batting, secretary, 12 Station Rd., Reading, Berkshire, England.	HORSES		
Galloway.....	Galloway Herd Book.....	Galloway Cattle Society of Great Britain and Ireland, R. A. Gourlay, secretary, Auchenhay, Corsock, Castle-Douglas, Scotland.	Arabian.....	Arab Horse Stud Book.....	The Arab Horse Society, Brigadier W. H. Anderson, secretary, Orchard House, Waltham St. Lawrence Nr. Reading, Berks., England.
Guernsey.....	English Guernsey Herd Book	English Guernsey Cattle Society, R. H. Holmes, secretary, 98 Wimpole St., London, W. 1, England.	Do.....	Polska Ksiega Stadna Koni Arabskich Czystej Krwi.	Towarzystwo Hodowli Konia Arabskiego, Dr. Edward Skorkowski, secretary, Urzednicza 48, Krakow, Poland.
Do.....	Herd Book of the Bailwick of Guernsey (Guernsey Branch).	Royal Guernsey Agricultural and Horticultural Society, Ernest de Garis, secretary, States Arcade Balcony, Guernsey, Channel Islands.	Do.....	General Stud Book.....	Weatherby & Sons, 15 Cavendish Sq., London, W. 1, England.
Hereford.....	Herd Book of Hereford Cattle.	Hereford Herd Book Society, H. F. Davies, secretary, 3 Offa St., Hereford, England.	Do.....	Stud Book Argentino.....	Jockey Club, Dr. César M. Vela, secretary, Florida 559, Buenos Aires, Argentina.
Highland.....	Highland Herd Book.....	Highland Cattle Society of Scotland, John Stewart, secretary, Commercial Bank Bldg. Dunblane, Scotland.	Do.....	Registro-Matricula de Caballos de Pura Sangre.	General Livestock Administration. The Minister of Agriculture, Madrid, Spain.
Holstein-Friesian.....	Friesch Rundvee-Stamboek.	Vereeniging: "Het Friesch Rundvee-Stamboek," Ir. H. G. A. Leignes Bakhoven, secretary, Zuiderplein 2-4, Leeuwarden, Netherlands.	Do.....	Stud Book Français Registro des Chevaux de Pur Sang.	Commission du Studbook Français de Pur Sang, M. de Malherbe, Inspector General, Chief, Service des Haras, Ministry of Agriculture, Paris, France.
Do.....	Nederlandsch Rundvee-Stamboek.	Vereeniging: "Het Nederlandsche Rundvee-Stamboek," Ir. W. de Jong, Director, 24 Surinamestraat, The Hague, Netherlands.	Belgian.....	Stud-Book des Chevaux de Trait Belges.	Société Royale "Le Cheval de Trait Belge," Chevalier Hynderick de Thielegot, secretary, 60 rue Royale, Brussels, Belgium.
Jersey.....	Jersey Herd Book.....	Royal Jersey Agricultural and Horticultural Society, H. G. Shepard, secretary, 3 Mulcaster St., St. Helier, Jersey, Channel Islands.	Cleveland Bay.....	Cleveland Bay Stud Book.	Cleveland Bay Horse Society, Tom Kirby, secretary, Great Ayton (Middlesbrough), Yorkshire, England.
Do.....	English Jersey Herd Book.	English Jersey Cattle Society, Edward Ashby, secretary, 19 Bloomsbury Sq., London, W. C. 1, England.	Clydesdale.....	Clydesdale Stud-Book.....	Clydesdale Horse Society of Great Britain & Ireland, Robert Jarvis, secretary, 93 Hope St., Glasgow O. 2, Scotland.
Kerry.....	British Kerry Cattle Herd Book.	British Kerry Cattle Society, R. O. Hubl, secretary, The Milestone, Stanmore Hill, Middlesex, England.	Criolla.....	"Registro Definitivo" section of the Stud Book Argentino para la Raza Criolla.	Sociedad Rural Argentina, José A. Martínez de Hoz, president, Florida, 460, Buenos Aires, Argentina.
Do.....	Kerry Cattle Herd Book.....	Royal Dublin Society, J. Hesketh Carnegie, editor, Ball's Bridge, Dublin, Ireland.	Hackney.....	Hackney Stud Book.....	Hackney Horse Society, Robert F. Ling, secretary, 98 Wimpole St., London, W. 1, England.
Norman.....	Herd-Book de la Race Normande Pure.	L'Association du Herd-Book Normand, Jacques Lefebvre, secretary, Cours Sadi-Carnot, Caen, France.	Percheron.....	British Percheron Stud Book.	British Percheron Horse Society, H. Gordon Smith, secretary, "Haslemere", Fulbourn, Cambs, England.

PROPOSED RULE MAKING

Name of breed	Book of record	By whom published	Name of breed	Book of record	By whom published
HORSES—Continued			SHEEP—Continued		
Percheron.....	Stud-Book Percheron de France.	Société Hippique Percheronne de France, E. Lemarié, secretary, 7 Rue Villette-Gate, Nogent-le-Rotrou (E.-&-L), France.	Leicester.....	Leicester Flock Book.....	Leicester Sheep Breeders' Association, C. H. Simpson, secretary, Roselea, Hunmanby, Filey, Yorks, England.
Shetland Pony.....	Shetland Pony Stud-Book.....	Shetland Pony Stud-Book Society, Walker & Duncan, secretaries, 3 Golden Sq., Aberdeen, Scotland.	Lincoln.....	Flock Book of Lincoln Longwool Sheep.....	Lincoln Longwool Sheep Breeders' Association, Fred P. Taylor, secretary, 184 High St., Lincoln, England.
Shire.....	Shire Horse Stud Book.....	Shire Horse Society, A. G. Holland, secretary, 17 Devonshire St., London W. 1, England.	Oxford Down.....	Flock Book Oxford Down Sheep.....	Oxford Down Sheep Breeders' Association, Maxwell & Stilgoe, secretaries, 21 Marlborough Rd., Banbury, Oxon, England.
Suffolk.....	Suffolk Stud-Book.....	Suffolk Horse Society, Raymond Keer, secretary, 6 Church St., Woodbridge, Suffolk, England.	Romney Marsh.....	The New Zealand Romney Marsh Flock Book.....	New Zealand Romney Marsh Sheep Breeders' Association, Inc., A. H. Maguire, secretary, 63 Kimbolton Rd., Feilding, New Zealand.
Thoroughbred.....	Australian Stud Book.....	Australian Jockey Club & Victoria Racing Club, A. Loddon Yuille, Keeper of the Stud Book, 6 Bligh St., Sydney, N. S. W., Australia.	Ryeland.....	Ryeland Flock Book.....	Ryeland Flock Book Society, Ltd., William Henry Woodcock, secretary, St. Outhbert's, 45 Whitecross Rd., Hereford, England.
Do.....	General Stud Book.....	Weatherby & Sons, 15 Cavendish Sq., London, W. 1, England.	Shropshire.....	Shropshire Flock Book.....	Shropshire Sheep Breeders' Association and Flock Book Society, Alfred Mansell & Co., secretaries, College Hill, Shrewsbury, England.
Do.....	Jamaica Stud-Book.....	The Jockey Club of Jamaica, G. Seymour Seymour, secretary, 10 Duke St., Kingston, Jamaica, B. W. I.	Southdown.....	Southdown Flock Book.....	Southdown Sheep Society (Incorporated), W. O. Stride, secretary, Southdown House, St. John's St., Chichester, Sussex, England.
Do.....	Stud Book de Chile.....	Club Hípico de Santiago, Fermin Donoso D., secretary, Santiago, Chile.	Suffolk.....	Suffolk Flock Book.....	Suffolk Sheep Society, Guy P. Lempriere, secretary, 24 Princes St., Ipswich, England.
Do.....	New Zealand Stud Book.....	New Zealand Racing Conference, A. M. McBeath, secretary, Dominion Bldg., Mercer & Wakefield Sts., Wellington, New Zealand.	Wensleydale.....	Wensleydale Longwool Sheep Flock Book.....	The Wensleydale Longwool Sheep Breeders' Association, W. Dickinson, secretary, The Gardens, Ulverston, Lancashire, England.
Do.....	Registro-Matricula de Caballos de Pura Sangre.....	General Livestock Administration, The Minister of Agriculture, Madrid, Spain.	Various recognized breeds.....	New Zealand Flock Book.....	New Zealand Sheep Breeders' Association, M. E. Lyons, secretary, 97 Worcester St., Christchurch, C. 1, New Zealand.
Do.....	Stud Book Argentino.....	Jockey Club, Dr. César M. Vela, secretary, Florida 559, Buenos Aires, Argentina.	GOATS		
Do.....	Stud Book Français Register des Chevaux de Pur Sang.....	Commission du Studbook Français de Pur Sang, M. de Malherbe, Inspector General, Chief, Service des Haras, Ministry of Agriculture, Paris, France.	Saanen, Toggenburg and Anglo-Nubian.....	British Goat Society Herd Book (Saanen, Toggenburg and Anglo-Nubian sections).	British Goat Society, H. E. Jeffery, secretary, Diss, Norfolk, England.
Do.....	Libro Genealogico del Cavalli di Puro Sangue.....	Jockey Club Italiano, Mr. Lenzi, secretary, Piazza Montecitorio 121, Rome, Italy.	HOGS		
Welsh Pony and Cob.....	Welsh Stud Book.....	Welsh Pony & Cob Society, T. A. Howson, secretary, Offices of The Royal Welsh Agricultural Society, Studio Buildings, 41a Regent St., Wrexham, Denbighshire, North Wales.	Large Black.....	Large Black Pig Society Herd Book.....	Large Black Pig Society, B. J. Roche, secretary, 28 Kingshill Avenue, Kenton, Harrow, Middlesex, England.
Westland.....	Stambok over Fjordhest.....	Statens Stambokkontor for Hest, W. W. Christie, State Stud-Book Registrar, Munkedamsveien 35, Oslo, Norway.	Berkshire.....	Herd Book of the National Pig Breeders' Association.	National Pig Breeders' Association, A. R. Bennett, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
ASSES			Large White.....		
Poitou.....	Jack and Jennet Section of the Stud-Book on Livre Genealogique des Animaux Mulassiers du Poitou.....	Société Centrale d'Agriculture des Deux-Sèvres, Eugene Sagot, president, Niort, France.	Tamworth.....		
SHEEP			DOGS		
Border Leicester.....	Border Leicester Flock Book.....	Society of Border Leicester Sheep Breeders, Miss Rose J. E. Grant, secretary, 11 St. Ronan's Terrace, Edinburgh 10, Scotland.	Boxer.....	Boxer-Zuchtbuch.....	Fachschaft für Deutsche Boxer, Max Haunstetter, secretary, Osterwaldstrasse 6b, München 23, Germany.
Cheviot.....	Cheviot Sheep Flock Book.....	Cheviot Sheep Society, Guy H. Armstrong, secretary, Commercial Bank Bldgs., Hawick, Scotland.	Dobermannpinscher.....	Zuchtbuch der Fachschaft für Dobermannpinscher.....	Walter Utecht, secretary, Fachschaft für Dobermannpinscher, Landsberger Allee 130, (1) Berlin No. 18, Germany.
Corriedale.....	The Flock Book for Corriedale Sheep in Australia.....	The Australian Corriedale Association, Louis Monod, secretary, Temple Court, 422 Collins St., Melbourne, C. 1, Australia.	Foxhound.....	Foxhound Kennel Stud Book.....	Masters of Foxhounds Association, J. W. Fitzwilliam, secretary, 3 St. James's Sq., London, S. W. 1, England.
Do.....	Corriedale Flock Book (New Zealand).....	The Corriedale Sheep Society, Inc., C. H. Lawrence, secretary, 154 Hereford St., Christchurch, New Zealand.	Do.....	Welsh Hound Stud Book.....	Welsh Hound Association, Frank Cooke, secretary, "Gwynfryn", 18 Stuart St., Aberdare, South Wales.
Dorset Horn.....	Dorset Horn Flock Book.....	Dorset Horn Sheep Breeders' Association, J. Dean Smith, secretary, Bank Chambers, Dorchester, Dorset, England.	German Shepherd.....	Reichs-Zuchtbuch (Abteilung: Deutsche Schäferhunde).....	Verein für deutsche Schäferhunde, Hanns Kremhelmer, secretary, Ulmerstr. 3, Augsburg 3, Germany.
Hampshire Down.....	Hampshire Down Flock Book.....	Hampshire Down Sheep Breeders' Association, Captain F. E. Tinsley, secretary, 38 Endless St., Salisbury, England.	Great Dane.....	Stammbuch für Deutsche Doggen.....	Deutscher Doggen Club, P. Laub, secretary, Marienstr. 23, (17a) Karlsruhe, Baden, Germany.
Kent or Romney Marsh.....	Kent or Romney Marsh Flock Book.....	Kent or Romney Marsh Sheep-Breeders' Association, G. W. Tuffrey, secretary, Victoria House, Southampton Row, London, W. C. 1, England.	Greyhound.....	Australian Greyhound Stud Book.....	The Australian and New Zealand Greyhound Association, R. Maidment, secretary, First Floor, Bank of New Zealand Chambers, 849 Collins St., Melbourne, C. 1, Australia.
Kerry Hill.....	Kerry Hill Flock Book.....	Kerry Hill (Wales) Flock Book Society, Morris, Marshall & Poole, secretaries, Newtown, Montgomeryshire, England.	Do.....	Greyhound Stud Book.....	National Coursing Club, Sydney H. Dalton, secretary, 11 Haymarket, London, S. W. 1, England.

Name of breed	Book of record	By whom published	Name of breed	Book of record	By whom published
Dogs—Continued					
Greyhound.....	Irish Greyhound Stud Book.	Irish Coursing Club, T. A. Morris, & A. J. Morris, secretaries, Davis Rd., Clonmel, Ireland.	Various recognized breeds.	Newfoundland Live Stock Register.	Department of Natural Resources, Kenneth J. Carter, secretary, St. John's, Newfoundland.
Harrier and Beagle.....	Harrier and Beagle Stud Book.	Association of Masters of Harriers and Beagles, J. Pawls, secretary, Little Havers, Bishop's Stortford, England.	Do.....	Norsk Kennelklubs Stambok.	Norsk Kennel Klub, E. F. Gjerse Jr., secretary, Skippergaten 22, Oslo, Norway.
Rottweiler.....	Reichs-Zuchtbuch (Abteilung: Rottweiler).	Allgemeiner Deutscher Rottweiler-Klub, Fräulein Josefine Zeller, secretary, Rotenwaldstrasse 83a, Stuttgart-W., Germany.	Do.....	Registro Genealogico de Caninos.	Kennel Club de Chile, J. H. Coleman, secretary, Calle Valparaiso, 667-669, Viña Del Mar, Chile.
St. Bernard.....	Bernhardiner-Zuchtbuch.	St. Bernhards-Klub, Hans Glockner, secretary, Deisenhofen bei München, Germany.	Do.....	Reichs-Zuchtbuch Abteilung: Fachschaft für Terrier e. V.	Klub für Terrier, Heinrich Kaeuffer, secretary, (16) Kelterbach bei Frankfurt am Main, Germany.
Schnauzers and Pinschers.	Reichs-Zuchtbuch (Abteilung: Schnauzer und Pinscher).	Pinscher-Schnauzer-Klub E. V. Josef Best, secretary, Bahnhofstrasse 42, Wehrheim/Taunus, Germany.	Do.....	Schweizerisches Hundestammbuch.	Schweizerische Kynologische Gesellschaft, Carl Wittwer, secretary, Könizstr. 186, Waldegg, Liebefeld bei Bern, Switzerland.
Various recognized breeds.	Irish Kennel Club Studbook.	Irish Kennel Club, Richard G. Quirk, secretary, 23 Eden Quay, Dublin C. 8, Ireland.	Do.....	Svenska Kennelklubbens Stambok.	Svenska Kennelklubben, Ivan Swedrup, secretary, Linnegatan 25, Stockholm, Sweden.
Do.....	Kennel Club Studbook.....	English Kennel Club, E. Holland Buckley, secretary, 84 Piccadilly, London, W. 1, England.	CATS		
Do.....	Livre des Origines de la Société Royale Saint-Hubert.	Société Royale Saint-Hubert, Maurice Puissant & Raoul Willocoq, secretaries, 391 Chaussée St., Pierre, Brussels 4, Belgium.	Long-haired and short-haired.	Register of the Governing Council of the Cat Fancy.	The Governing Council of the Cat Fancy, F. H. Thompson, secretary, 130 Wickham Way Beckenham, Kent, England.
Do.....	Livre des Origines Français.	Société Centrale Canine pour l'Amélioration des Races de Chiens en France, A. Bordeaux, Director General, 3 Rue de Choiseul, Paris, France.			

(b) *Breeds and books of record in Canada*—(1) *Animals generally.* The books of record of the Canadian National Live Stock Records, Ottawa, Canada, of which R. G. T. Hitchman is Director, are recognized for the following breeds: *Provided*, That no animals registered in the Canadian National Live Stock Records shall be certified under the act as purebred unless such animals trace only to animals which are proved to the satisfaction of the Bureau to be

of the same breed: *Provided further*, That no Karakul sheep, or horse of the American Saddle, Canadian, or Arabian breeds in Canada shall be certified under the act as purebred unless a pedigree certificate showing three complete generations of known and recorded purebred ancestry of the particular breed involved, issued by the Canadian National Live Stock Records, is submitted for such animal.

Witness my hand and the seal of the United States Department of Agriculture.

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

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10623; Filed, Dec. 6, 1948; 8:51 a. m.]

Cattle	Sheep	Horses	Hogs	Goats
Aberdeen-Angus. Ayrshire. Brown Swiss. Canadian. Galloway. Guernsey. Hereford. Highland. Jersey. Red Poll. Shorthorn. Shorthorn (Lincolnshire Red).	Blackface. Cheviot. Corriedale. Cotswold. Dorset Horn. Hampshire. Karakul. Kerry Hill. Leicester. Lincoln. Merino. Oxford Down. Rambouillet. Ryeland. Shropshire. Southdown. Suffolk.	American Saddle Horse. Arabian. Belgian Draft. Canadian. Clydesdale. Hackney. Percheron. Shetland Pony. Shire. Standardbred. Suffolk. Thoroughbred. Welsh Pony and Cob.	Berkshire. Chester White. Duroc-Jersey. Hampshire. Large Black. Poland China. Tamworth. Yorkshire.	Angora. Nubian. Saanen. Toggenburg.

(2) *Holstein-Friesian cattle in Canada.* The Holstein-Friesian Association of Canada, Brantford, Ontario, Canada, of which G. M. Clemons is secretary and editor, is recognized for the Holstein-Friesian breed registered in the Holstein-Friesian Herd Book of that Association.

(3) *Dogs in Canada.* The Stud Book of the Canadian Kennel Club, Incorporated (Canadian National Live Stock Records) is recognized for all the breeds of dogs registered therein: *Provided*, That no dog so registered shall be certified under the act as purebred unless a pedigree certificate showing three complete generations of known and recorded purebred ancestry of the particular breed involved, issued by the Canadian Kennel Club Incorporated, is submitted for such dog.

§ 151.11 *Recognition of additional breeds and books of record.* Before a breed or a book of record shall be added to those listed in this part, the custodian of the book of record involved shall submit to the Bureau a complete set of the published volumes of that book up to date of application, together with a copy of all rules and forms in force on said date affecting the registration of animals in said book.

Any person who wishes to submit written data, views or arguments concerning the foregoing proposed regulations may do so by filing them with the Chief of the Bureau of Animal Industry, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of publication of this notice in the FEDERAL REGISTER.

Production and Marketing Administration

[7 CFR, Part 51]

FRUITS, VEGETABLES AND OTHER PRODUCTS¹
(GRADING, CERTIFICATION AND STANDARDS)

NOTICE OF PROPOSED RULE MAKING

Consideration is being given to the adoption of the proposed regulations set forth below in lieu of the existing regulations covering the inspection and certification of fruits, vegetables and other products (7 CFR, Supps., 51.1 to 51.49). Such proposed action will be taken pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., 2d Sess.), and any other act of Congress which may confer similar authority.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision of those regulations shall file the same in quadruplicate with E. E. Conklin, Chief, Fresh Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2055,

¹ Among such other products are the following: raw nuts; Christmas trees and greens; flowers and flower bulbs; and onion sets.

South Building, Washington 25, D. C., so as to reach him not later than 5:30 p. m., e. s. t., on the 20th day after the publication of this notice in the FEDERAL REGISTER.

The proposed revised regulations, which have been prepared in the Department of Agriculture, are as follows:

ADMINISTRATION

§ 51.1 *Administration of regulations.* The Administrator, Production and Marketing Administration, United States Department of Agriculture, is charged with the administration of the regulations in this part, and he may delegate any or all of such functions to any other officer or employee of the Production and Marketing Administration of the Department, in his discretion.

DEFINITIONS

§ 51.2 *Meaning of words.* Words in the regulations in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 51.3 *Terms defined.* For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall have the following meanings:

(a) "Act" means the following provisions of the Department of Agriculture Appropriation Act, 1949 (Pub. Law 712, 80th Cong., 2d Sess.), or any other present or future act of Congress conferring similar authority:

Market inspection of farm products. For the investigation and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the services rendered.

(b) "Department" means the United States Department of Agriculture.

(c) "Administrator" means the Administrator of the Production and Marketing Administration of the Department.

(d) "Person" means any individual, partnership, association, business trust, corporation, organized group of persons (whether incorporated or not), the United States (including, but not limited to, corporate agencies thereof), and any State, county, or municipal government, any common carrier, and any authorized agent of any of the foregoing.

(e) "Interested party" means any person who has a financial interest in the product on which inspection is requested.

(f) "Inspector" means any employee of the Department who is authorized by the Secretary, or any other person licensed by the Secretary, to investigate, sample, inspect, and certify, in accordance with the regulations in this part, to any interested party the quality and/or condition of any product covered under this

part, and to perform related duties in connection with such inspection services.

(g) "Inspection certificate" means a statement, in written and/or printed form, issued pursuant to the regulations in this part, setting forth, in addition to appropriate descriptive information relative to the particular product and the containers thereof, the quality and/or condition of such product.

(h) "Quality" means the combination of the inherent properties of a product which determines its relative degree of excellence.

(i) "Condition" means the relative degree of soundness or preservation of a product and includes, but is not necessarily limited to, its maturity, decay, freezing or mechanical injury, shriveling, flabbiness, or any other factor which affects its merchantability.

(j) "Lot" means the quantity of the same kind of product offered for inspection at the same general time by an interested party, except that different varieties of the same kind of product, other than peanuts, pecans, and other nuts, shall not be considered as separate lots.

§ 51.4 *Inspection service.* Products will be inspected at appropriate points indicated in paragraphs (a), (b), and (c) of this section whenever inspectors are available.

(a) *Shipping points.* Inspection is available in all States with which cooperative agreements providing for this work have been entered into on behalf of the Department pursuant to authority contained in any act of Congress.²

(b) *Designated markets.* The following are designated as important central markets at which products may be inspected under the act: Birmingham, Mobile, Montgomery, Ala.; Phoenix, Ariz.; Little Rock, Ark.; Los Angeles, Oakland, Sacramento, San Diego, San Francisco, Calif.; Denver, Col.; Hartford, Conn.; Washington, D. C.; Jacksonville, Miami, Tampa, Winter Haven, Fla.; Atlanta, Ga.; Chicago, Ill.; Indianapolis, Ind.; Baton Rouge, New Orleans, La.; Baltimore, Md.; Boston, Mass.; Detroit, Mich.; Duluth, Minneapolis, Minn.; Jackson, Miss.; Kansas City, St. Louis, Mo.; Newark, Trenton, N. J.; Albany, Buffalo, New York City, Rochester, Syracuse, N. Y.; Asheville, Charlotte, Raleigh, N. C.; Fargo, N. Dak.; Cincinnati, Cleveland, Columbus, Youngstown, O.; Oklahoma City, Tulsa, Okla.; Portland, Ore.; Harrisburg, Philadelphia, Pittsburgh, Wilkes-Barre, Pa.; Columbia, S. C.; Memphis, Nashville, Tenn.; Dallas, Ft. Worth, Houston, San Antonio, Tex.; Salt Lake City, Utah; Norfolk, Richmond, Roanoke, Va.; Seattle, Wash.; Milwaukee, Wis.²

² The addresses of the offices at these points or markets are changed from time to time. However, any prospective applicant may obtain the address of the office nearest the place where the commodity which he wishes to have inspected is located by addressing an inquiry to "Food Products Inspection Service" at any of the following offices: 1. Production and Marketing Administration, Washington 25, D. C. 2. Room 836A 641 Washington Street, New York 14, N. Y. 3. 1421 South Aberdeen Street, Chicago 8, Ill. 4. 739 Appraiser's Building, San Francisco 11, Calif.

(c) *Other points.* Inspection may be made at any point which may be conveniently reached from any market referred to in paragraph (b) of this section under conditions provided in § 51.41 and to the extent permitted by the time of the nearest inspector.

INSPECTION SERVICE

§ 51.5 *Kind of service.* Inspection of products may be made according to quality and/or condition, and, in the discretion of the Administrator, for any part thereof.

§ 51.6 *Who may obtain service.* An application for inspection may be made by any interested party, or by his authorized agent.

§ 51.7 *How to make application.* Application for inspection may be filed in an office of inspection at any market referred to in § 51.4 (a) or (b) or with any inspector. It may be made in writing, orally, by telegraph, or by telephone. If made orally or by telephone, the inspector may require that it be confirmed by applicant in writing or by telegraph. An application may be made for one or more lots, or it may be in the nature of a blanket application for inspection of all designated lots of a given commodity within a particular period, or for all designated lots loaded or received at a specified point.

§ 51.8 *Form of application.* Each application for inspection shall state (a) the name and post-office address of the applicant and the name and capacity of the person, if any, making the application in his behalf; (b) the name and post-office address of the shipper; (c) the kind and quantity of the products involved; (d) the interest of the applicant therein; (e) the identification of the products by (1) grade, brand, or other marks, if practicable, (2) car initials, car number, and name of carrier or number of truck or name of boat, if practicable, and (3) the name and location of the store, warehouse, or other place where the products are located; (f) the particular quality or condition concerning which inspection is requested, to which may be added the time and place at which it is desired that the inspection be made; (g) when the lot is to be inspected in a receiving market, the name and address of the receiver; (h) the name of the shipping point and of the destination, when known; and (i) such other information as may be necessary for identification of the product, or as may be required by the inspector or the Administrator.

§ 51.09 *Filing of application.* An application shall be deemed filed when received at the office of inspection nearest the place where the commodity is located. A record showing the date and time of filing shall be made and kept in such office.

§ 51.10 *When application may be rejected.* An application may be rejected by the inspector in charge of the appropriate office of inspection for failure of the applicant (a) to observe the regulations in this part, (b) to furnish necessary information or to make the commodity reasonably available or accessi-

ble for inspection, or (c) when it appears that to perform the inspection and certification service would not be to the best interests of the Government. Such applicant shall be notified promptly of the reason for such rejection.

§ 51.11 *When application may be withdrawn.* An application may be withdrawn by the applicant at any time before the inspection is performed: *Provided*, That the applicant shall pay any travel expenses, telephone, telegraph, or other expenses which have been incurred by the inspection service in connection with such application.

§ 51.12 *Authority to request inspection.* Proof of the interest of an applicant in the product involved, or of the authority of any person applying for inspection in behalf of another may be required, in the discretion of the inspector.

§ 51.13 *Accessibility of products.* The applicant shall cause the products for which inspection is requested to be made reasonably accessible for sampling or inspection and to be so placed as to disclose their quality or condition. Samples of the products drawn for examination shall be inspected only under such conditions as, in the opinion of the inspector, will permit a true and correct determination to be made of their quality or condition.

§ 51.14 *Basis of service.* Inspection and certification service for quality and/or condition shall be based on the appropriate recommended standards promulgated by the United States Department of Agriculture, applicable standards prescribed by the laws of the State where the particular product was produced which are generally recognized and used therein, specifications of any governmental agency, written buyer and seller contract specifications, or any written specification by an applicant which is approved by the Administrator: *Provided*, That, if such product is regulated under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 61 Stat. 208, 707), such inspection and certification shall be on the basis of the standards, if any, prescribed in, or pursuant to, the marketing order and/or agreement effective thereunder.

§ 51.15 *Order of inspection.* Inspection shall, insofar as practicable, be made in the order in which applications are received, except that precedence shall be given (a) to the inspection of lots involved in complaints filed pursuant to the Perishable Agricultural Commodities Act, 1930 (7 U. S. C. 499a et seq.), and (b) to appeal inspections. Precedence may also be given to applications made on behalf of the Federal Government or of a State Government.

§ 51.16 *Financial interest of inspector.* No inspector shall inspect any products in which he is financially interested, either directly or indirectly.

§ 51.17 *Postponing inspection.* If the inspector has reason to believe that, because of latent defects due to climatic or other conditions, he is unable to determine the true quality or condition of the

product, he shall postpone examination for such period as may, in his judgment, be reasonably necessary to enable him to determine its true quality or condition.

§ 51.18 *Official sampling.* Samples may be officially drawn by any duly authorized inspector and delivered, or shipped, for analysis and certification to the nearest designated market or to such market as shall be directed by the Administrator. The container in which such samples are delivered, or shipped, shall contain a statement, signed by the inspector who drew the samples, showing the time and place of the sampling and the brands or other identifying marks of the containers from which the samples were drawn. The certificate based on such samples shall show the time and place of drawing the samples, and the name of the inspector by whom they were drawn.

§ 51.19 *Certificate form.* Certificates shall be issued on forms approved by the Administrator: *Provided*, That when an application for inspection is made by any person for the purpose of determining whether food products for use by such applicant comply with contract specifications therefor, a formal certificate need not be issued, but the fact of such compliance or noncompliance may be indicated by appropriate stamp or mark on such products or the containers thereof, or otherwise, in the discretion of the inspector.

§ 51.20 *Certificates, issuance.* The inspector shall sign and issue a separate certificate for each lot inspected by him, except that when an application covers a number of lots a single certificate may be issued to cover all such lots.

§ 51.21 *Certificates, disposition.* The original certificate, and not to exceed four copies (if requested by applicant prior to issuance), shall be delivered or mailed promptly to the applicant or to a person designated by him. One copy shall be filed in the office of the inspector when the inspection is made by a Federal Government employee, otherwise it shall be filed in the appropriate office of the cooperating State Agency. One copy shall be forwarded to the Administrator to be kept on file in Washington, except that copies of certificates showing the grades of individual grower's lots offered for manufacturing or other purposes need not be so forwarded. In the case of any product covered by a marketing agreement and/or order effective under the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.; 61 Stat. 208, 707), at least one copy of each certificate covering the inspection of such product shall, on request, be delivered to the administrative agency established thereunder, subject to such terms and conditions as the Secretary may prescribe. Copies will be furnished to other interested parties as outlined in § 51.42.

§ 51.22 *Advance information.* Upon request of an applicant, all or any part of the contents of a certificate covering an inspection requested by him may be telegraphed or telephoned to him, or to any person designated by him, at his ex-

pense. If the application for such information is received after the certificate has been issued, it will be considered as an application for an extra copy of the certificate, and the fees prescribed in § 51.42 shall apply.

APPEAL INSPECTION

§ 51.23 *When appeal may be taken.* An application for appeal inspection may be made whenever any financially interested person is dissatisfied with the determination stated in the original certificate.

§ 51.24 *How to obtain.* An appeal inspection may be obtained by the applicant, or other person financially interested in the product, by filing a request (a) with the inspection office nearest the point where the product is located, or (b) with the inspector who made the original inspection, or (c) with any district supervisory inspection office, or (d) with the Administrator. The application therefor, and shall be accompanied by a copy of any previous inspection certificate or inspection report, and any other information which the applicant received regarding the quality or condition of the product at the time of the original inspection. Such application may be made orally or in writing, or by telegraph or telephone. If made orally or by telephone, the application shall be confirmed in writing.

§ 51.25 *Record of filing time.* A record showing the date and time of filing an application shall be made promptly by the receiving office.

§ 51.26 *When appeal inspection may be refused.* An application for an appeal inspection may be refused if, (a) the reasons for the appeal inspection are frivolous or not substantial; (b) the quality or condition of the product has undergone a material change since the inspection covering the product on which the appeal inspection is requested; (c) the lot in question is not, or cannot be, made accessible for inspection; (d) the lot relative to which appeal inspection is requested cannot be identified positively by the inspector as the lot which was previously inspected; or (e) there is non-compliance with the regulations in this part. Such an applicant shall be notified promptly of the reason for the refusal.

§ 51.27 *When an application for an appeal inspection may be withdrawn.* An application for appeal inspection may be withdrawn by the applicant at any time before the appeal inspection is performed: *Provided*, That the applicant shall pay any travel expenses, telephone, telegraph, or other expenses which have been incurred by the inspection service in connection with such application.

§ 51.28 *Order in which made.* Appeal inspections shall be made, insofar as practicable, at the time requested by applicant and in the order in which applications are received. They shall take precedence over all other pending applications, except inspections covering lots involved in complaints filed pursuant to the Perishable Agricultural Commodities Act, 1930 (7 U. S. C. 499a et seq.).

§ 51.29 *Who shall make appeal inspections.* Appeal inspections shall be made by an inspector or inspectors designated therefor by the Administrator.

§ 51.30 *Appeal findings.* The inspector or inspectors making an appeal inspection shall sign and issue an appeal inspection certificate, which shall supersede and refer specifically to the original inspection certificate from which the appeal was taken, and contain a statement as to the quality or condition of the product, as determined by the appeal inspection. In all other respects the provisions of §§ 51.5 to 51.22, insofar as applicable, shall apply to appeal inspection certificates, except that if the applicant for appeal inspection is not the original applicant, a copy of the appeal inspection certificate shall be mailed to the original applicant.

§ 51.31 *Superseded certificates.* When an original inspection certificate shall have been superseded by an appeal inspection certificate, such original inspection certificate shall not thereafter represent the quality or condition of the product described therein. If the original and all copies of the superseded certificate are not submitted to the person receiving the application for appeal inspection, the officer issuing the superseding certificate shall forward notice of such issuance and of the superseding of the original certificate to such persons as he considers necessary to prevent fraudulent use of the superseded certificate.

LICENSED INSPECTORS

§ 51.32 *Who may be licensed.* Persons possessing adequate qualifications, as determined by such examinations as the Administrator may consider to be appropriate, may be licensed by the Secretary as inspectors of products which may be inspected under the regulations in this part. Such licenses shall bear the printed signature of the Secretary and shall be countersigned by an authorized employee of the Department. A licensed inspector shall perform his duties pursuant to these regulations as directed by the Administrator.

§ 51.33 *Application to become a licensed inspector.* Application to become a licensed inspector shall be made to the Administrator on forms furnished for that purpose. Each such application shall be filled in and signed by the applicant in his own handwriting, and the application shall contain or be accompanied by:

- (a) A statement of present address, age, height and weight of the applicant;
- (b) A statement showing education and present and previous occupations, together with names of all employers for whom he has worked, with periods of service, during the last 5 years previous to the date of his application;
- (c) A statement by the applicant that he agrees to comply with all the terms and conditions of the regulations in this part relating to the duties of inspectors; and

(d) Such other information as may be required by the Administrator.

§ 51.34 *Suspension or revocation of license of licensed inspector.* Pending

final action by the Secretary, the Administrator may, whenever he deems such action necessary, suspend the license of any licensed inspector issued pursuant to the regulations in this part by giving notice of such suspension to the respective licensee, accompanied by a statement of the reasons therefor. Within 7 days after the receipt of the aforesaid notice and statement of reasons by such licensee, he may file an appeal, in writing, with the Secretary supported by an argument or evidence that he may wish to offer as to why his license should not be suspended or revoked. After the expiration of the aforesaid 7 day period and consideration of such argument and evidence, the Secretary shall take such action as he deems appropriate with respect to such suspension or revocation.

§ 51.35 *Surrender of license.* Upon termination of his services as a licensed inspector, or suspension or revocation of his license, a licensee shall surrender his license immediately to the office of inspection serving the area in which he is located. These same provisions shall apply in a case of an expired license.

FEES AND CHARGES

§ 51.36 *Amount of fees, rates, and charges.* For each lot of products inspected, a fee, and expenses, determined in accordance with §§ 51.37 to 51.41 shall be paid by the applicant.

§ 51.37 *Basis for charges.* (a) The fee for each lot of products inspected by a salaried inspector acting exclusively for the Department of Agriculture, except for peanuts, pecans, and other nuts, shall be on the following basis:

For an inspection covering quality and condition, \$7.50 when the quantity involved is more than one-half of a carload of the customary size for such products in the area from which shipped but not more than a full carload, and \$5 when the quantity involved is not more than one-half of such carload, but the maximum fee for any carload not exceeding the customary size shall be \$15. For an inspection covering condition only, \$6 when the quantity involved is more than one-half of carload of the customary size for such products in the area from which shipped but not more than a full carload, and \$4 when the quantity involved is not more than one-half of such carload, but the maximum fee for condition only inspection of any carload not exceeding the customary size shall be \$12.

(b) For each lot of peanuts, pecans, or other nuts inspected, except pursuant to the provisions in § 51.19, the fee shall be \$10 when the quantity involved is not more than a full carload. *Provided*, That the different grades and varieties of peanuts shall be considered separate lots.

(c) When any lot involved is in excess of a carload the quantity shall be calculated in terms of carloads and fractions thereof of the customary size for such carloads and the carload rates aforesaid applied: *Provided*, That said fractions shall be calculated in terms of fourths or next higher fourths. When inspections are made on which formal certificates are not issued, as provided in § 51.19, or when the products inspected cannot readily be calculated in terms of carlots,

or when the services rendered are such that a charge on the carlot basis would be inadequate or inequitable, charges for inspection may be based on the time consumed by the inspector in connection with such inspections, computed at the rate of \$3 per hour, or the charges may be based upon the number of pounds or number of containers in the lot inspected, if such charges are in substantial conformity with the hourly or carload rate.

§ 51.38 *Fees for inspections by licensee who is working under contract with the Administrator.* The Administrator may enter into a contract with any licensed inspector authorizing him to make inspections under the act in a designated area; to collect fees for such inspections at rates prescribed in the contract; and direct him to transmit such fees, less a designated percentage which he may retain as compensation for his services in making such inspections, to the Production and Marketing Administration at such times and in such manner as the contract shall provide.

§ 51.39 *Fees under cooperative agreement.* Fees for inspections made under cooperative agreements pursuant to authority contained in any act of Congress shall be those provided for by such agreements.

§ 51.40 *Fees for appeal inspections.* Fees for appeal inspections on all products shall be double those for original inspections, except that when it is found that there was a material error in the determination based upon the original inspection no fee will be charged, and except that appeal inspection for Government agencies shall be on the hourly basis prescribed in § 51.47, plus traveling and other expenses authorized to be charged by the provisions in § 51.41. The maximum fee for the appeal inspection of a single car shall not exceed \$20.

§ 51.41 *Traveling, and other expenses.* Such further charges may be made for traveling expenses and other items paid or incurred by the Production and Marketing Administration in connection with an inspection made at a place where no inspector is located, or appeal inspection where the services of a second inspector are required, as will reimburse the Production and Marketing Administration. These charges shall be included with the fee for inspection on the bill furnished the applicant.

§ 51.42 *Fees for additional copies of inspection certificates.* Additional copies of any inspection certificate other than those provided for in § 51.21, may be supplied to any interested party upon payment of a fee of \$1.50 for each set of 3, or less, copies.

§ 51.43 *Charges for inspection services on a contract basis.* Irrespective of fees and charges prescribed in foregoing sections, the Administrator may enter into contracts with applicants to perform inspection services pursuant to the regulations in this part and other requirements as prescribed by the Administrator in such contract, and the charges for such inspection services provided for in such contracts shall be on such bases as will reimburse the Produc-

tion and Marketing Administration of the Department for the full cost of rendering such inspection service, including an appropriate overhead charge to cover, as closely as practicable, administrative overhead expenses, as may be determined by the Administrator.

§ 51.44 *How fees shall be paid.* Fees shall be paid by the applicant in accordance with the directions on the fee bill furnished him by the inspector, and in advance, if required by the inspector.

§ 51.45 *Disposition of fees.* The fees covered by §§ 51.37 to 51.39 shall be disposed of as follows:

(a) Fees for inspections made by salaried inspectors acting exclusively for the Production and Marketing Administration shall be remitted promptly to the Administrator.

(b) Fees for inspections made by a licensed inspector acting exclusively for the Production and Marketing Administration, less the percentage thereof which he is allowed by the terms of his contract of employment as compensation for his services, shall be remitted to the Production and Marketing Administration.

(c) Fees for inspections made by an inspector acting under a cooperative agreement with a State or other organizations shall be disposed of in accordance with the terms of such agreement. Such portion of the fees collected under a cooperative agreement with a State as may be due the United States shall be remitted to the Production and Marketing Administration.

Fees covered by §§ 51.40 to 51.43 shall be remitted to the Production and Marketing Administration.

MISCELLANEOUS

§ 51.46 *Fraud or misrepresentation.* Any wilful misrepresentation or any deceptive or fraudulent practice found to be made or committed by any person in connection with: (a) The making or filing of an application for any inspection service; (b) the making the product accessible for sampling or inspection; (c) the use of any inspection report or any inspection certificate, or appeal inspection certificate issued under the regulations in this part; (d) the use of a facsimile form which simulates, in whole or in part, any official certificate authorized to be issued under these regulations in this part for the purpose of purporting to evidence the U. S. grade of any product; or (e) any wilful violation of the regulations in this part, or supplementary rules or instructions issued by the Administrator, may be deemed sufficient cause for debarring such person from any or all benefits of the act.

§ 51.47 *Political activity.* All inspectors are forbidden, during the period of their respective appointments or licenses, to take an active part in political management or in political campaigns. Political activities in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, are prohibited. This applies to all appointees or licensees, including, but not limited to, temporary and cooperative

employees and employees on leave of absence, with or without pay. Willful violations of this section will constitute grounds for dismissal in the case of appointees and revocation of licenses in the case of licensees.

§ 51.48 *Interfering with an inspector.* Any further benefits of the act may be denied any applicant or other interested party who, either personally or through an agent or representative, interferes with or obstructs, by intimidation, threats, assault, or in any other manner, an inspector in the performance of his duties.

§ 51.49 *Compliance with other laws.* None of the requirements in the regulations of this part shall excuse failure to comply with any Federal, State, county, or municipal laws applicable to products covered in the regulations in this part.

§ 51.50 *Identification.* Each inspector shall have in his possession at all times, and present upon request, while on duty, the means of identification furnished by the Department to such person.

§ 51.51 *Publication.* Publication under the act and in this part shall be made in the FEDERAL REGISTER, the Service and Regulatory Announcements of the Department, and such other media as the Administrator may approve for the purpose.

It is contemplated that the regulations finally issued in this connection will be made effective promptly upon their issuance. Such action will be necessary to permit the prompt charging of the increased fees to cover increased operational expenses resulting from the recent increase in Federal Government salaries and other cost increases. Delay in making such increases effective promptly would result in an increasing deficit in proportion to the length of the delay.

Issued at Washington, D. C., this 2d day of December 1948.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10611; Filed, Dec. 6, 1948; 8:47 a. m.]

HOUSING AND HOME FINANCE AGENCY

Home Loan Bank Board

[24 CFR, Parts 1, 2, 3, 4, 5, 7, 8]

[No. 1225]

GENERAL REVISION OF REGULATIONS FOR FEDERAL HOME LOAN BANK SYSTEM

NOTICE OF PROPOSED RULE MAKING

NOVEMBER 29, 1948.

Resolved that, pursuant to § 8.3 (b) of the rules and regulations for the Federal Home Loan Bank System (24 CFR 8.3 (b)), ten (10) days' notice beginning December 7, 1948, is hereby given of the proposed amendment of Parts 1, 2, 3, 4, 5, 7 and 8 of said rules and regulations for the Federal Home Loan Bank System (24 CFR, Parts 1, 2, 3, 4, 5, 7 and 8), excepting the provisions of §§ 2.5 (b)

(3) and (4), 4.3, 7.3, 7.4 and 8.3 thereof (24 CFR 2.5 (b) (3) and (4), 4.3, 7.3, 7.4 and 8.3), to read as follows:

PART I—DEFINITIONS

§ 1.1 *Act.* The term "act" means the Federal Home Loan Bank Act, as amended.

§ 1.2 *Bank.* The term "bank" means a Federal home loan bank established under the authority of the act.

§ 1.3 *Board.* The term "Board" means the Home Loan Bank Board or one or more of its officials who has been duly authorized by the Home Loan Bank Board to act in its behalf.

§ 1.4 *Creditor liabilities.* The term "creditor liabilities" means every form of obligation or debt, secured or unsecured, including deposits, investment certificates, certificates of indebtedness and all taxes, which the member is directly obligated to pay.

§ 1.5 *Deposits in banks or trust companies.* The term "deposits in banks or trust companies" includes a checking account maintained by a Federal home loan bank with the Treasurer of the United States, or a deposit in another Federal home loan bank.

§ 1.6 *Home mortgage.* The term "home mortgage" includes real estate sales contracts, and such other classes of first liens as are commonly given to secure indebtedness on real estate by institutions authorized under the act to become members, under the laws of the State in which the real estate is located, together with the credit instruments, if any, secured thereby.

§ 1.7 *Member.* The term "member" means an institution which has been admitted to membership in a Federal home loan bank.

§ 1.8 *Net assets.* The term "net assets" means gross assets less:

(a) An amount equivalent to the book value of shares pledged in connection with loans of the share account sinking fund type;

(b) An amount equivalent to unapplied credits on mortgage loans;

(c) An amount equivalent to mortgages in process carried as a liability;

(d) An amount equivalent to unassumed mortgages on real estate owned if carried as a liability;

(e) Inter-series loans;

(f) Delinquent dues;

(g) An amount equivalent to reserves for depreciation on office building and furniture and fixtures unless these assets are carried at net figures with the reserves shown as a deduction from the original cost;

(h) An amount equivalent to special reserves established pursuant to § 203.17 of the rules and regulations for the Federal Savings and Loan System (24 CFR 203.17) and similar reserves established by State-chartered institutions pursuant to rules and regulations of State supervisory authorities;

(i) Current expenses;

(j) Any other similar contra item of an off-setting, bookkeeping nature.

§ 1.9 *Obligations of the United States.* The term "obligations of the United States" means all evidences of indebtedness issued by the United States or fully guaranteed as to principal and interest by the United States.

§ 1.10 *State.* Except as defined in § 2.4 (b) (24), the term "State" means any one of the 48 States, the District of Columbia, Puerto Rico, the Virgin Islands of the United States, or the Territory of Alaska or of Hawaii.

§ 1.11 *Paid-in value.* The term "paid-in value" of stock in a Federal Home Loan Bank means the aggregate par value of stock in such Bank which is fully paid, and the sum of payments on the par value of stock which is not fully paid.

PART 2—ORGANIZATION OF THE BANKS INCORPORATION

§ 2.1 *Incorporation.* An organization certificate made and filed by a Bank pursuant to the provisions of section 12 of the act shall be deemed its charter.

CAPITAL

§ 2.2 *Capital—(a) Par value and price of stock.* The capital stock of each Bank, in excess of its minimum capital as established pursuant to the authority contained in section 6 (a) of the act, shall be sold at par unless a price in excess of par has been designated by the Board.

(b) *Dividends.* The board of directors of a Bank may, with the approval of the Board, declare dividends out of net earnings or undivided profits to stockholders of record at the close of business on June 30 and/or December 31 upon the paid-in value of capital stock outstanding on such record date payable on a date to be specified in the resolution declaring said dividend. On payments made on account of stock during the dividend period (after deducting amounts of any stock repurchased), dividends shall be computed for the time such payments were invested in the Bank's stock.

(c) *Issuance of stock certificates.* When a Bank receives advice that an institution has been approved for membership by the Board, it shall issue as of the effective date of such membership, in the name of such member, a certificate of stock for the full amount of such member's stock subscription and upon the issuance of such certificate, such member shall be deemed a stockholder of record; but where such member has not made full and final payment on account of its stock subscription, the Bank shall hold the stock certificates so issued until full payment therefor has been received by the Bank. Upon the change in the name of a member, it shall surrender to the Bank its stock certificate or certificates, which shall be promptly cancelled and a new certificate or certificates issued in lieu thereof.

(d) *Stock certificates in consolidations.* Upon the consolidation of two or more member institutions into a single institution operating under the charter of one of the consolidating institutions, the institutions other than the one surviving shall surrender their stock certificates to the Bank of which they are

members, and upon the cancellation of such certificates by the Bank, the stock subscriptions of such institutions may be refunded to the consolidated institution after adjustment to the minimum number of shares required to be held by the consolidated institution under the provisions of section 6 (c) and/or section 10 (c) of the act.

(e) *Stock certificates in reorganizations.* If a member institution reorganizes by transferring all of its assets to another institution or by transferring a portion of its assets to such institution and retaining the remainder for liquidating, the member shall surrender its stock certificate to the Bank, and upon the cancellation of such certificate the Bank shall, subject to the approval of the Board, and providing no advances are outstanding necessitating the holding of the stock as collateral, either refund to the member the value thereof (which shall not exceed the amount paid in), or, at its discretion, to the institution acquiring the assets; except, however, in lieu of the latter, if the institution acquiring the assets has made application and has been approved for membership, the Bank is authorized to apply as a payment on the stock subscription of such institution the refund value of the liquidating member's stock.

(f) *Lost or destroyed certificates.* The Banks are authorized to issue certificates of stock to replace certificates lost or destroyed, upon presentation by the member of satisfactory evidence of such loss or destruction, and such certificates shall show on the face thereof that they are duplicates.

DIRECTORS

§ 2.4 *Directors—(a) Appointment.* Four directors of each Bank will be appointed by the Home Loan Bank Board (hereinafter referred to as the "Board").

(b) *Election.* Eight directors of each Bank will be elected in accordance with the provisions of this paragraph.

(1) *Voting qualifications.* As provided in section 7 of the act, eight of the twelve directors of each Bank shall be elected by the members thereof, provided such members hold at least \$1,000,000 of the capital stock of the Bank at the time nominations are required. Members shall be deemed to hold \$1,000,000 of the capital stock of a Bank when they have subscribed to a total of \$1,000,000 par value of such stock, made the statutory payments thereon, such subscriptions have been accepted and the subscribers have been notified.

(2) *Class directors.* Two of such directors shall be known as Class A directors, two as Class B and two as Class C, and shall hold office for terms of two years. Each of these directors shall be a citizen of the United States, a bona fide resident of the district in which the Bank is located; shall be an officer or director of a member of the Bank in the group electing him and shall be deemed to be from the State in which such member is located.

(3) *Directors-at-large.* Two of the eight directors to be elected shall be elected by the membership-at-large without regard to classes; shall be known as directors-at-large; and shall hold of-

ice for terms of two years. Each of these directors shall be a citizen of the United States and a bona fide resident of the Bank district. Each of these directors who is an officer or director of a member of the Bank shall be deemed to be from the State in which such member is located. Each of these directors who is not an officer or director of a member of the Bank, shall be deemed to be from the State in which he has established a bona fide residence.

(4) *Conduct of election.* The election of directors shall be held annually and shall be conducted by mail under the supervision of the Board. No nominations shall be accepted from members which were admitted to membership within the ten days prior to the date nomination certificates are to be forwarded to members as set forth in subparagraph (5) of this paragraph and no votes for the election of candidates shall be accepted from members which were admitted to membership within the ten days prior to the date election ballots are to be forwarded to members as set forth in subparagraphs (9) and (15) of this paragraph, respectively.

(5) *Notification of nomination and classification.* The Board will adjust the lines of class demarcation of members every four years or more often if it deems such action desirable. Before August 1 of each year, the Board will divide the member institutions into groups A, B, and C on the basis of the size of the members as determined, as of the May 31 immediately preceding said August 1, from the aggregate unpaid principal of each member's home mortgage loans appearing on the most recent annual report of the member in the possession of its Bank or on the most recent financial statement of a member in the possession of its Bank in the event such Bank holds no annual report of such member. The Board will then notify each member not later than August 1 of each year of its right to nominate and of its classification and will furnish each member with a list of the members in its class and a list of those holding directorships at that time in the Bank of which it is a member, containing the name of each director, the date of expiration of the term of each director, the name and address of the member institution of which each class director is an officer or director, the name and address of the institution with which each director-at-large is affiliated and his title, or, if not affiliated with an institution, his present or former occupation and the city and state of which he is a resident, indicating each class directorship and each directorship-at-large. At the same time each member will be furnished with the necessary nominating certificates and will be notified of each directorship to be filled from the membership-at-large and of each directorship to be filled in its class. Each Bank will be furnished with copies of all such information and certificates forwarded to its members.

(6) *Nominating certificates.* Upon receipt of the nominating certificates each member, by resolution of its governing body, may nominate, or authorize one

of its directors and one of its officers to nominate, a suitably qualified person for each directorship to be filled in its class and each directorship to be filled from the membership-at-large. The certificates shall then be duly executed and mailed to the Secretary to the Board, so as to be delivered to his office in Washington, D. C., not later than August 31.

(7) *Notification to nominees.* A letter will be forwarded to each nominee under registered mail so as to reach his address, as shown by the Board's records, before September 9, informing him of his nomination; provided, however, no such letter shall be forwarded to any nominee holding a class directorship or a directorship-at-large whose term does not expire until after the close of the calendar year during which the election is being held or to any nominee holding a public interest directorship, unless the Secretary to the Board has received from him before September 1 notice of his intention to be a candidate for a class directorship or directorship-at-large. With such letter each such nominee will be forwarded a list of nominees and the directorship or directorships for which each was nominated, and a questionnaire which will contain, among other things, a request for a brief biography and questions to ascertain whether the nominee is eligible for the directorship for which he has been nominated and whether he is willing to serve if elected. Such questionnaire must be completely filled in and mailed so as to be delivered to the office of the Secretary to the Board not later than September 15 in order for the nominee to have his name placed on an election ballot. No candidate shall be eligible for election to a directorship unless he is nominated and his name placed on an election ballot pursuant to the provisions of this subparagraph and subparagraph (8) of this paragraph.

(8) *Nominations for more than one directorship.* In the event any person is nominated for two directorships, he will be so informed by the Board in the letter referred to in subparagraph (7) of this paragraph and given an opportunity to state which of said directorships he prefers; or in the event any person is nominated for more than two directorships, he will be so informed by the Board by said letter and given the opportunity to express his order of preference for the directorships for which he has been nominated. In each such case the nominee will be informed by said letter that it is necessary that the Board receive from him, not later than September 15, an expression of preference in order to have his name placed on an election ballot. In each such case where the Board has received from a nominee an expression of preference within the time referred to and the other information as required herein, the Board will, in accordance with the preference expressed, designate the directorship for which the nominee shall be a candidate; however, if it appears to the Board that such action would impair, or result in such nominee having no chance of being elected on account of, the representation per State as set forth in subparagraph (11) of this paragraph, the Board will designate such person as a candidate

only for the directorship which appears to the Board to be the most suitable, if it also appears to the Board such person has a chance of being elected to such directorship. If it appears to the Board that a candidate has no chance of being elected to a directorship or to any of the directorships for which he has been nominated, on account of the representation per State as set forth in subparagraph (11) of this paragraph, the name of such candidate will not be placed on an election ballot if he has made a request that his name not be so placed in such event.

(9) *First election ballots.* On or before October 1, the Board will mail to each member the first election ballots which will contain in alphabetical order the name of each candidate for each directorship to be filled in its class and from the membership-at-large who has complied with the provisions of subparagraphs (7) and (8) of this paragraph. Each ballot for a class directorship will also contain opposite the name of each candidate the name and address of the member institution of which he is an officer or director, and his title. Each ballot for a directorship-at-large will also contain opposite the name of each candidate, the name and address of the institution with which he is affiliated and his title or, if not affiliated with an institution, his present or former occupation and the city and state of which he is a resident. In the event a candidate for a directorship-at-large is affiliated with an institution which is not a member of the Bank such fact will be recorded on the ballot. The election ballots forwarded to each member shall be accompanied by a brief biography of each candidate listed on said ballots.

(10) *Balloting.* Each member, by resolution of its governing body, may cast its vote or authorize one of its directors and one of its officers to cast its vote for each directorship to be filled in its class and for each directorship-at-large to be filled by votes from the membership-at-large. The ballots shall be properly marked and the envelope of certification properly executed, and both mailed to the Secretary to the Board so as to be delivered at his office in Washington, D. C., not later than October 31.

(11) *State representation.* In determining the results of balloting by the members, the Board will, subject to the provisions of subparagraphs (12) and (13) of this paragraph see that each State is represented on the new board of directors by at least the number of elective directors set forth below, provided there has been an eligible candidate from such State who has been voted for:

Bank districts	Minimum number of directors per State
1	1
2	3
3	1
4	1
5	2
6	3
7	3
8	1
9	1
10	1
11	1

(12) *First election results.* Before November 15 the Board will determine

the results of the first election ballots. In case of each directorship subject to the election, any candidate having a majority of all votes cast for a directorship will be declared elected, provided the required minimum representation per State will not be impaired thereby. If the required minimum representation per State will not be maintained on the new board of directors, the Board will designate for each State which apparently would otherwise be inadequately represented the directorship or directorships to be filled only by a candidate from such State, provided there has been a properly qualified candidate from each of such States who has been voted for for the directorship so designated.

(13) *Designation of directorship for States inadequately represented.* In making such designation the Board will first ascertain the directorships for which a candidate from the State which apparently would otherwise be inadequately represented has been voted for and which can be reserved for such State without impairing the necessary representation of any other State more entitled to representation. From the directorships thus ascertained to be available for designation, the Board will designate for each State which apparently would otherwise be inadequately represented the directorship for which a candidate from such State has received more votes than any other candidate for such directorship. If no candidate from such State has received such a plurality and the leading candidates for all of the available directorships are, therefore, from other States, the Board will, from the available directorships, designate the directorship for which the leading candidate has a lesser percentage of votes than any of the leading candidates for other available directorships. This procedure will eliminate from further consideration all candidates from other States for such directorship reserving it for candidates from the State which apparently would otherwise be inadequately represented.

If after designating a directorship to be filled from a State which apparently would otherwise be inadequately represented, the Board finds that only one candidate from such State has received a vote or votes for such directorship, such candidate will be declared elected. Otherwise, a final election ballot will be required involving only candidates from such State for such directorship, who are to be selected in accordance with subparagraph (15) of this paragraph.

(14) *Declaration and notification of first election results.* Upon determining the results of the first election ballots, the Board will declare elected the candidates who should be declared elected in accordance with the provisions of this paragraph. The Board will thereupon spread said results upon its minutes and notify the directors elected of their election. The Board will also furnish each Bank and each member thereof the results of the first election ballots and advice as to any directorship or directorships which are to be subject to a final election. The results of the first election ballots shall reflect the name of each candidate, the name and address of the

institution with which he is affiliated, the number of votes he received and the candidate declared elected. Upon the request of a candidate the Board will furnish him with the number of votes each candidate received for the directorship for which he was a candidate.

(15) *Final election ballots.* On or before November 15, the names of the two highest candidates for each directorship not filled will be placed on final election ballots and such ballots forwarded to the members entitled to vote for such directorships: *Provided, however,* That in the event more than two candidates receive the same number of votes for a directorship and such number is greater than the votes of any of the other candidates for such directorship, the names of all said candidates receiving an equal number of votes shall be placed on the final election ballot: *Provided further,* That in the event one candidate receives more votes than any other candidate for the directorship and the next highest number of votes for the directorship is held by two or more candidates, the names of all said candidates receiving the two highest number of votes for the directorship shall be placed on the final election ballot. There will be shown opposite the name of each candidate on each final election ballot the same information which will be shown on each first election ballot opposite the name of each candidate, as set forth in subparagraph (9) of this paragraph. Each Bank will be furnished with a copy of any final election ballots forwarded to its members.

(16) *Final balloting.* Each member, by resolution of its governing body, may cast its vote or authorize one of its directors and one of its officers to cast its vote for each directorship to be filled as the result of the final election ballots. The ballots shall be properly marked and the envelope of certification properly executed, and both mailed to the Secretary to the Board so as to be delivered at his office in Washington, D. C., not later than December 15.

(17) *Declaration and notification of final election results.* Upon determining the results of the final election ballots, the Board will declare elected the candidates receiving the highest number of votes. The Board will thereupon spread said results upon its minutes and notify the directors elected of their election. The Board will furnish each Bank and its members with the results of the election of directors for that Bank. The results of the final election ballots shall reflect the name of each candidate, the name and address of the institution with which he is affiliated, the number of votes he received and the candidate declared elected. Upon the request of a candidate the Board will furnish him with the number of votes each candidate received for the directorship for which he was a candidate.

(18) *Tie vote.* In the event the voting for those whose names appear on a final election ballot results in a tie, the Board will determine which of the leading candidates shall be declared elected. The Board will also determine any other matters concerning elections which are not provided for in this paragraph.

(19) *Mailing of nominating certificates and balloting material.* All nominating certificates sent to members in the States shall be forwarded by regular mail, and all balloting material sent to such members shall be forwarded by registered mail and a return receipt requested. All nominating certificates and balloting material sent to members in Puerto Rico, the Virgin Islands, Alaska and Hawaii shall be forwarded by air-mail.

(20) *Opening, retention and inspection of ballots.* No election ballots will be opened until after the close of the polls. No ballots will be considered except ballots executed on forms supplied by the Board. No change in any ballot will be permitted after it has been delivered to the Secretary to the Board. All ballots and envelopes of certification shall be preserved by the Secretary to the Board until the end of the ensuing calendar year and shall be subject to inspection only by a member of the Board.

(21) *Prohibition of actions influencing votes.* Neither an officer, attorney, employee or agent of the Board nor a Board of Directors, Executive Committee, officer, attorney, employee or agent of a Bank shall take any action which would tend to influence votes for any candidate for a directorship in a Bank. The Board, after hearing, may consider a violation of the provisions of this section as grounds for dismissal or may declare the directorship involved as vacant, or both.

(22) *Polling time.* In the event any date specified in subparagraphs (1) to (16) of this paragraph falls on a Sunday or a holiday, the next business day shall be included in the time allowed. All polls shall be closed on the dates specified at 5:00 p. m., eastern standard time. No nominating certificate, questionnaire or ballot shall be considered unless delivered at the office of the Secretary to the Board, Washington, D. C., at or before the time specified.

(23) *Directorship vacancy.* In the event of a vacancy in any directorship required to be filled by election, the Board will fill the vacancy by an appointment for a period to expire at the end of the calendar year in which the next regular election is held, and at said next election a director shall be elected to hold office for the unexpired portion of the term.

(24) *Definition of "State."* As used with respect to the election of directors for the Federal Home Loan Banks, the term "State" means any one of the 48 states or the District of Columbia, except that the states of Nevada and Arizona shall be deemed to constitute one "State" and that the right of minimum representation under subparagraph (11) of this paragraph shall be alternated between the states of Nevada and Arizona within the limitations of the regulations in this part and all pertinent resolutions and orders of the Federal Home Loan Bank Board, the Federal Home Loan Bank Administration and the Home Loan Bank Board.

COMPENSATION AND DUTIES OF DIRECTORS

(c) *Compensation.* Directors' fees shall be established by each Bank, subject to the approval of the Board.

(d) *Duties.* Individually and collectively, it shall be the specific duty of the directors of each Bank to have the Bank comply with the provisions of the act and of the regulations in this part relating to the operation of the Bank. The directors shall hold such meetings and perform such other duties as are set out in the Bank's bylaws.

SELECTION AND COMPENSATION OF OFFICERS AND EMPLOYEES

§ 2.5 *Selection and compensation of officers and employees—*(a) (1) *Selection.* The election or appointment of the officers, legal counsel and employees of a Bank shall be in accordance with the bylaws of such Bank. No full-time officer or employee of any Bank shall act in any capacity for any member or institution which is insured by the Federal Savings and Loan Insurance Corporation under any understanding providing for continuous or repeated services nor act in any capacity for any institution in connection with any petition, application, or matter in which any action is required by the Bank or any of its officers, whether the Bank or such person will be acting for the Bank or as agent of the Board, Home Owners' Loan Corporation, or Federal Savings and Loan Insurance Corporation, except when employed by, or with the consent of, the Federal Savings and Loan Insurance Corporation in cases involving payment of insurance, loans, purchases of assets or contributions by said Corporation under section 405 or 406 of the National Housing Act, as amended. The prohibitions as to employment set forth in the preceding sentence shall apply to the counsel and attorneys of any Bank, whether employed on a salary, fee, retainer or other basis, except that, with the prior consent of the Board, and to the extent of such consent, any such person may act as counsel or attorney for any institution in connection with any matters covered by such prohibitions. The Board disapproves the practice of nepotism in the selection of personnel.

(2) *Compensation.* The board of directors of each Bank shall adopt appropriate resolutions annually showing the contemplated compensation of officers and legal counsel, to be effective during the next calendar year. Such resolutions shall be forwarded to the Board so as to reach it not later than November 1. The Board will, for each Bank, either approve or disapprove, in whole or in part, such proposed compensation and will advise the Bank of its action relating thereto. Each Bank may establish the amount and form of compensation of all other employees within the limits set forth in its approved budget. No bonus shall be paid by any Bank to any director, officer, employee or other person.

DUTIES OF OFFICERS

(b) *Duties of officers—*(1) *In general.* The President shall be the chief administrative officer of the Bank. The President and other officers shall have such powers and duties as are prescribed in the Bank's bylaws and in the regulations in this part.

(2) *President.* The President shall endeavor to ascertain whether each member of the Bank is complying with the provisions of the act and of the regulations in this part relating to such member. If the President finds that a member institution is not conducting its affairs in accordance with the foregoing, he shall request the member so to do. In the event the member does not comply with such request, the President shall report the matter, or cause it to be reported, to the board of directors.

FISCAL AGENT

§ 2.6 *Fiscal agent*—(a) *Selection.* There shall be a Fiscal Agent of the Banks who shall be appointed by and whose compensation shall be established by the Presidents of the Banks, subject to the approval of the Board.

(b) *Duties.* (1) The Fiscal Agent shall (i) conduct all negotiations relating to the public or private offering and sale of consolidated Federal Home Loan Bank obligations, as may be authorized by the Board; (ii) conduct all negotiations for the purchase and/or sale of any securities in behalf of a Federal Home Loan Bank, as may be requested by such Bank after receiving the approval of the Board in the event such approval is required or as may be requested by the Board; and (iii) perform such other related duties as may be requested of him by a Federal Home Loan Bank or Banks and/or the Board.

(2) The Fiscal Agent shall maintain in a checking account in a commercial bank approved by the Banks an "imprest fund," in such maximum amount as may be approved by the Banks. Such bank account shall be subject to withdrawal by check or draft signed by either the Fiscal Agent, or by another person or persons designated by him with the approval of the Banks. Each Bank shall from time to time forward to the Fiscal Agent its check for the amount representing its pro rata share of the expenditures made by him during a designated period from the funds received from the Banks, promptly upon receipt of statements from him of such amounts. All of the foregoing receipts from the Banks are to be deposited by the Fiscal Agent in the bank account hereinbefore referred to and are to be disbursed as herein-after provided.

(c) *Compensation and expenses.* The Bank Presidents shall appoint a budget committee consisting of three Bank Presidents. The Fiscal Agent shall annually submit to such committee a budget for the following calendar year containing proposed allotments for the expenses of maintaining and operating his office. After such budget has been approved by the committee and adopted by the Banks, it shall be forwarded to the Board so as to reach it on or before the first day of December. After such budget has been approved by the Board, the Fiscal Agent may make disbursements thereunder from the funds provided for in paragraph (b) (2) of this section. The Fiscal Agent may, without further authority, make a transfer from an excess allotment, in the budget referred to, to an insufficient allotment. However, transfers to allotments for compensation or

rent of banking quarters, as well as any proposed changes which would increase the total of the approved budget, shall be submitted by the Fiscal Agent for approval in the same manner as the original budget was submitted. In addition, the Fiscal Agent shall, upon the direction of the Board, make disbursements from the funds provided for in paragraph (b) (2) of this section, in payment of such other expenses which will not be covered by the approved budget and which are deemed appropriate.

PART 3—MEMBERS OF BANKS

APPLICATION FOR MEMBERSHIP

§ 3.1 *Application for membership*—

(a) *Application form.* Applications for membership shall be made on forms approved by the Board. Any institution desiring to become a member of a Bank shall obtain application forms from and file the same in duplicate with the Bank of the district in which it is located.

(b) *Examination and review of application.* The officers of the Bank designated by its board of directors shall promptly consider the application for membership and shall endeavor to obtain such supplemental information as they may deem appropriate. They shall report their recommendations thereon to the board of directors or to the executive committee of the Bank, which shall consider the officers' report and, after obtaining any additional information with respect to the application as it may desire, shall then transmit the application to the Board with its recommendation thereon.

(c) *Board action on applications.* The Board, after considering the application and the recommendation of the Bank, will inform the Bank of its action thereon. The Bank will inform the applicant of such action, and, if the application is approved, transmit to the applicant the membership certificate received from the Board.

STOCK SUBSCRIPTION

§ 3.2 *Stock subscription*—(a) *Subscription form.* Duly executed subscription for stock shall be made by the applicant at the time of filing application for membership.

(b) *Minimum stock subscription.* When a member has filed with the Bank the report required by § 3.3, the Bank shall notify the member if an additional subscription to its capital stock is required in order to comply with the act.

(c) *Adjustments in stock holdings.* The board of directors of any Bank may increase or decrease the amount of stock of any member from time to time so that the stock held by each member shall conform to the provisions of section 6 (c) of the act. In any case in which the amount of stock held by a member is decreased upon proper application of such member, the Bank shall pay for each share of stock, upon its surrender, an amount equal to the value thereof, which value shall be determined as provided in section 6 (i) of the act, or, at its election, apply the whole or any part of such payment as a credit upon the indebtedness of the member to the Bank. A Bank may

require a member to give thirty days' written notice of its intention to make an application to the Bank for a decrease in the amount of stock held by it. In no case shall there be a reduction in the amount of stock held by any member to an amount less than that required by section 10 (c) of the act. The board of directors of any Bank may, by resolution, designate the duly constituted executive committee or any officer of such Bank to exercise the powers granted by this paragraph.

(d) *Excess stock subscriptions.* A member, subject to the approval of the Bank, may subscribe to the capital stock of the Bank of which it is a member in such larger amount than the minimum amount specified by the provisions of section 6 (c) of the act as it may desire, subject to the provisions of the law under which such member operates.

(e) *Payments on stock subscription.* An applicant may pay for stock subscribed in installments, as provided in section 6 (d) of the act. In the event of substantial delay between the time of filing of the application and notification of such applicant's admission to membership, provided the applicant has furnished all information required and complied with applicable laws and the regulations of the Board, such applicant may be allowed to make its second payment upon admission and succeeding payments as above provided. All other subscriptions to a Bank's stock shall be paid in full not later than the time the stock certificates therefor are issued.

(f) *Transfer or hypothecation of stock.* A member desiring to dispose of or transfer its stock shall make application for Board approval through the Bank of which it is a member.

REPORTS

§ 3.3 *Reports.* Each member shall make an annual report of its affairs as of the end of its fiscal year, or as of a date which may be mutually agreed upon by the Bank and such member, upon forms approved by the Board. Two copies of such annual report shall be forwarded to the member's Bank within thirty days after the end of such reporting year (unless the Bank shall establish a longer period not exceeding sixty days). One copy of such report shall be transmitted by the Bank to the Board.

EXAMINATIONS

§ 3.4 *Examinations of members.* Examinations of members, when required on account of the inadequacy of State examinations for the purposes of the Banks, shall be made at least annually, as prescribed by the Board, and the cost of any such examination, as determined by the Board, shall be paid by the member.

§ 3.5 *Official membership insignia.* Each member is authorized to display the approved design of insignia of membership on its letterheads, share accounts books, advertising, and similar material and to display the insignia on its windows or the exterior of its quarters. Members are likewise authorized to use the words "Member Federal Home Loan Bank System" in plain lettering in similar instances.

WITHDRAWAL AND REMOVAL FROM
MEMBERSHIP

§ 3.6 *Withdrawal and removal from membership*—(a) *Procedure for withdrawal*. When a member shall have filed with a Bank notice of its intention to withdraw from membership, the Bank shall submit such notice to the Board.

(b) *Cancellation of withdrawal notice*. A member, having filed notice of intention to withdraw from membership, may withdraw such notice at any time by notifying the Board within six months from the date of such notice.

(c) *Procedure for removal*. Adjudications pursuant to section 6 (i) of the act, in connection with the removal of Bank members, will be determined in accordance with, and follow the requirements of, the provisions of the Administrative Procedure Act, as now or hereafter amended.

PART 4—OPERATIONS OF THE BANKS

§ 4.1 *Bank quarters*. (a) Neither a Bank nor the Fiscal Agent of the Banks shall enter into any contract for the lease of quarters until such proposed contract shall have been approved by the Board.

(b) *Investments*. (1) Ordinarily purchases and/or sales of obligations of the United States or other securities shall originate with the Banks. Each proposed purchase and/or sale of obligations of the United States or other securities by a Bank shall be authorized in advance by a majority of the members of the Bank's board of directors, executive committee, or an investment committee consisting of not less than three members, at least a majority of whom shall be directors of the Bank; *Provided, however*, That no such authorization shall be required for the purchase and/or sale by a Bank of any obligation of the United States maturing within twelve months from the date of its purchase by such Bank. No purchase and/or sale of such obligations of the United States or other securities shall be made by or for the account of any Bank without the prior approval of the Board. The foregoing provisions of this subparagraph shall not apply to special series United States Treasury Notes, and authority is hereby given by the Board for any purchase or purchases of or other action or actions with respect to special series United States Treasury Notes by or for the account of any Bank where approved by such person or persons as may be designated by the Board.

(2) The principal amount of obligations of the United States shall be used as the basis in determining compliance with the provisions of sections 11 and 16 of the act.

(3) Advances to members maturing within one year on the security of home mortgages or obligations of the United States may be deemed investments in compliance with section 11 (g) of the act.

(4) The temporary holding of cash awaiting a propitious opportunity for the investment of reserves under the provisions of section 16 of the act is held to be not a violation thereof.

(c) *Transfer of funds between banks*. Interbank borrowing shall be through the medium of unsecured deposits. Such deposits shall bear interest at rates established by the Board.

(d) *Deposits from members*. (1) Banks may accept demand deposits from members, but no interest shall be paid thereon.

(2) Banks may accept time deposits from members but shall reserve the right to require, in writing, at least thirty days' notice of intention to withdraw such deposits or any part thereof. The rates of interest to be paid on such deposits as remain unwithdrawn for periods of thirty days or more may be established by the board of directors of each Bank, within the range established by the Board.

(e) *Trustee powers*. Each Bank is authorized to act as trustee in any trust affecting the business of any member, nonmember insured institution, any institution, or any group making application for membership in a Bank or for insurance of accounts, or any group making application for a charter for a Federal Savings and Loan Association, provided such trusts are limited to those which are created or which arise for the benefit of the institution as such or for the benefit of its savers, investors or borrowers and/or are in the interest of the promotion of sound and economical home financing, and provided further that Banks shall cease to act as trustees in the case of applicants if the application is withdrawn or rejected. The Banks are authorized to make reasonable charges for services rendered in connection with such trusts.

§ 4.4 *Budgets*. Each Bank shall prepare and submit to the Board for its approval a budget of operations in the manner and according to the procedure prescribed in its bylaws. Each Bank shall submit to the Board with its budget a certificate signed by its president as to the compliance by each of its officers, legal counsel and employees with the provisions of § 2.5 (a) (1) of this chapter and a properly certified copy of the resolutions of its board of directors electing officers and appointing legal counsel. The Board will either approve the budget as submitted by each Bank or approve such budget with such adjustments therein as to it appear proper. A Bank may at any time adopt and request the Board's approval of an amendment to its approved budget; and upon approval of any such amendment by the Board, such Bank shall be operated within such amended budget.

§ 4.5 *Surety bonds*. Each Bank shall maintain adequate surety bonds covering all officers, employees, attorneys, or agents having control over or access to monies or securities owned by each Bank or in its possession, in companies approved by the Board. The form and amount of such bonds shall be subject to the approval of the Board. All such bonds and evidence of their continuation shall be held in the custody of the Board.

§ 4.6 *Insurance*. Each Bank shall comply with all provisions of law as to the maintenance of liability, compensa-

tion or other insurance, and may maintain such additional forms and amount of insurance as in the opinion of its board of directors is necessary to protect the interests of the Bank.

§ 4.7 *Safe-keeping accounts*. All securities owned by each Bank shall be held in either the Federal Reserve Bank of New York or the Federal Reserve Bank of Chicago, subject to the order of the Secretary of the Treasury, who will promptly transmit to the Federal Reserve Bank concerned all orders affecting such safe-keeping accounts which have been delivered to him by the Board: *Provided, however*, Any Bank may make arrangements with a Federal Reserve Bank or with one of its depository commercial banks to hold in safe-keeping United States Treasury Bills and/or Certificates of Indebtedness owned by it subject only to its order. Without regard to the foregoing provisions of this section, any special series United States Treasury Notes held by or for the account of any Bank may be held with the Treasurer of the United States or with such depository or depositories as may be designated by the Board.

§ 4.8 *Securities held in trust or as collateral*. Bonds and negotiable securities held by a Bank as collateral or in trust shall be placed in the custody of a Federal Reserve Bank or branch thereof, a financial institution which is a member of the Federal Reserve System or of the Federal Deposit Insurance Corporation, or under such other arrangement as may be approved by the Board: *Provided, however*, That this section shall not apply to bonds and negotiable securities held in custody pursuant to the plan for the handling of security transactions of member institutions approved August 13, 1943.

§ 4.9 *Depositaries*. Each Bank shall maintain a checking account with the Treasurer of the United States. The board of directors of a Bank shall designate such further depositaries as the convenient operation of the Bank shall require, provided that such depositaries shall, unless otherwise authorized, be members of the Federal Reserve System or of the Federal Deposit Insurance Corporation and that the amount carried in depositaries other than the Treasurer of the United States, shall not exceed the deposits of members and the amount paid in by members on account of subscriptions to capital stock.

§ 4.10 *Donations*. Since a Bank is not a local institution, but is concerned with the affairs of all communities in its district and since it would be impracticable to make donations to charitable organizations without exercising a preference in favor of some communities as against others, and in the complete absence of any authority at law for Banks to make contributions to charitable organizations, no such donations are to be made by the Banks.

§ 4.11 *Accounting*. The accounting system for each of the Banks and all accounting forms used by the Banks shall be subject to the approval of the Board.

PART 5—ADVANCES

GENERAL PROVISIONS RESPECTING ADVANCES

§ 5.1 *General provisions respecting advances*—(a) *Borrowing capacity of members.* The borrowing capacity for each member shall be the amount for which the member can legally obligate itself, 50% of its net assets or 50% of its liability for shares and deposits whichever is less, unless otherwise directed by the Board.

(b) *Lines of credit.* The board of directors or executive committee of each Bank may establish a line of credit for each member not in excess of the member's borrowing capacity. Within the lines of credit so established, the executive officers of each Bank may make advances to such members (subject to compliance by the member with all legal requirements), but a report of advances so made shall, in so far as practicable, be submitted at the next meeting of the board of directors or executive committee of the Bank, whichever meets first; *Provided, however,* That advances authorized under § 5.5 (c) shall be made only in accordance with the specific limitations set forth in such section. Lines of credit shall be reviewed at least every fifteen months by the board of directors or executive committee of each Bank, and shall be revised when necessary. Lines of credit shall lapse at the end of fifteen months from the date authorized if current information regarding the condition of the member is not available, and thereafter no advances shall be made except upon the specific approval of the board of directors or executive committee of the Bank. In establishing a line of credit for a member, the board of directors or executive committee of the Bank may indicate the amount thereof that may be advanced without pledge of collateral. Reviews of lines of credit shall be comprehensive enough to determine the current condition of a member.

(c) *Interest rates.* The rates of interest on advances to members shall be established by the board of directors of each Bank, within the range established by the Board.

(d) *Bank stock collateral.* The Bank's actual possession of fully paid certificates of stock is not necessary under the provisions of section 10 (c) of the act before making an advance to a member. However, the assignment of such stock should be in the note or other form of obligation used.

ADVANCES SECURED BY HOME MORTGAGES OR OBLIGATIONS OF THE UNITED STATES

§ 5.2 *Advances secured by home mortgages or obligations of the United States*—(a) *Terms of advances.* The Banks may make advances to members on the security of home mortgages and/or obligations of the United States, as provided in section 10 of the act, for periods of not to exceed ten years, on a monthly or quarterly amortization basis, with interest thereon payable monthly or quarterly, except that advances for periods not exceeding one year need not be amortized.

(b) *Determination of value of mortgage collateral.* Subject to the limitations prescribed by the act, each Bank

shall exercise its judgment in determining the collateral value of each mortgage.

(c) *Joint home and business property.* A first mortgage on real estate upon which is located a dwelling or dwellings for not more than four families, if otherwise eligible, does not become ineligible because the real estate also has other improvements thereon, as in the case of what is commonly termed "joint home and business" property.

(d) *Mortgages exceeding \$20,000.* A home mortgage which was originally written for more than \$20,000 but which has been reduced to \$20,000, or less, may be accepted as collateral, if otherwise eligible.

(e) *Past due mortgages.* A home mortgage is held to be "past due more than six months when presented" if, (1) that date is more than six months after its final maturity date, or (2) if at that date, six months or more have elapsed since the holder has declared a default of the home mortgage, or (3) if at that date a sum has accrued and remains unpaid equivalent to the required contract payments for a period of six months beyond the time when the holder of the mortgage has an option to declare the whole of the debt due and collectable.

(f) *Curing of delinquencies on past due mortgages.* A mere waiver by the holder of a mortgage of contracted amortization payments shall not constitute a cancellation of such delinquency, but the parties thereto may enter into a written contract modifying the terms of repayment, the effect of which may be to make the mortgage eligible as collateral.

(g) *Mortgage moratoria laws.* The Banks may give full faith and credit to acts of State legislatures in reference to extending home mortgage indebtedness.

(h) *Mortgage collateral becoming past due.* A home mortgage which becomes more than six months past due while held by a Bank as collateral, may be retained, but the Bank in such cases shall call for such additional collateral as to the Bank may appear to be appropriate for the full and adequate security of its loan.

(i) *Mortgages subject to prior tax liens.* The Banks are authorized to accept and retain as collateral, home mortgages on property on which there exists a prior tax lien, provided there is not reasonable danger that such property will be sold for taxes. Full consideration shall be given to such unpaid taxes, if any, when fixing the collateral value of such mortgages.

(j) *Reports on mortgage collateral.* At least annually, each borrowing member shall be required to furnish its Bank with a report of the current status of each home mortgage pledged to said Bank as collateral. The form of the report shall be subject to the approval of the Board.

(k) *Split mortgages.* In the case of a so-called "split mortgage", where two or more mortgages are written upon identical property but where the contract or contracts provide that a portion of such indebtedness shall be carried as a straight mortgage and a portion as an amortized mortgage, then, if the mortgage is otherwise eligible, that portion which is amortized may be accepted as collateral under the provisions of section

10 (a) (2) or (3) of the act, as the Bank may elect, but that portion which is not amortized may be accepted only under the provisions of section 10 (a) (3) of the act. However, no "split mortgage" shall be accepted as collateral unless the entire mortgage debt is pledged.

(l) *Additional collateral.* If, during the time an advance is outstanding, a deficiency of eligible collateral should develop, and a satisfactory, corresponding reduction in the amount of the advance cannot be obtained, a Bank may protect its interests by obtaining any collateral which will strengthen its position.

§ 5.3 *Advances secured by other securities.* Advances to members secured by securities other than obligations of the United States may be made by each Bank for periods not to exceed one year, under the provisions of section 11 (g) (3) of the act: *Provided,* (a) That the securities so held as collateral constitute an investment in which the member is legally authorized to invest its funds; (b) that such securities have a readily ascertainable market value; and (c) that such securities are not in default with respect to payments of interest or principal. Advances under this section shall not be made in an amount in excess of eighty per centum of the market value or principal amount of such securities, whichever is less, provided that advances in amounts not in excess of face value may be made upon the security of consolidated Federal Home Loan Bank obligations.

§ 5.4 *Advances secured by members' deposits.* Advances for periods not exceeding one year may be made to a member under the provisions of section 11 (g) (3) of the act, on the security of time deposits of such member, in an amount not exceeding the total amount of said deposits.

UNSECURED ADVANCES

§ 5.5 *Unsecured advances*—(a) *Acceleration of maturity.* Unless otherwise authorized by the Board, each note representing an advance under the provisions of section 11 (g) (4) of the act shall provide that in the event the creditor liabilities of the borrower, excepting its liabilities to the Bank, are increased in any manner to an amount exceeding 5 per centum of its net assets, the Bank shall have the option of declaring the note immediately due and payable.

(b) *Advances to pay debts.* Advances under section 11 (g) (4) of the act may be made to a member whose creditor liabilities (not including advances from the Bank) are in excess of 5 per centum of its net assets, provided the Bank shall determine that as a result of any such advance the creditor liabilities (not including advances from the Bank) of such member will be reduced to an amount not in excess of 5 per centum of its net assets.

(c) *Thirty day advances.* In addition to unsecured or secured advances with a maturity of not to exceed one year which may be made under the provisions of section 11 (g) (4) of the act, advances for not more than thirty days, on an unsecured basis or on any kind of security that may be readily available, may be made to members under the provisions

of section 11 (g) (3) of the act, provided the same have been unanimously approved by the executive committee of a Bank or by a majority of the directors or by two officers of the Bank. Such advances shall either be paid at maturity or refunded with eligible collateral.

ADVANCES TO NON-MEMBER MORTGAGEES

§ 5.6 *Advances to non-member mortgagees*—(a) *Lines of credit*. The board of directors or executive committee of each Bank may establish a line of credit for each prospective non-member mortgagee borrower under the provisions of section 10b of the act, which, in the opinion of such board of directors or executive committee, may be safely extended.

(b) *Eligible institutions*. The term "chartered institutions having succession and subject to the inspection and supervision of some governmental agency" as used in section 10b of the act is deemed to mean institutions which are, by law, subject to the continuous examination and supervision of some governmental agency having legal power and authority to inspect and supervise. An institution may not qualify merely by contracting with the Reconstruction Finance Corporation, the Federal Housing

Administration, or a similar agency of the Government to furnish audits or to permit examinations.

(c) *Rates of interest*. In view of the fact that such non-member mortgagees are not required to maintain an investment in the capital stock of a Bank as is required of members, the rates of interest to be charged on advances to non-member mortgagees shall be not less than one half of one per centum nor more than one per centum higher than the rates of interest charged to members on advances of like character.

(d) *Applications for advances*. Applications for such advances shall be made in writing on forms prescribed by the Board. A Bank may at its discretion deny such applications, or may grant them on terms and conditions which are no more liberal than those applicable to advances to members.

PART 8—MISCELLANEOUS

§ 8.4 *Effective date*. The provisions of this chapter repeal all prior rules and regulations, resolutions, orders and instructions inconsistent herewith, and shall be effective January 1, 1949.

§ 8.5 *Material incorporated into rules and regulations*. Material now or here-

after filed by the Board for publication in the FEDERAL REGISTER as required by the Federal Register Act (49 Stat. 500, 44 U. S. C. Sup. Ch. 8B) or by sections 3 and 4 of the Administrative Procedure Act, approved June 11, 1946 (Pub. Law 404, 79th Cong.; 60 Stat. 237), is hereby made a part of this chapter in so far as the same is applicable to the Federal Home Loan Bank System, and to the same extent as though published in this chapter.

Resolved further that the prior knowledge and participation in the drafting of the foregoing by parties primarily interested and affected thereby, together with the fact that the amendment simplifies the present regulations and eliminates certain obsolete or restrictive provisions therein, constitutes good cause for reducing notice of this proposed amendment to ten (10) days.

(Sec. 17, 47 Stat. 736; 12 U. S. C. 1437; Reorg. Plan No. 3 of 1947, 12 F. R. 4981)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 48-10622; Filed, Dec. 6, 1948; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52097]

"NO CONSUL" LIST

CERTAIN PLACES REMOVED FROM LIST

DECEMBER 1, 1948.

In accordance with a recommendation from the Department of State, Benguela, Lobito, Mossamedes, and Nova Lisboa, are hereby removed from the "No consul" list (1947) T. D. 51797, as amended.

Invoices certified after the date of publication of this decision in the weekly Treasury Decisions, covering shipments from the above-named places, shall be accepted by collectors of customs only when certified by an American consular officer, as provided for in section 482 (a), Tariff Act of 1930.

[SEAL] W. R. JOHNSON,
Deputy Commissioner.

[F. R. Doc. 48-10643; Filed, Dec. 6, 1948; 8:57 a. m.]

Fiscal Service: Bureau of the Public Debt

[1948 Dept. Cir. 839]

1/4 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES H-1949

OFFERING OF CERTIFICATES

DECEMBER 6, 1948.

I. *Offering of certificates*. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions,

at par, from the people of the United States for certificates of indebtedness of the United States, designated 1/4 percent Treasury Certificates of Indebtedness of Series H-1949, in exchange for 2 percent Treasury Bonds of 1948-50, dated December 8, 1939, called for redemption on December 15, 1948.

II. *Description of certificates*. 1. The certificates will be dated December 15, 1948, and will bear interest from that date at the rate of 1/4 percent per annum, payable with the principal at maturity on December 15, 1949. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all taxes, now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment*. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment*. 1. Payment at par for certificates allotted hereunder must be made on or before December 15, 1948, or on later allotment, and may be made only in Treasury Bonds of 1948-50, called for redemption on December 15, 1948, which will be accepted at par, and should accompany the subscription. Payment of final interest due December 15 on bonds surrendered will be paid, in the case of coupon bonds, by payment of December 15, 1948, coupons, which should be detached by holders before presentation of the bonds, and in the case of registered bonds, by checks drawn in accordance with the assignments on the bonds surrendered.

V. *Assignment of registered bonds*. 1. Treasury Bonds of 1948-50 in registered form tendered in payment for certificates offered hereunder should be assigned by the registered payees or as-

signees thereof to "The Secretary of the Treasury for exchange for Treasury Certificates of Indebtedness of Series H-1949 to be delivered to _____," in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holders.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

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

[F. R. Doc. 48-10642; Filed, Dec. 6, 1948; 8:57 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

CLASSIFICATION ORDER

NOVEMBER 9, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3) 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 CFR, section 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing 2825 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 97

For lease and sale for all purposes mentioned in the act except business,

- T. 2 N., R. 7 E., S. B. M.,
- Sec. 25, N $\frac{1}{2}$ and SE $\frac{1}{4}$,
- Sec. 26, All,
- Sec. 28, All,
- Sec. 30, NE $\frac{1}{4}$,
- Sec. 32, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
- Sec. 34, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

2. As to applications regularly filed prior to 8:30 a. m., March 17, 1948, and No. 237—4

are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m. on January 11, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II, 10:00 a. m., January 11, 1949, to the close of business on April 11, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., March 17, 1948, to the close of business on January 11, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., April 12, 1949

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., March 17, 1948, to the close of business on April 12, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend as follows:

Sections 25, 26 and 30, east and west; Section 28, north and south; Section 32, north and south, except east and west in NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$; Section 34, north and south, except east and west in NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$10.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 48-10602; Filed, Dec. 6, 1948; 8:45 a. m.]

CALIFORNIA

CLASSIFICATION ORDER

NOVEMBER 17, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 CFR section 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing 730 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 98

For lease and sale for all purposes mentioned in the act except business,

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

2. As to applications regularly filed prior to 8:30 a. m., March 20, 1946, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., January 19, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., January 19, 1949, to the close of business on April 19, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., March 20, 1946, to the close of business on January 19, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., April 20, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., March 20, 1946, to the close of business on April 20, 1949.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south, with the following exceptions, which should be east and west:

Section 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; Section 27, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$; Section 31, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW

$\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 32, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value or \$20.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 48-10603; Filed, Dec. 6, 1948;
8:45 a. m.]

CALIFORNIA
CLASSIFICATION ORDER

NOVEMBER 9, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 CFR section 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing 195 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION No. 99

For lease and sale for all purposes mentioned in the act except business,

T. 1 S., R. 4 E., S. B. M.,
Sec. 2, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 12, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 17, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

2. As to applications regularly filed prior to 12:00 m., April 2, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., January 11, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., January 11, 1949, to the close of business on April 11, 1949.

(b) Advance period for veterans' simultaneous filings from 12:00 m., April 2, 1948, to the close of business on January 11, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., April 12, 1949.

(a) Advance period for simultaneous nonpreference filings from 12:00 m., April 2, 1948, to the close of business on April 12, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend as follows:

Section 2, north and south, except E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, east and west; Section 11, north and south, except E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, east and west; Sections 12 and 17, east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$20.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 48-10604; Filed, Dec. 6, 1948;
8:45 a. m.]

CALIFORNIA
CLASSIFICATION ORDER

NOVEMBER 9, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3) 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945

(59 Stat. 467, 43 CFR section 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing 80 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 100

For lease and sale for all purposes mentioned in the act except business,

T. 1 S., R. 4 E., S. B. M.
Sec. 12, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 16, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

2. As to applications regularly filed prior to 3:00 p. m., March 22, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., January 11, 1949. At that time such land shall, subject to valid existing rights, become subject to applications as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., January 11, 1949, to the close of business on April 11, 1949.

(b) Advance period for veterans' simultaneous filings from 3:00 p. m., March 22, 1948, to the close of business on January 11, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., April 12, 1949.

(a) Advance period for simultaneous nonpreference filings from 3:00 p. m., March 22, 1948, to the close of business on April 12, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend east and west in Section 12, north and south in Section 16.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$20.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.
[F. R. Doc. 48-10605; Filed, Dec. 6, 1948;
8:46 a. m.]

CALIFORNIA

CLASSIFICATION ORDER

NOVEMBER 9, 1948.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3) 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (62 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 CFR section 682a), as hereinafter indicated, the following described land in the Los Angeles, California, land district, embracing 380 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION No. 101

For lease and sale for all purposes mentioned in the act except business,

T. 10 N., R. 2 E., S. B. M., Sec. 31, N $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

2. As to applications regularly filed prior to 11:00 a. m., October 29, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., January 11, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., January 11, 1949, to the close of business on April 11, 1949.

(b) Advance period for veterans' simultaneous filings from 11:00 a. m., October 29, 1948, to the close of business on January 11, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., April 12, 1949.

(a) Advance period for simultaneous nonpreference filings from 11:00 a. m., October 29, 1948, to the close of business on April 12, 1949.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south, except in the W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a 10-acre subdivision is embraced in a

preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$20.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases will be subject to such easements for road rights of way as may be necessary to permit ingress or egress by other lessees to or from other lands leased under authority of this order.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 48-10606; Filed, Dec. 6, 1948;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Dairy Industry

AGRICULTURAL RESEARCH ADMINISTRATION
AMENDMENT TO ORGANIZATIONAL STATEMENT

Pursuant to authority vested in me by law (R. S. 161, 5 U. S. C. 22) the organizational statement of the Bureau of Dairy Industry, Agricultural Research Administration, (formerly 7 CFR, Part 2405) is amended in the following respects:

1. The Central Organization of the Bureau (formerly § 2405.1) is amended to read as follows:

The central organization of the Bureau of Dairy Industry is located at Washington, D. C. The Bureau conducts research (1) in dairy cattle breeding, feeding, and management to improve the producing efficiency of dairy cows; (2) to determine the nutritional requirements of dairy cattle for maintaining optimum levels of usefulness, and the value of feeds, feed constituents, and feeding regimes as sources of nutrients; the nutritional value of milk and the effect of nutrition of the cow upon the milk produced, and the physiological factors affecting the general economic usefulness of dairy cattle; and (3) to improve the quality of dairy products and to develop methods of manufacturing new dairy products through chemical, bacteriological, and technological research in the production and handling of milk to preserve its palatability and nutritive and sanitary qualities. The Bureau also administers the regulations of the Secretary governing the sanitary inspection process or renovated butter.

The Chief of Bureau is aided by an Assistant Chief for Research and an Assistant Chief for Administration. The research work is conducted through the following Divisions: Dairy Cattle Breeding, Feeding and Management; Nutrition and Physiology; Dairy Herd Improvement Investigations; and Dairy Products Research Laboratories. The regu-

lations governing the sanitary inspection of process or renovated butter are administered by the staff of the Assistant Chief for Administration.

2. The Field Organization of the Bureau (formerly § 2405.2) is amended to read as follows:

The Bureau of Dairy Industry maintains an experiment station at Beltsville, Md., where certain phases of its research program are conducted. It also maintains dairy experiment stations for research and for demonstrating dairy practices peculiar to specific regions at Jeanerette, La., Lewisburg, Tenn., Willard, N. C., Woodward, Okla., Huntley, Mont., and Mandan, N. Dak.

3. The functions of the Bureau relating to process or renovated butter (formerly § 2405.20) are amended to read as follows:

The Secretary has promulgated regulations governing the sanitary inspection of process or renovated butter (9 CFR, Part 301). The regulations include the methods and procedures by which this work is conducted. Any person dissatisfied with the decision of any bureau employee may request reconsideration of such decision by the Chief of Bureau.

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

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-10624; Filed, Dec. 6, 1948;
8:51 a. m.]

Rural Electrification Administration

[Administrative Order 1655]

LOAN ANNOUNCEMENT

NOVEMBER 18, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 63M Navarro-----	\$575,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 48-10627; Filed, Dec. 6, 1948;
8:54 a. m.]

[Administrative Order 1656]

LOAN ANNOUNCEMENT

NOVEMBER 18, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
New Mexico 20E Socorro-----	\$190,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 48-10628; Filed, Dec. 6, 1948;
8:54 a. m.]

NOTICES

[Administrative Order 1657]

LOAN ANNOUNCEMENT

NOVEMBER 19, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Dakota 25D, E Morton	\$1,015,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 48-10629; Filed, Dec. 6, 1948;
8:54 a. m.]

[Administrative Order 1661]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Minnesota 58F Kandiyohi	\$420,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10633; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1665]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Missouri 51K, M Nodaway	\$850,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10637; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1658]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Alabama 28H Chambers	\$415,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10630; Filed, Dec. 6, 1948;
8:54 a. m.]

[Administrative Order 1662]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract, bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Tennessee 38E Jefferson	\$675,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10634; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1666]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Iowa 52M Howard	\$675,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10638; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1659]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Carolina 40N, P Brunswick	\$235,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10631; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1663]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Arkansas 26M, N Fulton	\$1,390,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10635; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1667]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Virginia 27X Nottoway	\$980,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10639; Filed, Dec. 6, 1948;
8:56 a. m.]

[Administrative Order 1660]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Missouri 28R Barton	\$405,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10632; Filed, Dec. 6, 1948;
8:55 a. m.]

[Administrative Order 1664]

LOAN ANNOUNCEMENT

NOVEMBER 24, 1948.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Alabama 22P Butler	\$675,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 48-10636; Filed, Dec. 6, 1948;
8:55 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case 38]

SUPERIOR PACKING CO.

ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of Superior Packing Company, 547 East One Hundred and Eighty-first Street, New York, New York, Case No. 38.

This proceeding was instituted on October 5, 1948 by the transmission of a charging letter to the above named respondent, wherein the Office of International Trade charged respondent with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated there-

under, by filing certain applications, to which numbers 1166154, 1298623, and 2198611 were assigned, for export licenses to make multiple shipments of certain gift parcels on behalf of specific donors in the United States to specific donees in Italy, which applications were false and fraudulent in that, contrary to the representations made therein by respondent, the lists of donors submitted as parts thereof were false and misleading in material respects, and were known to be so by respondent.

It appears that Minos K. Zongos, the sole proprietor of respondent Superior Packing Company, after receiving the above mentioned charging letter and upon being confronted with the evidence available to the Office of International Trade in support of such charges, submitted to the Office of International Trade, with the advice of counsel and through such counsel, a statement to the effect that he is the sole proprietor of respondent Superior Packing Company, that he does not desire to contest the charges made in said charging letter of October 4, 1948, that he waives all right to a hearing on such charges, and that he consents to the entry of an order revoking all outstanding export licenses issued to him or his company and denying to him and his company the right to obtain or use, or to participate directly or indirectly in obtaining or using, export licenses, including general licenses, for a period of one year from the date of such order, and, further, that such order shall extend to any firm, corporation, or other business organization in which said Minos K. Zongos or his company shall have a controlling interest or with which said Minos K. Zongos shall hold a position of responsibility.

It further appears that said statement submitted by Minos K. Zongos, together with reports of investigations conducted and evidence secured in the matter by the Office of International Trade, have been submitted for review to the Compliance Commissioner for the Office of International Trade and that he has found that such evidence shows that a substantial number of the donors listed in the above mentioned license applications were falsely listed, that respondent thus violated the provisions of section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, in substantial respects, and that the proposed suspension of license privileges for a period of one year is reasonable. The Compliance Commissioner has accordingly recommended that the consent of Minos K. Zongos and his company to such suspension of license privileges be approved and that such suspension be ordered.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the investigation reports, the evidence collected, and the record in this matter, and it appears that such findings are reasonable and that such recommendations should be adopted.

Now, therefore: *It is ordered*, As follows:

(1) All unexpired export licenses issued to Minos K. Zongos or respondent Superior Packing Company are hereby

revoked and shall be returned at once to the Office of International Trade for cancellation.

(2) Minos K. Zongos and respondent Superior Packing Company are hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general licenses, for a period of one year from the date of this order.

(3) Such denial of export license privileges shall extend not only to said Minos K. Zongos and said respondent Superior Packing Company but also to any firm, corporation or other business organization in which either of said parties shall have a controlling interest or with which said Minos K. Zongos shall hold a position of responsibility.

Dated: December 2, 1948.

JOHN W. EVANS,
Director, Commodities Division.

[F. R. Doc. 48-10641; Filed, Dec. 6, 1948;
8:56 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3037]

NATIONAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, and Board show cause order Serial No. E-2237.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1933, as amended, that a hearing in the above-entitled proceeding is assigned to be held on December 7, 1948, at 10:00 a. m. (eastern standard time) in Room 1011, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., December 1, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-10640; Filed, Dec. 6, 1948;
8:56 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1145]

NATURAL GAS PIPELINE CO. OF AMERICA

ORDER FIXING DATE OF HEARING

NOVEMBER 30, 1948.

Upon consideration of the application filed October 19, 1948, by Natural Gas Pipeline Company of America (Applicant), a Delaware corporation having its principal office at Chicago, Illinois, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the continued operation of natural-gas facilities, subject to the jurisdiction of the Commission as fully described in such application on file with the Commission, and open to public inspection;

It appears to the Commission that: Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure for non-contested proceedings, and that this proceeding is a proper one for disposition under the provisions of the aforesaid rule, provided no request to be heard, protest or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on November 6, 1948 (13 F. R. 6594-95).

The Commission, therefore, orders that:

(A) pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on December 15, 1948, at 9:30 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: December 1, 1948.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 48-10612; Filed, Dec. 6, 1948;
8:47 a. m.]

FEDERAL SECURITY AGENCY

Office of Education

EDITORIAL CHANGES INCIDENT TO PREPARATION OF CODE OF FEDERAL REGULATIONS, 1949 EDITION

In order to conform Chapter I of Title 45 to the scope and style of the Code of Federal Regulations, 1949 edition, as prescribed by the regulations of the Administrative Committee of the Federal Register and approved by the President effective October 12, 1948 (13 F. R. 5929), the following editorial changes are made effective upon their publication in the FEDERAL REGISTER:

1. The codification of Part 100 of Subtitle B Chapter I "Organization, Delegations of Final Authority, and Places at Which Information may be Secured," is discontinued and §§ 100.1 to 100.5 are redesignated sections 751 to 755, respectively. Future amendments to this material will appear in the Notices section of the FEDERAL REGISTER.

2. The material referred to in paragraph 1, above, is hereby amended to read as follows:

Sec. 751. *Office of Education.* (a) The Office of Education is headed by a Commissioner who functions under the

general direction of the Federal Security Administrator. The Office of Education includes the following divisions which carry on activities relating to education:

- Division of Elementary Education.
- Division of Secondary Education.
- Division of Vocational Education.
- Division of Higher Education.
- Division of Central Services.
- Division of International Educational Relations.
- Division of Auxiliary Services.
- Division of School Administration.

(b) *Division of Elementary Education.* The Division of Elementary Education is headed by a Director. The Division's functions and activities include research in the field of elementary education, and the dissemination of information with respect thereto.

(c) *Division of Secondary Education.* The Division of Secondary Education is headed by a Director. The Division's functions and activities include research in the field of secondary education and the dissemination of information with respect thereto.

(d) *Division of Vocational Education.* The Division of Vocational Education is headed by an Assistant Commissioner for Vocational Education. In his absence or disability the Assistant Director, State Plans, acts for him. The Division's functions and activities include research in the field of vocational education and the dissemination of information with respect thereto. The Division's functions and activities also include the promotion and development of vocational education in the several States under the provisions of the Smith-Hughes Vocational Education Act and the Vocational Education Act of 1946 (sec. 1 to 18, 39 Stat. 929, as amended, and sec. 1 to 9, 60 Stat. 775; 20 U. S. C. 11-30). The several units in the Division are: Office of the Assistant Commissioner and Director, including an Assistant Director for State Plans and an Assistant Director for Program Planning, and the Agriculture Education Service, Business Education Service, Home Economics Education Service, Trade and Industrial Service, and Occupational Information and Guidance Service.

(e) *Division of Higher Education.* (1) The Division of Higher Education is headed by a Director. The Division's functions and activities include research in the field of higher education and the dissemination of information with respect thereto.

(2) The Division also administers the Veterans Educational Facilities Program (sec. 2, 60 Stat. 958; 42 U. S. C. 1573; 44 CFR, part 202), under the provisions of which the Federal Works Agency provides educational facilities, other than housing, for educational institutions in which the Commissioner of Education finds that an acute shortage exists or impends and where such facilities are needed for the training and education of veterans under title II of the Servicemen's Readjustment Act of 1944 (sec. 400 to 403, 58 Stat. 287, as amended, 38 U. S. C. 701, 724, 726, 735; 42 U. S. C. 1501, 1521-1524, 1553, 1571-1573). The responsibilities assigned to the Commissioner of Education under this law are discharged through a Chief who reports

to the Director of the Division of Higher Education and who is responsible for the formulation of general policies, for coordination with the Federal Works Agency and other Federal agencies, and for the general supervision of the Field Staff. The field staff for this program is as follows:

Acting Resident Educational Officer, Federal Works Agency, 101 Park Avenue, New York 17, N. Y.

Resident Educational Officer, Federal Works Agency, 1729 New York Avenue NW., Washington 25, D. C.

Resident Educational Officer, Federal Works Agency, 114 Marietta Street NW., Atlanta 5, Ga.

Acting Resident Educational Officer, Federal Works Agency, Room 1506, 20 North Wacker Drive, Chicago 6, Ill.

Acting Resident Educational Officer, Federal Works Agency, 700 Fidelity Building, Kansas City 6, Mo.

Resident Educational Officer, Federal Works Agency, 1006 Texas and Pacific Building, Fort Worth 2, Tex.

Resident Educational Officer, Federal Works Agency, Room 885, 630 Sansome Street, San Francisco, Calif.

Acting Resident Educational Officer, Federal Works Agency, Room 511, 618 Second Avenue, Seattle 4, Wash.

Resident Educational Officer, Federal Works Agency, Room 442, U. S. Customs House, Denver 2, Colo.

(3) The Division also administers the grants-in-aid to land-grant colleges under the provisions of the Morrill Act and supplementary acts (secs. 4 and 5, 12 Stat. 503; 14 Stat. 208; 22 Stat. 484; secs. 1 to 6, 26 Stat. 417; 34 Stat. 1281; 44 Stat. 247; sec. 22, 49 Stat. 439; 54 Stat. 39; 7 U. S. C. 301, 305, 307, 308; 321-326, 328, 329, 331; 5 U. S. C. 133 t note).

(f) *Division of Central Services.* The Division of Central Services is headed by a Director. The Division's functions and activities include the supervision of the Information and Publications Section of the Office of Education, of the Research and Statistical Section of the Office and of the Administrative Management and Services of the Office which includes budget, fiscal and personnel. The Division also administers the collection of loans made to students under the Student War Loans Program (56 Stat. 576; 57 Stat. 501, 45 CFR 105.1-105.12, inclusive).

(g) *Division of International Educational Relations.* The Division of International Educational Relations is headed by a Director. The Division's functions and activities include research in the field of international educational relations and the dissemination of information with respect thereto. In addition, the Division administers the programs for graduate students exchange as provided under the Convention for the Promotion of Inter-American Cultural Relations (T. S. 928, 75th Congress, 2d Session) and for nontreaty students and teacher trainees under sec. 1, 53 Stat. 1290, 57 Stat. 281, 58 Stat. 406; 5 U. S. C. 22, 22 U. S. C. 501, 502, and as delegated by the Department of State (22 CFR 28.1-28.12, inclusive).

(h) *Division of Auxiliary Services.* The Division of Auxiliary Services is headed by a Director. The Division's functions and activities include research in connection with Visual Aids, Library

Services, Educational Uses of Radio, Administration of School and College Health Services, and School-Community Recreation, and the dissemination of information with respect thereto.

(i) *Division of School Administration.* (1) The Division of School Administration is headed by a Director. The Division's functions and activities include research in the field of school administration and the dissemination of information with respect thereto.

(2) The Division also administers the Surplus Property Utilization Program under the provisions of which the War Assets Administration disposes of surplus real property facilities to eligible educational claimants and the Armed Services make available to schools, colleges, and universities by donation such donable excess and obsolete property as the Commissioner of Education determines can be used for educational purposes. (Public Law 889, 80th Congress.) The responsibilities assigned to the Commissioner of Education under this law are discharged through the Chief, Surplus Property Utilization Program, who reports to the Director of the Division of School Administration and who is responsible for the formulation of policies and procedures, for liaison with the War Assets Administration and the Armed Services and for the general supervision of the field staff. The field staff for this Program is as follows:

A. Armed Services Donation Field Representatives

U. S. Office of Education Field Representative, Headquarters, 6th Army, Building 38, Room 216, The Presidio, San Francisco, Calif.

U. S. Office of Education Field Representative, Headquarters, 1st Army, c/o G-4 Section, Governors Island, New York 4, N. Y.

U. S. Office of Education Field Representative, Headquarters, 2d Army, AIAQM-D, Building 202A, Fort George G. Meade, Md.

U. S. Office of Education Field Representative, Headquarters, 3d Army, Quartermaster Section, Building 1102, Fort McPherson, Ga.

U. S. Office of Education Field Representative, USAF Headquarters, Area A, Building 287, Post 214-N, Wright-Patterson Field, Dayton, Ohio, Attention: MCLFSA.

U. S. Office of Education Field Representative, c/o WAA 155 West Washington Boulevard, Los Angeles 15, Calif.

U. S. Office of Education Field Representative, U. S. Office of Education, Washington 25, D. C.

U. S. Office of Education Field Representative, Headquarters, 4th Army, Building 145, Stanley Road, Fort Sam Houston, Tex.

B. Real Property Disposal Field Representatives

U. S. Office of Education Field Representative, 204 State Office Building, Atlanta 3, Ga.

U. S. Office of Education Field Representative, c/o WAA Office of Real Property Disposal, Troost and Bannister Rd. (95th St.), P. O. Box 1037, Kansas City 10, Mo.

U. S. Office of Education Field Representative, Commonwealth Building, 728 Fifteenth Street, Denver, Colo.

U. S. Office of Education Field Representative, Room 419, South Wing Main Capitol Building, Harrisburg, Pa.

U. S. Office of Education Field Representative, c/o WAA Office of Real Property Disposal, P. O. Box 6030, Dallas 2, Tex.

U. S. Office of Education Field Representative, c/o WAA Office of Real Property Disposal, 1000 Geary Street, San Francisco, Calif.

U. S. Office of Education Field Representative, c/o WAA Office of Real Property Disposal, 40 Wall Street, 7th Floor, P. O. Box 216, Wall Street Station, New York 5, N. Y.

U. S. Office of Education Field Representative, c/o WAA Office of Real Property Disposal, Navy Pier, P. O. Box 807, Chicago 90, Ill.

U. S. Office of Education Field Representative, c/o WAA Office of Real Property Disposal, 1301 Second Avenue, Seattle 1, Wash.

U. S. Office of Education Field Representative, 414 State Capitol Building, Oklahoma City, Okla.

U. S. Office of Education Field Representative, 215 State House, Indianapolis 4, Ind.

SEC. 752. Information. Information concerning education, or any of the functions for which the Office of Education is responsible may be obtained by request in person or by letter at the Office of Education, Federal Security Agency, Washington 25, D. C.

SEC. 753. Public inspection of final opinions, orders and rules. All final opinions or orders in the adjudication of cases and all rules relating to matters within the jurisdiction of the Office of Education are available for public inspection, except that the Commissioner of Education may hold any such opinions, or orders, or parts thereof, confidential for good cause. Opinions and orders not held confidential (or copies thereof) and all rules may be inspected at the Office of Education, located at Washington, D. C. Written requests to inspect must be submitted in duplicate to the Commissioner of Education.

SEC. 754. Availability of official records. Official records relating to education are made available for inspection to persons properly and directly concerned upon written application to the Commissioner of Education, except that upon good cause found by the Commissioner such records or parts thereof may be held confidential. Notice of denial of a request to inspect official records will be given promptly together with a statement of the reason for denial.

[SEAL] RALL I. GRIGSBY,
Acting Commissioner of Education.

Approved: December 2, 1948.

OSCAR R. EWING,
Federal Security Administrator.

[F. R. Doc. 48-10614; Filed, Dec. 6, 1948; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of November 1948.

The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 (the "act"), particularly section 12 (c) there- of and Rule U-46 thereunder, regarding

the proposed payment of a dividend of \$1.50 per share or an aggregate of approximately \$2,161,870 on the outstanding shares of its preferred stock, payable on the 28th day after the date of the order of the Commission permitting the payment of such dividend or on January 3, 1949, whichever date is the later, to stockholders of record at the close of business on the 10th day after the date of such order (or if such 10th day is not a business day, the first business day following such 10th day) or on December 10, 1948, whichever date is the later; and

The Commission having heretofore instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the act with respect to Commonwealth and its subsidiaries; and

The Commission having, by its order dated November 22, 1948, approved a plan for compliance with such sections of the act filed by Commonwealth, providing, among other things, for the liquidation of Commonwealth, and the Commission having, on November 23, 1948, pursuant to Commonwealth's request, applied to the District Court of the United States for the District of Delaware for an order enforcing and carrying out the terms and provisions of the plan; and

Commonwealth having stated in the instant declaration that "The Board * * * recognizes that, in view of the pending proceedings, the 'Earned Surplus' account may be so qualified that under the rules and practice of the Commission, payment of said dividend is subject to the requirement of Commission authorization under the provisions of section 12 (c) of the act and Rule U-46 in spite of the fact that, as authorized by section 34 of the Delaware General Corporation Law, the source of payment of such dividend under such Law is Commonwealth's net profits for the current and preceding fiscal year"; and

The instant declaration having been filed on November 16, 1948 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming that it would not be necessary or appropriate to deny effectiveness to the declaration under the standards of section 12 (c) of the act and Rule U-46 if it should be found that the proposed payment were to be made out of capital and that, therefore, it is unnecessary for the Commission to determine whether said proposed payment is being made out of capital; and

The Commission therefore deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective insofar as section 12 (c) and Rule U-46 are applicable to the proposed payment; and

Commonwealth having requested that the Commission's order be issued herein on or before December 1, 1948, and become effective forthwith, and the Com-

mission deeming it appropriate to grant such request;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith: *Provided, however,* That this order shall not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code: *And provided further,* That Commonwealth accompany the dividend checks with a statement to the effect (1) that Commonwealth filed the declaration regarding the proposed dividend payment pursuant to section 12 (c) and Rule U-46 by reason of its uncertainty as to whether the "Earned Surplus" account may be so qualified, under the rules and practice of the Commission, that payment of the proposed dividend is subject to the requirement of Commission authorization under the act and the rules thereunder and that the Commission permitted the declaration to become effective without determining whether the proposed payment is being made out of capital and (2) that the Commission's action in permitting the declaration to become effective should not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-10608; Filed, Dec. 6, 1948; 8:46 a. m.]

[File No. 70-1978]

NORTHERN NATURAL GAS CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in Washington, D. C., on the 30th day of November 1948.

Northern Natural Gas Company ("Northern Natural"), a registered holding company, has filed a declaration and amendments thereto pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") regarding the proposed issuance and sale pursuant to the competitive bidding requirements of Rule U-50 promulgated thereunder of \$6,000,000 principal amount of its -----% Serial Debentures dated November 1, 1948, due 1966-69.

The Commission, by order dated November 19, 1948, permitted said declaration, as amended, to become effective subject to the condition, among others, that the proposed issuance and sale of Debentures shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in the proceeding and a further order has been entered by the Commission in the light of the record so completed, jurisdiction being reserved for this purpose.

Northern Natural filed on November 30, 1948 a further amendment to its declaration, as amended, in which it is stated that in accordance with the permission granted by said order of the Commission dated November 19, 1948, it offered its Debentures for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Name of bidder	Price to company ¹	Coupon rate	Net interest cost to company
	Percent	Percent	Percent
The First Boston Corp.	100.42	3½	3.1033
Salomon Bros. & Hutzler	100.281	3½	3.1105
Blyth & Co., Inc.	100.27	3½	3.1110
Halsey, Stuart & Co., Inc.	99.802	3½	3.1352

¹ Plus accrued interest.

It is stated in the amendment that Northern Natural has accepted the bid of The First Boston Corporation, for the said Debentures, and that the successful bidder proposed to offer the Debentures to the public at the following prices:

Series	Offering price (percent of principal amount)	Approximate yield to maturity (percent)
1966.....	101.6922	3.00
1967.....	101.7648	3.00
1968.....	101.0963	3.05
1969.....	100.3772	3.10

It is further stated in the amendment that the aggregate of the various offering prices to the public amounts to \$6,064,040 as compared with the proceeds to the company of \$6,025,200, resulting in a difference between the price to the company and the offering prices to the public of \$38,840.

The amendment further sets forth statements by counsel for the company and for the underwriters, the accountants and the engineer for the company with respect to the nature of their respective services, and their fees and expenses in connection with the proposed transactions.

The Commission having examined the record in the light of such amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid for said Debentures, the rate of interest thereon, or the underwriters' spread; and

It further appearing to the Commission that the estimated fees and expenses are for necessary services and are not unreasonable in amount, if the estimates are not exceeded:

It is ordered, That the jurisdiction heretofore reserved with respect to the results of competitive bidding for said Debentures be, and the same hereby is, released and that the declaration as amended on November 30, 1948, with respect to the results of the competitive bidding, be and the same hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed by Rule U-24.

It is further ordered, That the jurisdiction heretofore reserved over all legal

fees and expenses, including those of counsel for the successful bidder, and accounting and engineering fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-10607; Filed, Dec. 6, 1948; 8:46 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 12388]

WALTER VASEL

In re: Stock owned by Walter Vasel. D-28-11212-D-5/6.

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

2. That the property described as follows:

a. Fifteen (15) shares of \$12.50 par value capital stock of The National City Bank of New York, 55 Wall Street, New York, New York, evidenced by certificates numbered 220067, 225201 and 239815 for five (5) shares each, registered in the name of Walter Vasel, together with all declared and unpaid dividends thereon, and

b. Twenty (20) shares of \$10 par value capital stock of Irving Trust Company, One Wall Street, New York, New York, evidenced by certificates numbered 0164384 and 053552 for ten (10) shares each, registered in the name of Walter Vasel, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

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

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10616; Filed, Dec. 6, 1948; 8:48 a. m.]

[Vesting Order 12374]

FREDERICK VON LETTOW

In re: Estate of Frederick von Lettow, deceased. File No. D-28-12440; E. T. sec. 16655.

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 Wanda von Prott, Marie von Lettow, Landrat Jurgen von Prott, and Ulla von Prott, 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 identified in subparagraph 1 hereof, and each of them, in and to the estate of Frederick von Lettow, 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 David Schwartz, as executor, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 15, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10615; Filed, Dec. 6, 1948; 8:48 a. m.]

[Vesting Order 12401]

SENTA FORSTER

In re: Rights of Senta Forster under insurance contract. File No. F-28-28800-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 171,104, issued by The Penn Mutual Life Insurance Company, Philadelphia, Pennsylvania, to Mrs. J. H. Magdalene Forster, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10590; Filed, Dec. 3, 1948; 8:55 a. m.]

[Vesting Order 12408]

MARIE MEESE, ET AL.

In re: Rights of Marie Meese, Franz Tonnes (Toennes) and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Tonnes, also known as Louise Toennes under insurance contract. File No. F-28-22740-H-1.

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

1. That Marie Meese, Franz Tonnes (Toennes), whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Tonnes, also known as Louise Toennes, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 5,113,900, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Louise Tonnes (Toennes), together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Louise Tonnes, also known as Louise Toennes, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10593; Filed, Dec. 3, 1948; 8:56 a. m.]

[Vesting Order 12410]

KOSUMI NAKAI

In re: Rights of Kosumi Nakai under insurance contract. File No. F-39-4918-H-3.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. CWS-336604, issued by the California-Western States Life Insurance Company, Sacramento, California, to Nakauemon Nakai, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10594; Filed, Dec. 3, 1948; 8:56 a. m.]

[Vesting Order 12412]

CARL HANS PIELCKE

In re: Rights of Carl Hans Pielcke under insurance contract. File No. F-28-24630-H-1.

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

1. That Carl Hans Pielcke is a citizen or subject of Germany, who is, or on or since the effective date of Executive Order No. 8389, as amended, has been acting or purporting to act, directly or indirectly, for the benefit or on behalf of a designated enemy country (Germany) and is a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 206630, issued by the West Coast Life Insurance Company, San Francisco, California, to

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10595; Filed, Dec. 3, 1948;
8:56 a. m.]

[Vesting Order 12418]

HAYAMATSU YAMAKAMI

In re: Estate of Hayamatsu Yamakami, a/k/a Hayamatsu H. Yamakami, deceased. File F-39-6350; E. T. sec. 16653.

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 Aiko Yakma, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

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

3. That such property is in the process of administration by Ben F. White, as administrator, acting under the judicial supervision of the Superior Court, Riverside County, California;

and it is hereby determined:

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

national of a designated enemy country (Japan)

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10617; Filed, Dec. 6, 1948;
8:48 a. m.]

[Vesting Order 12415]

MRS. AUGUSTA SCHLACHTER

In re: Rights of Mrs. Augusta Schlachter under insurance contract. File No. F-28-554-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 19798, issued by The Wisconsin Life Insurance Company, Madison, Wisconsin, to Eugene Schlachter, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10596; Filed, Dec. 3, 1948;
8:56 a. m.]

[Vesting Order 12416]

HEINRICH SCHWEITZER

In re: Rights of Heinrich Schweitzer under insurance contract. File No. F-28-3870-H-2.

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

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

2. That the net proceeds due or to become due under the disability provisions of a contract of insurance evidenced by policy No. 3190 527, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Heinrich Schweitzer, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10597; Filed, Dec. 3, 1948;
8:56 a. m.]

[Vesting Order 12422]

TSUNEO HAPPY KURAMOTO

In re: Cash owned by Tsuneo Happy Kuramoto. F-39-6278.

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 Tsuneo Happy Kuramoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of \$809.60, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," and any and all rights to demand, enforce and collect the same,

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

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

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10618; Filed, Dec. 6, 1948; 8:48 a. m.]

[Vesting Order 12432]

MRS. EMILIE THEUME AND MISS ELIZABETH NIEMANN

In re: Stock and bank account owned by Mrs. Emilie Theume and Miss Elizabeth Niemann. F-28-1360-C-1, F-28-1605-C-1.

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

1. That Mrs. Emilie Theume whose last known address is 5 A. D. Munze, Luneburg, Prov. of Hanover, Germany, and Miss Elizabeth Niemann whose last known address is % Mrs. Emilie Theume, A. D. Munze 5, Luneburg, Prov. of Hanover, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Whitney National Bank of New Orleans, 228 St. Charles Street, New Orleans 10, Louisiana, arising out of a bank account, entitled E. W. Mente and Rob't H. Polack, agents for heirs of J. C. Mente as nationals of Germany, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Emilie Theume and Miss Elizabeth Niemann, the aforesaid nationals of a designated enemy country (Germany);

3. That the property described as follows: Three hundred and eighty-five (385) shares of \$1.00 par value common capital stock of Jefferson Lake Sulphur Company, Incorporated, 1408 Whitney Building, New Orleans 12, Louisiana, a corporation organized under the laws of the State of Louisiana, evidenced by certificates numbered O 5731 for eighty-five (85) shares, C 3467 for one hundred (100) shares, C 3468 for one hundred (100) shares, and C 3469 for one hundred (100) shares, and presently in the custody of Whitney National Bank of New Orleans, 228 St. Charles Street, New Orleans 10, Louisiana, together with all declared and unpaid dividends thereon,

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

4. That the property described as follows: One hundred and forty-four (144) shares of \$1.00 par value common capital stock of Jefferson Lake Sulphur Company, Incorporated, 1408 Whitney Building, New Orleans 12, Louisiana, a corporation organized under the laws of the State of Louisiana, evidenced by certificates numbered O 5732 for forty-four (44) shares, and C 3470 for one hundred (100) shares, and presently in the custody of Whitney National Bank of New Orleans, 228 St. Charles Street, New Orleans 10, Louisiana, together with all declared and unpaid dividend thereon.

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

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States

requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10619; Filed, Dec. 6, 1948; 8:48 a. m.]

[Vesting Order 10922, Amdt.]

MATHIAS GAISSL

In re: Stock and bank account owned by Mathias GaiSSL.

Vesting Order 10922, dated March 19, 1948, is hereby amended as follows and not otherwise:

1. By deleting from Exhibit A, attached thereto and by reference made a part thereof, all reference to 20 shares of \$1 par value capital stock of Blair & Co., Inc., and by inserting in lieu thereof, immediately following subparagraph 2c of said Vesting Order, the following:

d. Twenty (20) shares of \$1 par value capital stock of Blair & Co., Inc., 44 Wall Street, New York 5, New York, a corporation organized under the laws of the State of New York, evidenced by certificate number N. H. F. 505, registered in the name of Mathias GaiSSL, together with all declared and unpaid dividends thereon,

2. By deleting from Exhibit A, attached thereto and by reference made a part thereof, all reference to 50 shares of \$1 par value capital stock of The Foundation Company and by inserting in lieu thereof, immediately following subparagraph 2d, inserted hereby, the following:

e. Fifty (50) shares of \$1 par value capital stock of The Foundation Company, 120 Liberty Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificate number 06339, registered in the name of Ludwig GaiSSL and presently in the custody of Ludwig GaiSSL, 2876 Dill Place, Bronx 61, New York, together with all declared and unpaid dividends thereon,

3. By deleting from Exhibit A, attached thereto and by reference made a part thereof, all reference to 100 shares of common stock of Aetna Brewing Company and by inserting in lieu thereof, immediately following subparagraph 2e, inserted hereby, the following:

f. One hundred (100) shares of common capital stock of Aetna Brewing Company, now known as Dover Brewing Company, evidenced by certificate number 793, registered in the name of Dudley V. Staatz and presently in the custody of Ludwig Gaissl, 2876 Dill Place, Bronx 61, New York, together with all declared and unpaid dividends thereon,

4. By inserting immediately following subparagraph 2f, inserted hereby the following:

g. One (1) bearer certificate, dated August 23, 1946 and bearing number 4032, for two-sixths ($\frac{2}{6}$) share of common capital stock of Carolina Power and Light Company, Raleigh, North Carolina, a corporation organized under the laws of the State of North Carolina, presently in the custody of Ludwig Gaissl, 2876 Dill Place, Bronx 61, New York, together with any and all rights thereunder and thereto, and

h. One (1) bearer certificate, dated August 23, 1946 and bearing number 4312, for four-eighths ($\frac{4}{8}$) share of Pennsylvania Power and Light Company, Allentown, Pennsylvania, a corporation

organized under the laws of the State of Pennsylvania, presently in the custody of Ludwig Gaissl, 2876 Dill Place, Bronx 61, New York, together with any and all rights thereunder and thereto.

All other provisions of said Vesting Order 10922 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 22, 1948.

For the Attorney General.

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

[F. R. Doc. 48-10620; Filed, Dec. 6, 1948;
8:49 a. m.]

[Dissolution Order 76, Amdt.]

TAIYO TRADING CO., INC.

Dissolution Order No. 76 executed on April 27, 1948 (13 F. R. 2400, May 1, 1948), is hereby amended by deleting the

paragraph numbered (e) (1) on page 2 of said Dissolution Order and substituting in lieu thereof the following:

(1) The shareholders of the corporation, other than the Attorney General, in proportion to their respective interests as shareholders, (less any amount due by them respectively to the corporation) upon execution by such shareholders of a bond in favor of the Attorney General of the United States, the corporation and its officers and directors, guaranteeing contribution by such shareholders, up to an amount not exceeding the dividends paid to them, to payment of any unknown claims against the corporation which may arise after distribution to said shareholders; and

All other provisions of said Dissolution Order No. 76 are hereby confirmed.

Executed at Washington, D. C., this 1st day of December 1948.

For the Attorney General.

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

[F. R. Doc. 48-10621; Filed, Dec. 6, 1948;
8:49 a. m.]