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## TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10072

### TO PROVIDE FOR CONTINUING ACTION TO IMPROVE THE MANAGEMENT OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

WHEREAS the President and the Congress, in support of the recommendations of the Commission on Organization of the Executive Branch of the Government, are currently taking action further to improve Government organization and to give department and agency heads responsibility and authority which will enable them to manage their agencies more effectively; and

WHEREAS complementary actions are necessary to realize the economies and increased operating effectiveness made possible by improved organization of the Executive Branch; and

WHEREAS it is desirable to establish further machinery to give increased and regular attention to the economy of operations and effectiveness of programs:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

1. Department and agency heads shall (a) review the programs under their respective jurisdictions to assure themselves and the President that such programs are being carried out with maximum effectiveness and economy, (b) provide for periodic and systematic appraisals of operations to identify opportunities to improve effectiveness and performance, (c) schedule action to work out and install improvements, giving priority to the activities promising greatest benefits in economy or better service for the same or less money, and (d) report periodically to the Bureau of the Budget on the progress made in establishing management improvement programs and the results achieved therefrom.

2. The Bureau of the Budget shall (a) review department and agency plans for management improvement in conjunction with requests for funds, and at other appropriate times, (b) advise and assist the agencies in working out programs to improve their operations, (c) make appropriate arrangements for handling program and operating problems of an interagency nature, (d) provide for an interchange of information on effective

management techniques, and (e) report periodically to the President on the progress and results of agency management improvement efforts.

3. There is hereby established an Advisory Committee on Management Improvement. The Committee shall assist the President in creating a government-wide program for management improvement, developing a framework for the conduct of management activities, reviewing the progress of agency management improvement efforts, and promoting a better understanding of measures taken to improve the management of the Executive Branch of the Government. The Committee shall be appointed by the President and shall consist of twelve members, five of whom shall be officers or employees of the Federal Government. The Director of the Bureau of the Budget shall meet with and advise the Committee.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 29, 1949.

[F. R. Doc. 49-6295; Filed, July 29, 1949;  
2:11 p. m.]

## EXECUTIVE ORDER 10073

### EXEMPTION OF EUGENE BLACK FROM COM- PULSORY RETIREMENT FOR AGE

WHEREAS Eugene Black, Judge, Tax Court of the United States, will, during the month of July 1949, become subject to compulsory retirement for age under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, unless exempted therefrom by Executive order; and

WHEREAS, in my judgment, the public interest requires that the said person be exempted from such compulsory retirement as provided below:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715a), I hereby exempt the said Eugene Black from compulsory retirement for age for an indefinite period of time not extending beyond the duration of his present term of office.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 29, 1949.

[F. R. Doc. 49-6310; Filed, July 29, 1949;  
3:53 p. m.]

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**PROCLAMATION 2848**

AMENDMENTS OF REGULATIONS RELATING TO MIGRATORY BIRDS AND GAME MAMMALS BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

WHEREAS the Secretary of the Interior has adopted, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), and has submitted to me for approval the following amendments of the regulations relating to migratory birds and game mammals included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

AMENDMENTS OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II (53 Stat. 1431), and in accordance with the provisions of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), I, J. A. Krug, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend as follows the regulations approved by Proclamation No. 2801 of July 29, 1948, as last amended by Proclamation No. 2822 of November 5, 1948, and do hereby adopt the following as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

1. Section 6.4 is amended to read as follows:
  - § 6.4 *Open seasons, bag limits, and possession of certain migratory game*



birds. During the open seasons prescribed and except as hereinafter provided in this section, ducks, geese, brant, and coot may be taken daily from one-half hour before sunrise to one hour before sunset, and rails, gallinules, woodcock, mourning or turtle doves, white-winged doves, and hand-tailed pigeons from one-half hour before sunrise to sunset. The hour for the commencement of hunting of waterfowl and coot on the first day of the season, including each first day of the split seasons, shall be 12 o'clock noon.

A person may take in any one day during the open seasons prescribed therefor

not to exceed the numbers of migratory game birds herein permitted, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken, such birds may be possessed in the number specified in this section, except that no person on the opening day of the season may possess any migratory game birds in excess of the applicable daily limits.

Nothing in this section shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18,

1929 (45 Stat. 1222), or on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except so far as may be permitted by the Secretary of the Interior under existing law, or on any area designated as a closed area under the Migratory Bird Treaty Act.

The open seasons (dates inclusive) on the following migratory game birds only, the daily bag and possession limits, and the exceptions to the hours of hunting heretofore stated, shall be as shown in the following schedules:

(a) ATLANTIC FLYWAY STATES

	Migratory waterfowl and coot			Rails and gallinules		Woodcock	Mourning or turtle dove
	Ducks	Geese (except snow geese)	Coot	Sora	Others		
Daily bag limits	4 <sup>1</sup>	2 <sup>2</sup>	15	25	15 <sup>3</sup>	4	10
Possession limits	8 <sup>1</sup>	2 <sup>2</sup>	15	25	15 <sup>3</sup>	8	10
Seasons in— <sup>4</sup>							
Connecticut <sup>5</sup>	Nov. 4-Dec. 13			Sept. 1-Oct. 15		Oct. 20-Nov. 18	
Delaware	Nov. 4-Nov. 19 and Dec. 23-Jan. 7			Sept. 1-Oct. 30		Nov. 15-Dec. 14	Nov. 1-Nov. 30
Florida	Nov. 29-Jan. 7			Oct. 1-Nov. 30 <sup>6</sup>			Dec. 17-Jan. 15 <sup>6</sup>
Georgia	do			Oct. 1-Nov. 30 <sup>7</sup>		Dec. 23-Jan. 21	Sept. 16-Sept. 30 and Jan. 1-Jan. 15 <sup>8</sup>
Maine <sup>9</sup>	Oct. 7-Oct. 22 and Nov. 23-Dec. 8			Oct. 7-Oct. 22 and Nov. 23-Dec. 8 <sup>7</sup>		Oct. 1-Oct. 30	
Maryland	Nov. 18-Dec. 27			Sept. 1-Oct. 30		Nov. 15-Dec. 14	Sept. 1-Sept. 30 <sup>9</sup>
Massachusetts <sup>10</sup>	Oct. 21-Nov. 5 and Dec. 9-Dec. 24			Sept. 1-Oct. 30 <sup>7</sup>		Oct. 20-Nov. 18	
New Hampshire <sup>11</sup>	Oct. 7-Oct. 22 and Nov. 18-Dec. 3			do <sup>7</sup>		Oct. 1-Oct. 30	
New Jersey	Nov. 18-Dec. 27			Sept. 1-Oct. 30		Oct. 20-Nov. 18	
New York <sup>12</sup>	Oct. 21-Nov. 5 and Nov. 18-Dec. 3			Oct. 21-Nov. 5 and Nov. 18-Dec. 3 <sup>7</sup>		( <sup>10</sup> )	
North Carolina	Nov. 29-Jan. 7			Oct. 1-Nov. 30 <sup>7</sup>		Dec. 12-Jan. 11	Sept. 16-Sept. 30 and Dec. 31-Jan. 14 <sup>9</sup>
Pennsylvania	Oct. 21-Nov. 29			Sept. 1-Oct. 30 <sup>7</sup>		Oct. 10-Nov. 8	Oct. 10-Nov. 8
Rhode Island <sup>13</sup>	Nov. 29-Jan. 7			Sept. 1-Oct. 30		Nov. 1-Nov. 30	
South Carolina	do			Oct. 1-Nov. 30 <sup>7</sup>			Sept. 16-Sept. 30 and Dec. 23-Jan. 6 <sup>9</sup>
Vermont	Oct. 21-Nov. 29			Sept. 1-Oct. 30 <sup>7</sup>		Oct. 1-Oct. 30	
Virginia	Nov. 29-Jan. 7			Sept. 1-Oct. 30		Nov. 19-Dec. 18	Sept. 16-Oct. 15 <sup>9</sup>
West Virginia	Oct. 21-Nov. 29			Sept. 1-Oct. 30 <sup>7</sup>			
Puerto Rico	Dec. 15-Feb. 12			Dec. 15-Feb. 12			

<sup>1</sup> No open season on wood duck in Massachusetts and West Virginia. In other States, bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted mergansers 25 singly or in the aggregate of both kinds; no possession limit after the opening day of the season.

<sup>2</sup> Canada geese or its subspecies, or 2 white-fronted geese, and in addition 3 blue geese a day or in possession.

<sup>3</sup> Not more than 15 in the aggregate of rails (other than sora) and gallinules.

<sup>4</sup> No open season in District of Columbia but migratory game birds may be possessed therein in accordance with § 6.6 (c).

<sup>5</sup> Scoters and eider ducks may be taken in all areas in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Rhode Island during the applicable seasons for other ducks. Such birds otherwise may be taken in open coastal waters only, beyond outer harbor lines, in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Rhode Island from Sept. 17 to Dec. 17. In these States only, the daily bag limit is 7 scoters or eider ducks singly or in the aggregate, and not exceeding 14 in possession singly or in the aggregate.

<sup>6</sup> Florida: Rails (including sora) and gallinules, daily bag and possession limit 15, singly or in aggregate of all kinds.

<sup>7</sup> When rails and gallinules are permitted to be taken during the waterfowl season, they may not be hunted after 1 hour before sunset.

<sup>8</sup> Florida: Mourning doves in Dade, Monroe, and Broward Counties, Oct. 1 to Oct. 30.

<sup>9</sup> Shooting hours for mourning doves in States indicated—12 o'clock noon until sunset.  
<sup>10</sup> New York: North and east of the tracks of the branch line of the New York Central R. R. from Oswego to Syracuse, the main line of the New York Central R. R. from Syracuse to Albany, and the main line of the Boston & Albany R. R. from Albany to the Massachusetts State line, Oct. 10 to Nov. 1; west and south of the line above described (except Long Island), Oct. 21 to Nov. 12; that part of New York known as Long Island, Oct. 24 to Nov. 15; from 9 a. m. until 5 p. m. on the opening day in each of these zones; and thereafter in all of the aforesaid zones from 7 a. m. until 5 p. m.

(b) MISSISSIPPI FLYWAY STATES

	Migratory waterfowl and coot			Rails and gallinules		Woodcock	Mourning or turtle dove
	Ducks	Geese	Coot	Sora	Others		
Daily bag limits	4 <sup>1</sup>	4 <sup>2</sup>	10	25	15 <sup>3</sup>	4	10
Possession limits	8 <sup>1</sup>	4 <sup>2</sup>	10	25	15 <sup>3</sup>	8	10
Seasons in—							
Alabama	Nov. 29-Jan. 7			Nov. 29-Jan. 7		Dec. 1-Dec. 30	Dec. 17-Jan. 15 <sup>4</sup>
Arkansas	Nov. 18-Dec. 27			Sept. 1-Oct. 30		do	Sept. 16-Oct. 15 <sup>4</sup>
Illinois	Nov. 4-Dec. 13 <sup>5</sup>			do		do	Sept. 1-Sept. 30
Indiana	Nov. 4-Dec. 13			do		Oct. 15-Nov. 13	
Iowa	Oct. 21-Nov. 29						
Kentucky	Nov. 29-Jan. 7			Sept. 1-Oct. 30		Dec. 23-Jan. 21	Sept. 1-Sept. 30 <sup>4</sup>
Louisiana	Nov. 18-Dec. 27			do		( <sup>7</sup> )	Dec. 1-Dec. 30 <sup>4</sup>
Michigan	Oct. 7-Nov. 15			Oct. 7-Nov. 15 <sup>6</sup>			
Minnesota	do			Sept. 16-Nov. 14 <sup>6</sup>		Oct. 1-Oct. 30	
Mississippi	Nov. 18-Dec. 27			Oct. 15-Dec. 13 <sup>6</sup>		Dec. 1-Dec. 30	Sept. 16-Sept. 30 and Jan. 1-Jan. 15 <sup>4</sup>
Missouri	Nov. 4-Dec. 13			Sept. 1-Oct. 30		Nov. 10-Dec. 9	Sept. 1-Sept. 30
Ohio	Oct. 21-Nov. 29			Sept. 1-Oct. 30 <sup>6</sup>		Oct. 8-Nov. 6	
Tennessee	Nov. 18-Dec. 27						Sept. 16-Oct. 15 <sup>4</sup>
Wisconsin	Oct. 14-Nov. 22			Oct. 14-Nov. 22 <sup>6</sup>		Oct. 1-Oct. 30	

<sup>1</sup> Bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted mergansers 25 singly or in the aggregate of both kinds; no possession limit after the opening day of the season.

<sup>2</sup> Including in such limit not more than 2 Canada geese or its subspecies or not more than 2 white-fronted geese, or not more than 1 of each of these species.

<sup>3</sup> Not more than 15 in the aggregate of rails (other than sora) and gallinules.

<sup>4</sup> Shooting hours for mourning doves in States indicated—12 o'clock noon until sunset.

<sup>5</sup> No open season for geese in that part of Alexander County, Ill., established as closed area by Proclamation 2748 of Oct. 1, 1947 (12 F. R. 6521).

<sup>6</sup> When rails and gallinules are permitted to be taken during the waterfowl season, they may not be hunted after 1 hour before sunset.

<sup>7</sup> Woodcock: Michigan, Upper Peninsula, Oct. 1 to Oct. 20; Lower Peninsula, Oct. 15 to Nov. 5.



## THE PRESIDENT

## (c) CENTRAL FLYWAY STATES

	Migratory waterfowl and coot			Ralls and gallinules		Mourning or turtle dove
	Ducks	Geese	Coot	Sora	Others	
Daily bag limits.....	4 <sup>1</sup>	5 <sup>2</sup>	10	25	15 <sup>3</sup>	10.
Possession limits.....	8 <sup>1</sup>	5 <sup>2</sup>	10	25	15 <sup>3</sup>	10.
Seasons in—						
Colorado.....	Oct. 14–Nov. 27 <sup>4</sup>					Sept. 1–Oct. 12.
Kansas.....	Oct. 21–Dec. 4			Sept. 1–Oct. 30 <sup>5</sup>		Sept. 1–Sept. 30.
Montana.....	Oct. 7–Oct. 24 and Nov. 18–Dec. 5 <sup>4</sup>					Sept. 1–Sept. 15.
Nebraska.....	Oct. 21–Dec. 4			Sept. 1–Oct. 30 <sup>5</sup>		Sept. 10–Oct. 1.
New Mexico <sup>6,7</sup> .....	Oct. 14–Oct. 31 and Dec. 21–Jan. 7			do. <sup>8</sup>		Sept. 1–Oct. 12. <sup>7</sup>
North Dakota.....	Oct. 7–Nov. 20			do. <sup>8</sup>		
Oklahoma <sup>4</sup> .....	Oct. 21–Dec. 4			do. <sup>8</sup>		Sept. 1–Sept. 30.
South Dakota.....	do.			do. <sup>8</sup>		
Texas <sup>8,9</sup> .....	Nov. 4–Nov. 21 and Dec. 21–Jan. 7			Sept. 1–Oct. 30		(10).
Wyoming.....	Oct. 7–Oct. 24 and Nov. 24–Dec. 11 <sup>4</sup>			Sept. 1–Oct. 30 <sup>5</sup>		

<sup>1</sup> No open season on wood duck in Colorado, Kansas, Nebraska, North Dakota, South Dakota, and Wyoming. In other States, bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted mergansers 25 singly or in the aggregate of both kinds; no possession limit after opening day of the season.

<sup>2</sup> Including in such limit not more than 2 Canada geese or its subspecies, or not more than 2 white-fronted geese, or not more than 1 of each of these species.

<sup>3</sup> Not more than 15 in the aggregate of ralls (other than sora) and gallinules.

<sup>4</sup> No open season on snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, or in the States of Colorado and Wyoming.

<sup>5</sup> When ralls and gallinules are permitted to be taken during the waterfowl season, they may not be hunted after one hour before sunset.

<sup>6</sup> New Mexico: Band-tailed pigeons; south of highway 60, Sept. 16 to Oct. 15; daily limit 10, possession limit 10; no open season in rest of State.

<sup>7</sup> New Mexico: Shooting hours for mourning doves and band-tailed pigeons on first day of the season, 12 o'clock noon until sunset; thereafter from sunrise to sunset.

<sup>8</sup> Woodcock: Oklahoma, Dec. 1 to Dec. 30; Texas, in the counties of Shelby, Nacog-

doches, Angelina, Trinity, San Jacinto, Liberty, Chambers, and all counties south and east thereof, Dec. 23 to Jan. 21; no open season in rest of Texas. Daily limit 4, possession limit 8.

<sup>9</sup> Texas: white-winged doves in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, Sept. 15, 17, and 19 from 4 p. m. until sunset; daily bag and possession limit for white-winged or mourning doves is not more than 10 singly or in the aggregate of both kinds; no open season in rest of State.

<sup>10</sup> Texas: mourning doves in Val Verde, Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Milan, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, Sept. 1 to Oct. 15 in rest of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), Oct. 1 to Nov. 14; in these latter counties, Sept. 15, 17, and 19 from 4 p. m. until sunset, and Oct. 1 to Nov. 11 from one-half hour before sunrise to sunset.

## (d) PACIFIC FLYWAY STATES

	Migratory waterfowl and coot			Ralls and gallinules		Mourning or turtle dove	Band-tailed pigeon
	Ducks	Geese and brant (except Ross's goose)	Coot	Sora	Other		
Daily bag limits.....	5 <sup>1</sup>	6 <sup>2</sup>	15	25	15 <sup>4</sup>	10 <sup>4</sup>	10.
Possession limits.....	10 <sup>1</sup>	6 <sup>2</sup>	15	25	15 <sup>4</sup>	10 <sup>4</sup>	10.
Seasons in—							
Arizona <sup>4</sup> .....	Nov. 18–Jan. 6			Sept. 1–Oct. 30		Sept. 1–Oct. 15	Sept. 16–Oct. 15.
California.....	(9)					Sept. 1–Sept. 30	(9).
Idaho.....	Oct. 14–Nov. 2 and Dec. 9–Dec. 28 <sup>7</sup>					(9)	
Nevada.....	Oct. 14–Dec. 2					Sept. 1–Sept. 30	
Oregon.....	Oct. 21–Nov. 9 and Dec. 19–Jan. 7					Sept. 1–Sept. 15	Sept. 1–Sept. 30.
Utah.....	Oct. 14–Dec. 2			Sept. 1–Oct. 30 <sup>5</sup>			
Washington.....	Nov. 4–Dec. 23						Sept. 1–Sept. 30.
Alaska.....	(10)						

<sup>1</sup> No open season on wood ducks in Arizona, Nevada, and Utah. In other Pacific Flyway States and Alaska, bag or possession limit may include 1 wood duck only. Daily bag for American and red-breasted mergansers 25 singly or in the aggregate of both kinds; no possession limit after opening day of the season.

<sup>2</sup> In any combination not exceeding 2 of Canada geese or its subspecies, white-fronted geese, or brant.

<sup>3</sup> Not more than 15 in the aggregate of ralls (other than sora) and gallinules.

<sup>4</sup> Arizona: White-winged dove, Sept. 1 to Sept. 15. The daily bag and possession limit for white-winged or mourning doves is not more than 10 singly or in the aggregate of both kinds.

<sup>5</sup> Waterfowl and coot in those portions of San Bernardino, Riverside and Imperial Counties, Calif., east of U. S. Highway 95 from the Nevada line south to Blythe and east of the paved and graded road extending from Blythe to Ripley, Pala Verde and Ogilby south to its intersection with U. S. Highway 80, thence east to Yuma, Nov. 18 to Jan. 6; in the rest of the State, Oct. 21 to Nov. 9 and Dec. 19 to Jan. 7.

*Provided, however,* That whenever the Director of the Fish and Wildlife Service shall find that emergency State action to prevent forest fires in any extensive area has resulted in the shortening of the season during which the hunting of any migratory game bird is permitted and that a compensatory extension or re-opening of the hunting season for such birds will not result in a diminution of the abundance of birds to any greater extent than that contemplated for the original hunting season, the hunting season for the birds so affected may, subject to all other provisions of this subchapter, be extended or reopened by the Director upon request of the chief officer of the agency of the State exercising administration over wildlife resources. The Director of the Fish and Wildlife Service shall fix the length of the extended or reopened season, which in no event shall

exceed the number of days during which hunting has been so prohibited, and he shall publicly announce the extended or reopened season.

2. Section 6.6 paragraph (a) is amended to read as follows:

(a) *Transportation in or out of Alaska, Puerto Rico, and the United States.* Migratory game birds and parts thereof, which if dressed have the head, head plumage, and feet attached and which have been lawfully taken, may be transported in or out of Alaska, Puerto Rico, District of Columbia, or any State during the open season where taken: *Provided,* That the number of such birds permitted to be transported out of or into any such State, Alaska, Puerto Rico, or the District of Columbia or to a foreign country during any one calendar week shall not exceed for one person the number per-

mitted by § 6.4 to be in the possession of one person where taken.

Any such birds or parts thereof transported from Alaska, Puerto Rico, or any State not later than 48 hours following the close of the open season therein may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination.

Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof.

3. Section 6.6 paragraph (b) is amended to read as follows:



(b) *Importations from Canada, Mexico, or other foreign country.* Migratory game birds of species on which open seasons are prescribed by § 6.4, and parts thereof, which if dressed have the head, head plumage, and feet attached and which have been lawfully taken and possessed in and exported from a foreign country, may be transported into the United States, Alaska, or Puerto Rico during the open seasons where taken: *Provided*, That shipments from Mexico must be accompanied by a Mexican export permit and shipments from Canada must be accompanied by tags or permits if required by provincial or dominion law: *And provided further*, That the number of such migratory game birds permitted to be so imported during any one calendar week shall not exceed for one person the greatest number of each species permitted to be possessed by one person anywhere in the United States.

Any such birds or parts thereof transported from Canada or Mexico not later than 5 days immediately following the open season where taken may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination. Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof therein contained clearly and conspicuously marked on the outside thereof.

4. Section 6.6 paragraph (c) is amended to read as follows:

(c) *Possession.* Within the maximum possession limits prescribed by § 6.4 migratory game birds lawfully taken within a State or transported or imported in accordance with the provisions of paragraphs (a) or (b) of this section, may be possessed in any State, District of Columbia, Alaska, or Puerto Rico during the open season where taken and for an additional 90 days next succeeding said open season.

5. Section 6.8 paragraph (b) is amended to read as follows:

(b) *Special authorization.* Imports from Mexico must be accompanied by Mexican export permits, but otherwise State or municipal game farms or city parks may acquire, possess, dispose of, and transport lawfully obtained live migratory waterfowl without a special

permit; and public museums, zoological parks and societies, and public scientific and educational institutions may acquire by gift, loan or purchase and may possess, dispose of, and transport lawfully obtained migratory birds and their eggs, nests, or parts without obtaining a special permit. No such birds may be sold to, purchased from, or exchanged with any person not authorized pursuant to this section to sell, purchase, or exchange them.

6. Section 6.8 paragraph (c) is amended to read as follows:

(c) *Special permits.* Permits for the importation, taking, sale, purchase or other acquisition, and possession of live migratory birds and their eggs for propagating purposes; for the importation, taking, sale, purchase or other acquisition, and possession of migratory birds and their eggs, nests, or parts for scientific and other limited purposes; for the disposition and transportation of such birds, eggs, nests, parts, and their increase; and for the mounting or other preparation by a taxidermist of such birds, eggs, or nests, may be issued by the Director, Fish and Wildlife Service, Washington 25, D. C., upon such terms and conditions as are consistent with the protection of the species and the general purposes of §§ 6.1 to 6.12 which terms and conditions may include, among other things, the inspection of premises and records by authorized employees of the Department, the keeping of records and the making of reports. Importations from Mexico under this paragraph must be accompanied by a Mexican export permit.

To insure the preservation of migratory birds, permits to take for scientific and propagating purposes may be denied or they may limit the number and species of such birds or their eggs to be taken thereunder, the place where they may be taken, and the manner and means of taking. Migratory birds, their eggs, and nests may not be sold to, purchased from, or exchanged with any person not authorized by this section or by a permit issued under this paragraph to make such sale, purchase, or exchange.

No permit issued under this paragraph shall authorize the taking, possession, sale, purchase, exchange, or transportation of migratory birds or their eggs or nests unless the permittee also possesses whatever permit may be required for such action pursuant to the laws and

regulations of the State, Territory, or District concerned.

7. Section 6.8 paragraphs (d) and (e) are redesignated as paragraphs (e) and (f), respectively, and a new paragraph to be designated as § 6.8 (d) is added to read as follows:

(d) *Transfer and revocation.* No permit issued hereunder shall be transferable. The privilege granted by any permit shall terminate upon the expiration of the period named therein or any extension thereof, unless the permit is sooner terminated.

8. Section 6.8 paragraph (e), as redesignated, is amended to read as follows:

(e) *Applications for permits.* Applications for permits shall be addressed to the Director, Fish and Wildlife Service, Washington 25, D. C., in such form as he may prescribe.

These amendments shall become effective on and after September 1, 1949.

In witness whereof, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 27th day of July 1949.

[SEAL]

J. A. KRUG,  
Secretary of the Interior.

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendments.

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

DONE at the City of Washington this 29th day of July in the year of our Lord nineteen hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,  
Secretary of State.

[F. R. Doc. 49-6309; Filed, July 29, 1949; 3:44 p. m.]

## RULES AND REGULATIONS

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

##### PART 25—FEDERAL EMPLOYEES PAY REGULATIONS

##### SUBPART B—PERIODIC WITHIN-GRADE SALARY ADVANCEMENT REGULATIONS

1. Paragraph (a) of § 25.223 is amended as set out below. Section

25.223, as amended, is effective August 7, 1949, and will read as follows:

§ 25.223 *Equivalent increase in compensation.* (a) "Equivalent increase in compensation" means any increase or increases in basic compensation which in total, at the time such increase or increases are made, are equal to or greater than the smallest compensation increment in any grade in which the employee has served during the time period of

twelve or eighteen months, as the case may be.

(b) The following, among others, are not "equivalent increases in compensation":

(1) Increases in basic rates of compensation provided by section 405 of the Federal Employees Pay Act of 1945, or section 2 of the Federal Employees Pay Act of 1946, or Title III of the Postal Rate Revision and Federal Employees Salary Act of 1948;



(2) Rewards for superior accomplishment as provided in sections 403 and 404 of the Federal Employees Pay Act of 1945;

(3) Increases as the result of the establishment of a new minimum rate for any class of positions in accordance with section 401 of the Federal Employees Pay Act of 1945;

(4) An increase made for the specific purpose of correcting an error in a previous demotion or reduction in pay, as the result of administrative review, the decision of a statutory efficiency rating board of review, a reduction-in-force appeal, reallocation of the position to former or intermediate grade upon appeal, or an appeal under section 14 of the Veterans' Preference Act of 1944; or

(5) Payment of a territorial post differential or territorial cost-of-living allowance.

2. Paragraph (b) of § 25.231 is amended as set out below. Section 25.231, as amended (except paragraph (e) which is effective as of June 24, 1948), is effective August 7, 1949, and will read as follows:

§ 25.231 *Service to be credited.* In computing the periods of service required for within-grade salary advancements there shall be credited to such service:

(a) Continuous paid civilian employment in any branch (legislative, executive, or judicial) of the Federal Government, or in the municipal government of the District of Columbia.

(b) Service prior to a period of absence not in excess of 52 calendar weeks due to leave without pay, furlough, or separation, except where such absence was due to disqualification, abandonment of position, suspension, legal incompetence, inefficiency, or separation for cause on charges of misconduct, delinquency or other reasons. No period in a non-pay status or of separation from the rolls is creditable, except leave without pay and furlough not to exceed in total the equivalent of ten eight-hour days in the basic forty-hour workweeks, within the period of service required for one periodic within-grade advancement.

(c) The period of time absent from duty during which disability compensation was received under the Employees' Compensation Act, not to exceed the amount of time necessary to complete one waiting period, creditable only if the employee returns to duty.

(d) Service in the armed forces, in the merchant marine, or on war transfer subject to the following conditions: The employee must have (1) left his position to enter the armed forces or the merchant marine, or to comply with a war transfer, (2) been separated under honorable conditions from active duty in the armed forces, or have received a certificate of satisfactory service in the merchant marine, or have a satisfactory record on war transfer, and (3) been restored, reemployed, or reinstated in any permanent position within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended, under regulations of the Commission which provide for mandatory restoration or re-

employment, or the provisions of any law providing for mandatory restoration or reemployment, or any other administrative procedure having a similar purpose with respect to employees not subject to civil service rules and regulations. Any person entitled to be credited with service under this paragraph shall also be entitled to credit not more than twelve, eighteen, or thirty months, as the case may be, for civilian employment prior to leaving his position to enter the armed forces or the merchant marine, or to comply with a war transfer.

(e) Any person who has mandatory restoration rights under section 9 of the Selective Service Act of 1948, shall be restored in such manner as to give him credit for any within-grade salary advancements to which he would have been entitled if he had continued in civilian employment continuously from the time of his entering the armed forces until the time of his restoration to such employment.

(f) In the case of an employee whose name appeared on a list of eligibles between May 1, 1940, and March 16, 1942, and who, after meeting necessary conditions, received probational appointment under the provisions of any Executive order or regulations of the Commission covering situations in which an eligible lost his opportunity for probational appointment because of military service in World War II, time elapsing since the earliest date on which an eligible standing lower on the same list of eligibles received a probational appointment therefrom.

(g) In the case of an employee who applied for restoration, reappointment or reemployment within the period, provided by statute or regulation, of 90 calendar days after honorable discharge from the military service or from hospitalization continuing for a period of not more than one year after such discharge, and who has been restored, reappointed or reemployed as a result of such application, the total period of time elapsing between the termination of military service or release from hospitalization continuing thereafter, and entrance on duty in his civilian position if such period does not exceed 120 calendar days. However, if entrance on civilian duty has been delayed so that such period is in excess of 120 calendar days, only the first 120 calendar days of such period may be credited. This paragraph shall be effective December 5, 1946, and shall apply to all computations of within-grade salary increases made after that date.

In the case of an employee exercising reemployment rights under the terms of Executive Order No. 9711, April 11, 1946 (3 CFR 1946 Supp.), not to exceed a total period of 120 calendar days of time elapsing between release from military service and acceptance of civilian employment in occupied territories under the Military Government authorities of the United States, and time elapsing between termination of such employment and the exercise of his reemployment rights in accordance with Executive Order No. 9711.

(Sec. 8, 54 Stat. 890; sec. 1, 60 Stat. 749; sec. 9, 62 Stat. 614; 5 U. S. C. 645a, 50 U. S. C. App. 308, 459)

(Sec. 605, 59 Stat. 304; 5 U. S. C. 945)

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

[F. R. Doc. 49-6266; Filed, Aug. 1, 1949; 8:48 a. m.]

## Chapter II—The Loyalty Review Board

### PART 230—DIRECTIVES TO THE REGIONAL LOYALTY BOARDS; CASES OF APPLICANTS AND APPOINTEES IN THE COMPETITIVE SERVICE

#### GENERAL INSTRUCTIONS

Paragraph (d) of § 230.1 is amended as set out below. As amended, § 230.1 will read as follows:

§ 230.1 *Directive I; general instructions—(a) Establishment of commission regional loyalty boards.* In accordance with Executive Order 9835, the United States Civil Service Commission shall establish in each of its regional offices a regional loyalty board of not less than three impartial persons, who shall be appointed officers or employees of the Commission, whose duties it shall be to adjudicate loyalty cases involving applicants for and appointees to positions in the competitive service.

In performing their duties, the members of the board should avoid the attitude of the prosecutor and should always bear in mind and make clear to all concerned that the proceedings are in the nature of an investigation and not of a prosecution.

The officers of each board shall consist of a chairman and a vice chairman to be selected by the United States Civil Service Commission, and an executive secretary.

The chairman shall perform all the duties usually pertaining to the office of chairman, including presiding at board meetings, supervising the administrative work of the board, and conducting its correspondence. He shall be authorized to call special meetings of the board when, in his judgment, such meetings are necessary, and shall call such meetings at the written request of three members or a majority of the board, whichever is less. The time and place of such meetings shall be fixed by the chairman. The chairman shall constitute such panels of the board as may be necessary or desirable to conduct the hearings and is authorized to appoint such committees as from time to time may be required to handle the work of the board. The chairman may request the vice chairman to assume the duties of the chairman in event of the absence of the chairman or his inability to act.

The duties of the vice chairman, when acting in the place of the chairman, shall be the same as the duties of the chairman.

The executive secretary shall perform all the duties customarily performed by



an executive secretary. He shall have immediate charge of all of the administrative duties of the board under the direction of the chairman and shall have general responsibility for advising and assisting the board members and exercising executive direction over the staff.

Unless otherwise ordered by the board, all hearings shall be held by panels of the board, the decisions of which shall be the decisions of the board. Such panels of the board shall consist of not less than three members designated by the chairman. The chairman shall designate the board member who shall be the presiding member and it shall be the duty of such presiding member to make due report to the board of all acts and proceedings of the said panel.

(b) *Safeguarding confidential information.* Confidential sources of information and the identity of confidential witnesses referred to in the reports shall not be disclosed to any person not officially connected with the adjudication of the case.

(c) *Issuance of procedural instructions.* The boards shall operate under the directives herein contained.

(d) *Suspension and separation.* In order to obtain uniformity of policies and procedures of the regional loyalty boards of the United States Civil Service Commission and to afford equal treatment to all persons, no regional loyalty board shall cause the suspension of an appointee until after a decision of ineligibility (subsequent to the serving of an interrogatory and reply, if any, and hearing, if held) has been made by the board, except in cases of permanent or war service indefinite employees where the circumstances are such that the retention of the employee in an active duty status may be detrimental to the interest of the Government. Such exceptional cases shall be considered only at the request of the employing agency, and if upon such consideration the board determines that suspension pending adjudication is warranted, the board shall instruct the agency to suspend the employee without regard to the procedural requirements of § 9.102 of Commission regulations.

If the decision of the board (after issuance of interrogatory and reply, if any, and hearing, if held) is one of ineligibility, the agency shall be instructed to suspend the employee immediately pending appeal to the Loyalty Review Board. The procedural requirements of § 9.102 of Commission regulations do not apply to instructions by the Commission for suspension or to instructions by the Commission under § 5.4 of Rule V for separation.

In the further interest of uniformity of policies and procedures and equality of treatment of employees, no appointee who pursues his appeal diligently shall be separated until the Loyalty Review Board makes its decision.

(e) *Resignation after adverse adjudication.* In cases not seriously threatening national security, a board, after hearing and determination of an unfavorable nature, if mitigating circumstances are found, may permit resignation instead of recommending suspension or removal. In case of such resignation, immediate

notice shall be forwarded to the Loyalty Review Board, accompanied by the complete file of the case.

(f) *Notice by regional loyalty board and right to appeal.* All applicants for and appointees to the competitive service against whom action is taken under Executive Order 9835, shall be assured the rights of a hearing before a board, notice thereof, and appeal to the Loyalty Review Board, in accordance with the provisions of these directives.

(Part III, E. O. 9835, Mar. 21, 1947, 12 F. R. 1935; 3 CFR, 1947 Supp.)

LOYALTY REVIEW BOARD,  
UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] SETH W. RICHARDSON,  
Chairman.

[F. R. Doc. 49-6249; Filed, Aug. 1, 1949;  
8:45 a. m.]

## TITLE 24—HOUSING AND HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg.,<sup>1</sup> Amdt. 137]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

ARKANSAS, INDIANA, KANSAS AND TEXAS

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule A, Item 23a, is amended to read as follows:

(23a) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the entire Malvern, Arkansas, Defense-Rental Area, consisting of Hot Springs County, Arkansas, on the Housing Expediter's own initiative, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 106, is amended to describe the counties in the Defense-Rental Area as follows:

In Huntington County, the Township of Huntington,  
Delaware, Howard, and Madison.

This decontrols from §§ 825.1 to 825.12 (1) the City of Wabash in Wabash County, Indiana, a portion of the Anderson, Indiana, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of Noble Township, which contains the City of Wabash, and the Township of Chester, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

<sup>1</sup> 13 F. R. 5706, 5788, 5789, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7801, 7862, 8217, 8218, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 682, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2605, 2607, 2608, 2695, 2746, 2761, 2796, 2897, 3079, 3120, 3152, 3200, 3234, 3280, 3311, 3353, 3399, 3451, 3467, 3494, 3556, 3617, 3672, 3673, 3704, 3705, 3745, 3773, 3813, 3848, 3992, 4481, 4450, 4451, 4618.

3. Schedule A, Item 116a, is amended to describe the counties in the Defense-Rental Area as follows:

Ellis.  
Pawnee.  
Reno.

This decontrols from §§ 825.1 to 825.12 (1) the City of Russell in Russell County, Kansas, a portion of the Great Bend, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Russell County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 121a, is amended to read as follows:

(121a) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the entire Stafford County, Kansas, Defense-Rental Area, consisting of Stafford County, Kansas, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

5. Schedule A, Item 319a, is amended to describe the counties in the Defense-Rental Area as follows:

Liberty, except the City of Liberty; and Harris, except the Cities of LaPorte and Pasadena.

This decontrols from §§ 825.1 to 825.12 the Cities of LaPorte and Pasadena in Harris County, Texas, a portion of the Houston, Texas, Defense-Rental Area, based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947.

6. Schedule A, Item 319d, is amended to read as follows:

(319d) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the entire Huntsville, Texas, Defense-Rental Area, consisting of Walker County, Texas, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

7. Schedule A, Item 322b, is amended to read as follows:

(322b) [Revoked and decontrolled.]

This decontrols from §§ 825.1 to 825.12 the entire Eatex, Texas, Defense-Rental Area, consisting of Panola County, Texas, on the Housing Expediter's own initiative, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective July 28, 1949.

Issued this 28th day of July 1949.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-6261; Filed, Aug. 1, 1949;  
8:47 a. m.]



[Controlled Housing Rent Reg.,<sup>1</sup> Amdt. 138]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED**

**CALIFORNIA**

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

A new Item 55 is hereby incorporated in Schedule B to read as follows:

55. Provisions relating to all Defense-Rental Areas in the State of California.

*Decontrol of housing accommodations in trailers and trailer spaces on Housing Expediter's initiative.* In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of §§ 825.1 to 825.12 is terminated, effective July 28, 1949, with respect to all housing accommodations which on that date were housing accommodations in trailers or trailer spaces located in any of the defense-rental areas or portions thereof in the State of California.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This amendment shall become effective July 28, 1949.

Issued this 28th day of July 1949.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-6263; Filed, Aug. 1, 1949; 8:47 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,<sup>2</sup> Amdt. 134]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED**

**ARKANSAS, INDIANA, KANSAS AND TEXAS**

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respects:

1. Schedule A, Item 23a, is amended to read as follows:

(23a) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the entire Malvern, Arkansas, Defense-Rental Area, consisting of Hot Spring County, Arkansas, on the Housing Ex-

<sup>1</sup> 13 F. R. 5706, 5788, 5789, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8218, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 682, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2605, 2607, 2608, 2695, 2746, 2761, 2796, 2897, 3079, 3120, 3152, 3200, 3234, 3280, 3311, 3353, 3399, 3451, 3467, 3494, 3556, 3617, 3672, 3673, 3704, 3705, 3745, 3773, 3813, 3848, 3992, 4481, 4450, 4451, 4618.

<sup>2</sup> 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8219, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2176, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2746, 2761, 2796, 3079, 3121, 3153, 3201, 3234, 3280, 3311, 3353, 3400, 3451, 3468, 3494, 3555, 3617, 3675, 3705, 3746, 3772, 3811, 3812, 3849, 3993, 4482, 4451, 4452, 4617, 4668.

pediter's own initiative, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 106, is amended to describe the counties in the Defense-Rental Area as follows:

In Huntington County, the Township of Huntington.  
Delaware, Howard, and Madison.

This decontrols from §§ 825.81 to 825.92 (1) the City of Wabash in Wabash County, Indiana, a portion of the Anderson, Indiana, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of Noble Township which contains the City of Wabash, and the Township of Chester, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

3. Schedule A, Item 116a, is amended to describe the counties in the Defense-Rental Area as follows:

Ellis.  
Pawnee.  
Reno.

This decontrols from §§ 825.81 to 825.92 (1) the City of Russell in Russell County, Kansas, a portion of the Great Bend, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Russell County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 121a, is amended to read as follows:

(121a) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the entire Stafford County, Kansas, Defense-Rental Area, consisting of Stafford County, Kansas, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

5. Schedule A, Item 319a, is amended to describe the counties in the Defense-Rental Area as follows:

Liberty, except the City of Liberty; and Harris, except the Cities of LaPorte and Pasadena.

This decontrols from §§ 825.81 to 825.92 the Cities of LaPorte and Pasadena in Harris County, Texas, a portion of the Houston, Texas, Defense-Rental Area, based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947.

6. Schedule A, Item 319d, is amended to read as follows:

(319d) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the entire Huntsville, Texas, Defense-Rental Area, consisting of Walker County, Texas, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

7. Schedule A, Item 322b, is amended to read as follows:

(322b) [Revoked and decontrolled.]

This decontrols from §§ 825.81 to 825.92 the entire Eatex, Texas, Defense-

Rental Area, consisting of Panola County, Texas, on the Housing Expediter's own initiative, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d)). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894).

This amendment shall become effective July 28, 1947.

Issued this 28th day of July 1947.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-6262; Filed, Aug. 1, 1949; 8:47 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg.,<sup>2</sup> Amdt. 134]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED**

**CALIFORNIA**

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is hereby amended in the following respect:

A new Item 55 is hereby incorporated in Schedule B to read as follows:

55. Provisions relating to all Defense-Rental Areas in the State of California.

*Decontrol of housing accommodations in trailers and trailer spaces on the Housing Expediter's initiative.* In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of §§ 825.81 to 825.92 is terminated, effective July 28, 1949, with respect to all housing accommodations which on that date were housing accommodations in trailers or trailer spaces located in any of the defense-rental areas or portions thereof in the State of California.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This amendment shall become effective July 28, 1949.

Issued this 28th day of July 1949.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-6264; Filed, Aug. 1, 1949; 8:48 a. m.]

[Reg. 1]

**PART 840—PROCEDURE**

**PROCEDURES BEFORE LOCAL ADVISORY BOARDS**

Regulation No. 1 for Procedures Before Local Advisory Boards (§§ 840.201 to 840.252) is hereby issued to read as follows:

Pursuant to the authority of the Housing and Rent Act of 1947, as amended (Pub. Laws 129, 422 and 464, 80th Cong.; Pub. Law 31, 81st Cong.), in order to provide for orderly procedures before local advisory boards and the Office of the



Housing Expediter in matters of general applicability in defense-rental areas or portions thereof:

Sec.

840.201 Purpose of §§ 840.201 to 840.252.

CREATION, ORGANIZATION, AND GENERAL OPERATION OF LOCAL ADVISORY BOARDS

- 840.202 Appointment of board members.
- 840.203 Eligibility.
- 840.204 Membership of boards.
- 840.205 Organization of boards.
- 840.206 Addresses of boards.
- 840.207 Secretaries of boards.
- 840.208 Space and working facilities.
- 840.209 Travel expenses.
- 840.210 Employment of attorneys.
- 840.211 Securing stenographic reporting and newspaper advertising services.
- 840.212 Resignations and vacancies.
- 840.213 Voting.
- 840.214 Recommendations of boards.
- 840.215 Meetings.
- 840.216 Special meetings.
- 840.217 Minutes of meetings to be kept.

HEARINGS BY LOCAL ADVISORY BOARD

- 840.218 Who may petition for a public hearing; action upon petition.
- 840.219 Time and place of filing petition to local advisory board.
- 840.220 Form and contents of petition.
- 840.221 Joint petitions; consolidations.
- 840.222 Submission of briefs.
- 840.223 Statements in opposition to petition.
- 840.224 Action by local advisory board.
- 840.225 Public hearings.
- 840.226 Conduct of public hearings.
- 840.227 Recommendations and certification of records.
- 840.228 Public hearings held on initiative of local advisory board and recommendations.

HEARINGS BY THE HOUSING EXPEDITER

- 840.229 Right to give notice.
- 840.230 Subject of notice.
- 840.231 Time and place of filing.
- 840.232 Form and contents of notice.
- 840.233 Assignment of docket number.
- 840.234 Joint notices; consolidation.
- 840.235 Submission of briefs.
- 840.236 Statements in opposition to notice.
- 840.237 Action by the Housing Expediter.
- 840.238 Public hearing.
- 840.239 Conduct of public hearings.
- 840.240 Certification of records.
- 840.241 Determinations by Housing Expediter.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

- 840.242 Interpretations.
- 840.243 Contemptuous conduct.
- 840.244 Continuance or adjournment.
- 840.245 Filing of petitions, affidavits, notices, briefs, etc.
- 840.246 Service of papers.
- 840.247 Action by representatives.
- 840.248 National Board Coordinator; office hours.
- 840.249 Confidential information; inspection of documents filed with National Board Coordinator.
- 840.250 Appearance of employees and former employees.
- 840.251 Definitions.
- 840.252 Amendment to §§ 840.201 through 840.252.

AUTHORITY: §§ 840.201 to 840.252 issued under sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d).

§ 840.201 *Purpose of §§ 840.201 to 840.252.* The purpose of §§ 840.201 to 840.252 is to prescribe and explain procedures before local advisory boards and

the Office of the Housing Expediter in connection with removal and establishment of controls and general rent adjustments in accordance with section 204 of the Housing and Rent Act of 1947, as amended.

(a) Sections 840.202 to 840.217 deal with the creation, organization, and general operation of local advisory boards and with their personnel.

(b) Sections 840.218 to 840.228 deal with petitions for public hearings by local advisory boards, the conduct of such hearings and recommendations by boards.

(c) Sections 840.229 to 840.241 are concerned with notices to the Housing Expediter of a local advisory board's refusal or failure to hold a public hearing upon petition, the determination of such notices and conduct of public hearings granted by the Housing Expediter.

(d) Sections 840.242 to 840.252 contain definitions and miscellaneous provisions.

CREATION, ORGANIZATION AND GENERAL OPERATION OF LOCAL ADVISORY BOARDS

*Introduction.* The Housing and Rent Act of 1947, as amended, provides for the creation of local advisory boards in defense-rental areas. Sections 840.202 to 840.217 are concerned with the appointment of such boards, their organization and general provisions relating to their operation and with their personnel.

§ 840.202 *Appointment of board members.* Members of local advisory boards are appointed by the Housing Expediter upon recommendation of the governors of the respective states, or upon his own initiative, in accordance with the provisions of section 204 (e) (1) of the Housing and Rent Act of 1947, as amended.

§ 840.203 *Eligibility.* Board members must be citizens of the area for which they are appointed, serve without compensation, and take the oath of office.

§ 840.204 *Membership of boards.* Each local advisory board must consist of not less than five members who, insofar as practicable, as a group are representative of the affected interests in the area.

§ 840.205 *Organization of boards.* Each local advisory board shall elect a chairman and shall adopt such procedures and rules, not inconsistent with the provisions of the act and §§ 840.201 to 840.252, as it believes necessary and desirable, for holding and conducting meetings and hearings. The chairman shall be counted for the purposes of the quorum requirements and shall be eligible to vote on all issues.

§ 840.206 *Addresses of boards.* All notices, reports, petitions and other documents directed to a board shall be addressed to the board or its Chairman at the address of the appropriate area rent office or branch office.

§ 840.207 *Secretaries of boards.* Each board shall have a secretary who shall perform the usual duties pertaining to such office and who shall, subject to the direction of the Chairman, have custody of all records of the board. Upon request by the Chairman of the board, the Area Rent Director shall designate a member of his staff to act as secretary

for the board. Additional clerical personnel shall be provided by the Area Rent Director as reasonably required.

§ 840.208 *Space and working facilities.* Insofar as practicable, space will be provided in the Area Rent Office or branch office for meetings or other board business.

§ 840.209 *Travel expenses.* No official travel may be performed prior to the issuance of a formal travel authorization by the Regional Office of the Office of the Housing Expediter, except in a bona-fide emergency. Travel must be authorized in accordance with applicable Government Travel Regulations.

§ 840.210 *Employment of attorneys.* (a) Attorneys shall be employed only in accordance with the provisions of section 204 (e) (6) of the act.

(b) The Chairman of the board shall have prepared and shall sign Form HE-302 for each proposed attorney-employee and shall forward such signed form together with the original of the board's resolution to the Regional Housing Expediter at least five days prior to the date on which it is proposed that the candidate shall enter upon duty.

(c) Employment of an attorney shall be requested only by resolution duly adopted by the board.

(d) Attorneys shall be paid an amount agreed upon between the board and the attorney but not to exceed \$25 per day when actually employed and shall be allowed necessary traveling and subsistence expenses in accordance with applicable Government Travel Regulations.

(e) Form HE-400 shall be used to report time worked by attorneys for rent advisory boards. This form shall be prepared by each such attorney biweekly and shall be signed by him and submitted to the Chairman of the board for certification. It shall then be promptly transmitted to the appropriate Regional Office for the attention of the Chief, Budget and Finance Section, for payment.

§ 840.211 *Securing stenographic reporting and newspaper advertising services.* In order that there may be compliance with the various statutes and regulations concerning the acquisition of stenographic reporting and newspaper advertising services, requests for such services shall be made to the appropriate Regional Office.

§ 840.212 *Resignations and vacancies.* When any member of a board finds it necessary to resign for any reason, his resignation should be addressed to the Housing Expediter, Attention: National Board Coordinator, Office of the Housing Expediter, Washington 25, D. C. A resignation shall become effective only upon acceptance thereof by the Housing Expediter and until such acceptance the resigning member shall, for all purposes, be considered to be a member of the board. Upon the occurrence of a vacancy by reason of death, removal from the area or otherwise, the Chairman of the board shall immediately advise the Housing Expediter of such vacancy. Unless the total membership of the board is reduced to less than three members,



the board shall continue to function. The Housing Expediter will promptly appoint such additional members as are required for the proper composition of the board.

§ 840.213 *Voting.* All actions of the board in or relating to proceedings governed by §§ 840.201 to 840.252 shall be taken by roll-call vote at a meeting attended by at least a quorum and the vote of each member of the board present and voting shall be recorded. Abstention from voting or absence of any member shall be appropriately recorded. Except where otherwise specifically provided all such actions shall be taken by a majority vote of all members present at the meeting. Abstentions will have the effect of negative votes.

§ 840.214 *Recommendations of board.* In order for a recommendation to the Housing Expediter to be considered the action of the board it is required to be approved by a majority of the full membership of the board: *Provided, however,* That in no event shall fewer than three members be deemed to be such majority. Where a local advisory board is divided into two or more sub-boards, all such boards must combine and act as a whole in making recommendations concerning control or decontrol of the area or a part thereof or of a class of housing accommodations or concerning general rent adjustments.

§ 840.215 *Meetings.* The board shall establish the time and place of holding regular meetings. Notice similar to that provided in § 840.216 shall be given where control, decontrol, or a general rent adjustment will be considered at a regular meeting.

§ 840.216 *Special meetings.* Special meetings shall be called by the Chairman of the board either upon his own initiative or upon petition subscribed by one-third of the total membership of the board, but such meetings shall not be held on Saturdays or Sundays unless regular meetings of the board are held on such days. All members shall be given written notice of the time, place, and purpose of any special meeting unless notice has been waived in writing and no business other than that set forth in the notice shall be considered at such special meetings.

§ 840.217 *Minutes of meetings to be kept.* Minutes shall be kept of all meetings of the board concerned with questions of control, decontrol, or general rent adjustments and such minutes shall be subscribed by the chairman of the meeting and certified by the secretary. Such minutes shall show the vote of each member present with respect to each of such issues and upon all actions taken in connection with such issues.

#### HEARINGS BY LOCAL ADVISORY BOARD

*Introduction.* The Housing and Rent Act of 1947, as amended, provides that upon substantial petition by a representative group of tenants or landlords, the local advisory board shall hold a public hearing upon matters of general applicability. The act further provides that such hearing shall be held within 30 days

after the filing of the petition and shall be completed within 30 days after its commencement. See section 204 (e) (1) of the act. §§ 840.218 to 840.228 are intended to govern the consideration of such petitions by boards, determination of the petitions, the conduct of public hearings, and the presentation of recommendations.

§ 840.218 *Who may petition for a public hearing; action upon petition.* (a) Any representative group of landlords or tenants may file a petition requesting a local advisory board to hold a public hearing with respect to control or decontrol of a defense-rental area, part thereof, or a class of housing accommodations or with respect to general rent adjustments.

(b) Any petition to a local advisory board to hold a public hearing may at any time prior to the making of a recommendation be dismissed if (1) the group filing such petition is not representative, or (2) the petition is not substantial in character, or (3) the petition is filed by a group of landlords or tenants or other persons who would not be affected by the relief requested, or (4) the petition is otherwise not in accordance with law. Otherwise the petition for a public hearing shall be granted. If the petition is dismissed, the dismissal shall contain a statement of the reasons for such action.

§ 840.219 *Time and place of filing petition to local advisory board.* (a) A petition to a local advisory board to hold a public hearing on any of the subjects set forth in § 840.218 may be filed at any time: *Provided, however,* That a petition filed within three months after the board or the Housing Expediter has concluded a public hearing embracing the subject of the hearing petitioned for shall, to that extent, be dismissed as insubstantial: *And provided further,* That no group shall file a petition within six months of the date of its filing of an earlier petition on the same subject matter which has been or is being considered upon the merits. The time limitations contained in this paragraph may be waived by the board or the Housing Expediter, as the case may be.

(b) The petition and all accompanying documents shall be filed, in an original and two copies, with the Chairman of the board and one additional copy shall be simultaneously filed with the Area Rent Director for the area concerned in the petition, the Regional Rent Advisory Board Coordinator and the National Board Coordinator, Office of the Housing Expediter, Washington 25, D. C.

(c) Each copy of the petition, accompanying documents and briefs, shall be printed, typewritten, mimeographed or prepared by similar process and shall be plainly legible. Copies shall be double-spaced except that quotations shall be single-spaced and indented.

§ 840.220 *Form and contents of petition.* Every petition shall be clearly designated "Petition to the Local Advisory Board for the \_\_\_\_\_ (insert name of area or part thereof) for Public Hearing under section 204 (e) (4) of the Housing and Rent Act of 1947,

as amended," and shall contain the following:

(a) The name and post office address of the representative group filing the petition, the composition of such group i. e., whether landlords or tenants, and the location, by post office address, apartment number or otherwise, of at least one housing accommodation which would be affected by the relief sought and which is owned or occupied by each of the persons in the representative group. If the group is composed of more than 25 such persons, only 25 names and addresses need be given;

(b) A statement as to the character and membership of the group showing that it is representative;

(c) The name and post office address of any person or organization filing the petition on behalf of the representative group and the name and post office address of the person or organization to whom all communications relating to the petition shall be sent;

(d) A statement identifying the area, part of an area, or class of housing accommodations which would be affected by the action sought;

(e) A statement of the recommendation requested;

(f) A statement of the precise purpose of the public hearing sought together with a statement of the evidence upon which the petitioning group will rely to substantiate the board recommendation requested;

(g) A statement that a copy of the petition and all accompanying documents and briefs have been filed with the Area Rent Director for the affected area, the Regional Board Coordinator, and the National Board Coordinator;

(h) A statement signed by each of the persons in the representative group or pursuant to appropriate authorization, by their duly authorized chairman or officer, that the petition and the documents filed therewith are prepared in good faith and that the facts alleged therein are true to the best of his or their knowledge, information and belief. Where any statement is filed by a chairman or officer on behalf of the petitioning representative group, the statement must be accompanied by a written power of attorney as provided in § 840.248 or by appropriate evidence of the chairman's or officer's authority to take such action. If the petition is subscribed by individual members of the representative group it must be subscribed by all the members thereof unless the group is composed of more than 25 members, in which case it shall be subscribed by the 25 members whose names and addresses are given in the petition pursuant to § 840.220 (a).

§ 840.221 *Joint petitions; consolidations.* Two or more representative groups of landlords or tenants may file a joint petition. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed severally. A joint petition shall be subscribed in accordance with § 840.220 (h) by each member of each of the representative groups (subject, however, to the limitation stated in § 840.220 (h)) or by their duly authorized chairman or officers.



Whenever the local advisory board deems it necessary or appropriate for the disposition of joint petitions, it may treat such joint petitions as several. The board may, if it be deemed appropriate, consolidate petitions raising common questions.

§ 840.222 *Submission of briefs.* The petitioning group may file a brief in support of the petition. Such brief shall be filed together with the petition and in the same manner as provided by § 840.219 for the filing of petitions.

§ 840.223 *Statements in opposition to petition.* The copy of the petition and supporting documents, if any, filed with the Area Rent Director shall be available for public inspection at the Area Rent Office during regular business hours and within 15 days after the filing of a petition, any person, group of persons or organization (other than the petitioning group or its representative) may submit a statement in support of, or in opposition to, the petition. Such statement must conform, as nearly as may be, to the requirements of §§ 840.219 and 840.220 with respect to the form, contents and filing of petitions. Statements so filed shall be filed in an original and two copies and upon filing shall become a part of the record of the proceedings upon the petition.

§ 840.224 *Action by local advisory board.* (a) Upon receipt of any petition for a public hearing the Chairman of the board shall cause immediate written notice to be given to each member of the board stating the nature of the petition, identification of the petitioners, and the fact that the petition will be considered at a regular or special meeting of the board on a date not less than 16 nor more than 25 days after such receipt. In no event shall the written notice be mailed less than five days before the meeting. Written notice may be waived in writing by any member of the board.

(b) The record, consisting of the petition, offer of proof and briefs filed by the petitioner and any statements filed pursuant to § 840.223, shall be lodged with the secretary of the board and shall be available for inspection by members of the board.

(c) A copy of the board's determination and statement shall be served forthwith upon the petitioning representative group or groups and simultaneously therewith copies shall be filed with the Area Rent Director, the Regional Board Coordinator and the National Board Coordinator. The copy filed with the Area Rent Director shall be available for public inspection at the Area Rent Office during regular business hours.

§ 840.225 *Public hearings.*—If the board grants the petition for a public hearing, it shall:

(a) Within 30 days from the date of the filing of the petition, commence such hearing by publishing a first notice thereof in a local newspaper of general circulation. Such advertisement shall give notice to the general public of a public hearing, shall state the purpose of such hearing, and shall establish the

date, time and place of the hearing which date shall not be less than 15 days nor more than 20 days after the date of publication.

(b) Give notice to the Governor of the State, not less than 15 days prior to the date of the hearing, of the date, time, place and purpose of such hearing.

(c) Publish not less than five days prior to the date of hearing, a second notice of hearing as provided in paragraph (a) of this section.

(d) Provide for a stenographic transcript of the public hearing.

(e) Conclude the public hearing not more than 30 days after publication of the first notice; and

(f) Within 30 days after conclusion of the public hearing the board shall upon the basis of the evidence in the record of the public hearing make its determination in accordance with § 840.227.

§ 840.226 *Conduct of public hearings.*

(a) The Chairman or Vice-Chairman of the local advisory board shall preside at the public hearing and the Chairman shall designate another member to preside in their absence. In the absence of the Chairman, Vice-Chairman and such designee the member senior in appointment shall preside and if there be no such, the members present shall, by majority vote, agree upon a presiding member.

(b) The presentation of evidence at a public hearing shall not be subject to the rules of evidence but may be limited in such manner as the chairman of the hearing may deem appropriate to the fair and expeditious determination of the issue presented.

(c) Examination of witnesses shall be conducted by the chairman of the hearing, members of the board, and the attorney for the board. However, the chairman of the hearing may permit examination of witnesses by the attorneys or representatives of the petitioning group or other interests (i. e. landlords, tenants or public interest), subject to such limitations as he shall prescribe: *Provided, however,* That if examination of witnesses by or on behalf of any individual or group is permitted, then the chairman of the hearing shall also permit such examination by or on behalf of individuals or groups of other interests if they request such permission. Any group or individual desiring to examine or to have its or his attorney or representative examine witnesses at the hearing shall, at least two days prior to the date of hearing, file with the Chairman of the Board an appropriate request therefor setting forth its or his interest and the name of its or his attorney or representative, if any. In the event that leave is granted to more than one interest for their attorneys or representatives to examine witnesses, the examination of any one witness may be limited to examination by one attorney or representative for each interest. The selection shall be made by the interests of each character unless they fail to agree, in which event the chairman of the hearing shall make such selection.

(d) The chairman of the hearing may from time to time adjourn the hearing

to a stated time and place: *Provided, however,* That no adjournment shall be ordered for a date more than 30 days from the date of publication of the first notice and the public hearing shall be concluded not later than 30 days from the date of such publication.

(e) Written documents submitted at the public hearing shall be submitted in an original and two copies.

(f) Any survey of rental properties in the area under consideration which is to be offered in evidence at the public hearing shall be made available for public inspection at the Area Rent Office for a period of at least five days prior to the date of the public hearing and the advertisement of the hearing shall so state.

(g) Any ruling of the chairman of the hearing shall be subject to objection by any member of the board present at the public hearing and shall be overruled only by a majority vote of all board members present and voting.

§ 840.227 *Recommendations and certification of records.* (a) Within 30 days after conclusion of the public hearing the local advisory board shall forward its recommendation in duplicate to the Housing Expediter, Attention: National Board Coordinator, and shall certify two complete copies of the record of the proceedings, with three additional copies of the transcript of the public hearing.

(b) Within five days from the date of mailing of its recommendation to the Housing Expediter the board shall serve a copy of the recommendation upon the Governor of the State and the petitioning representative group or groups and shall file additional copies thereof with the Area Rent Director and the Regional Board Coordinator. The copy filed with the Area Rent Director shall be available for public inspection at the Area Rent Office during regular business hours.

§ 840.228 *Public hearings held on initiative of local advisory board and recommendations.* Public hearings held upon the initiative of the local advisory board shall be noticed and conducted in a manner conforming to §§ 840.225 and 840.226 and recommendations, if any, resulting therefrom shall be filed and served in the manner provided by § 840.227, insofar as those sections are applicable.

#### HEARINGS BY THE HOUSING EXPEDITER

*Introduction.* The Housing and Rent Act of 1947, as amended, provides that upon petition of a substantial character by a representative group of tenants or landlords, the board shall hold a public hearing upon questions of general applicability. The act further provides that such hearings shall be held within 30 days after the filing of the petition and shall be completed within 30 days after its beginning. See §§ 840.218 to 840.228. It is further provided by the act that if the board fails to hold the hearing, then the Housing Expediter shall, upon notice, hold such public hearing. §§ 840.229 to 840.242 are intended to govern the procedures incident to notice to, and hearing by, the Housing Expediter.



§ 840.229 *Right to give notice.* (a) Any representative group of landlords or tenants who have, pursuant to § 840.219, petitioned a local advisory board to hold a public hearing may file a notice with the Housing Expediter and request him to hold such hearing on the subject of the petition theretofore filed with the local advisory board only in the following circumstances:

(1) The local advisory board has in writing refused to hold such a hearing; or

(2) The local advisory board has not, pursuant to § 840.225 (a), published a first advertisement of a public hearing; or

(3) The board has otherwise failed to hold a hearing in accordance with the act in that its proceedings do not satisfy the requirements of this regulation or section 204 (e) (4) of the Housing and Rent Act of 1947, as amended, or in that its proceedings are otherwise contrary to law.

(b) Any notice of the board's refusal or failure to hold a proper public hearing, filed with the Housing Expediter, may be dismissed if (1) the group filing such petition is not representative, or (2) the petition is not substantial in character, or (3) it is otherwise not in accordance with law.

§ 840.230 *Subject to notice.* A notice to the Housing Expediter under § 840.229 shall be limited to a request that a public hearing be held with respect to control or decontrol of a defense-rental area, part thereof, or a class of housing accommodations or with respect to a general rent adjustment.

§ 840.231 *Time and place of filing.* (a) A notice to the Housing Expediter that a local advisory board has refused or failed to hold a proper public hearing pursuant to a petition made under § 840.219 must be filed within 30 days after the occurrence of the action or omission upon which the claim of such refusal or failure is predicated.

(b) The notice and all accompanying documents and briefs shall be filed in an original and one copy with the Housing Expediter, Attention: National Board Coordinator, Office of the Housing Expediter, Washington 25, D. C., and one additional copy shall be simultaneously filed with each of the following: the Area Rent Director for the area concerned in the petition, the Chairman of the board for the area or part thereof concerned, and the Regional Board Coordinator.

(c) Each copy of the notice, accompanying documents and briefs, shall be printed, typewritten, mimeographed or prepared by similar process and shall be plainly legible. Copies shall be double-spaced except that quotations shall be single-spaced and indented.

§ 840.232 *Form and contents of notice.* Every notice shall be clearly designated "Notice to the Housing Expediter of Failure (Refusal) of Local Advisory Board to Hold Public Hearing under section 204 (e) (4) of the Housing and Rent Act of 1947, as amended," and shall contain the following:

(a) The name and post office address of the representative group filing the notice.

(b) A statement of the purpose of the public hearing sought together with a statement of the evidence upon which the representative group will rely to substantiate the action requested.

(c) A statement of the facts together with supporting documents, if any, relied upon to show the refusal or failure of the board to hold a public hearing or to show other action contrary to law. Copies of the petition to the board shall be attached to the notice to the Housing Expediter.

(d) The statement shall be signed by the duly authorized representative of the petitioning group or by a majority of those whose names and addresses are given in the petition to the board pursuant to § 840.220 (a). If the notice is filed by a representative, other than a duly elected and authorized officer of a representative group, on behalf of the representative group filing the notice, the statement must be accompanied by a written power of attorney as provided in § 840.248.

§ 840.233 *Assignment of docket number.* Upon receipt of a notice it shall be assigned a docket number, and all further papers filed in connection with the notice and all correspondence relating thereto shall contain on the first page thereof the docket number so assigned.

§ 840.234 *Joint notices; consolidation.* Two or more representative groups of landlords or tenants may file a joint notice only where they filed joint petitions with the board. Joint notices shall be filed and determined in accordance with the provisions governing the filing and determination of notices filed severally. Whenever the Housing Expediter deems it necessary or appropriate for the disposition of joint notices, he may treat such joint notices as several. The Housing Expediter may, if he deems it appropriate, consolidate notices raising common questions.

§ 840.235 *Submission of briefs.* The representative group filing the notice may file a brief in support of the notice. Such brief must be filed together with the notice.

§ 840.236 *Statements in opposition to notice.* Within 15 days after the filing of a notice, any person, group of persons or organization (other than the petitioning group or its representative) or the local advisory board for the area concerned may file a statement in support of, or in opposition to, the notice. Such statement shall be filed in an original and one copy and may be accompanied by a brief which shall also be submitted in an original and one copy. Statements so filed shall not be a part of the record upon the petition unless expressly so provided by the Housing Expediter and the Housing Expediter may act upon the notice without awaiting the filing of such statements.

§ 840.237 *Action by the Housing Expediter.* The Housing Expediter shall, not more than 30 days after the filing of the notice, dismiss the notice if it is without merit or not in accordance with law, or grant the public hearing requested. An order dismissing the notice

shall contain a statement of the reasons for such action.

§ 840.238 *Public hearing.* If the Housing Expediter grants the public hearing, he shall appoint a presiding officer with all power necessary for the proper conduct thereof and shall proceed in a manner similar to that provided for boards by §§ 840.225 through 840.227.

§ 840.239 *Conduct of public hearings.* The presiding officer shall conduct the public hearing in a manner similar to that provided for boards by § 840.226 (b) through (f) except that requests for leave to examine witnesses shall be filed with the presiding officer.

§ 840.240 *Certification of records.* Within 10 days after conclusion of the public hearing the presiding officer shall certify to the Housing Expediter, the entire record of the hearing including all documentary evidence and other materials submitted at the public hearing.

§ 840.241 *Determinations by Housing Expediter.* (a) Within thirty days after the completion of the public hearing the Housing Expediter shall render his decision. The Housing Expediter shall in such determination state the reasons for the conclusions reached and shall describe any economic data or other evidence of which he has taken official notice.

(b) Copies of the Housing Expediter's statement shall be served upon the Chairman of the board and the representative group filing the notice. An additional copy shall be lodged with the Area Rent Director who will make it available for public inspection at the Area Rent Office during regular business hours.

#### MISCELLANEOUS PROVISIONS AND DEFINITIONS

§ 840.242 *Interpretations.* Interpretations of provisions of §§ 840.201 to 840.252 shall be requested and made only in the manner provided by §§ 840.136 through 840.138 of Rent Procedural Regulation 2.

§ 840.243 *Contemptuous conduct.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing.

§ 840.244 *Continuance or adjournment.* Any hearing may, subject to the provisions of §§ 840.226 and 840.239, be continued or adjourned to a later date or a different place by announcement at the hearing by the person who presides.

§ 840.245 *Filing of petitions, affidavits, notices, briefs, etc.* All petitions, affidavits, notices, briefs and other documents shall be deemed to be filed pursuant to the provisions of the act or §§ 840.201 to 840.252 on the date actually received by the appropriate local advisory board, Area Rent Director, Regional Board Coordinator or the National Board Coordinator of the Office of the Housing Expediter, as the case may require under the provisions of the act or §§ 840.201 to 840.252.

§ 840.246 *Service of papers.* Any notice, order, recommendation, determination or other document required by



the act or §§ 840.201 to 840.252 to be served by either the board or the Housing Expediter may be served by mail or telegraph. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall constitute sufficient proof of service. When service is by unregistered mail, proof of service may be made by an affidavit of mailing or by any other acceptable proof or testimony.

§ 840.247 *Action by representatives.* Any action which by §§ 840.201 to 840.252 is required of, or permitted to be taken by, a representative group of landlords or tenants, may, unless otherwise expressly stated, be taken on their behalf by any person or organization authorized by such group to represent him them. Such authority shall be given by written power of attorney and shall be signed by the members of the group or as provided for the signing of a petition by § 840.220. The power of attorney shall be filed at the time initial action is taken by the representative on behalf of the group.

§ 840.248 *National Board Coordinator; office hours.* The Office of National Board Coordinator, Office of the Housing Expediter, Washington 25, D. C., shall be open on week days, except Saturday, from 9 a. m. to 5 p. m. and shall be closed on Saturdays. Any person desiring to file any papers, or to inspect any documents filed with such office at any time other than the regular office hours stated, may file a written application with the National Board Coordinator, requesting permission therefor.

§ 840.249 *Confidential information; inspection of documents filed with National Board Coordinator.* Petitions and all papers filed in connection therewith are public records, open to inspection in the Office of the National Board Coordinator upon such reasonable conditions as the National Board Coordinator may prescribe. Except as provided above, confidential information filed with the Office of the Housing Expediter, will not be disclosed unless in the judgment of the Housing Expediter the disclosure thereof is in the public interest.

§ 840.250 *Appearance of employees and former employees.* Appearance of employees and former employees of the Office of the Housing Expediter or of any predecessor agency in a representative capacity before local advisory boards or presiding officers shall be governed in like manner as provided by any provision promulgated by the Housing Expediter relating to their appearances before the Office of the Housing Expediter.

§ 840.251 *Definitions.* As used in §§ 840.201 through 840.252 unless the context otherwise requires, the term:

- (a) "Act" means the Housing and Rent Act of 1947, as amended;
- (b) "Board" means the local advisory board for the area or part of the area concerned;

(c) "National Board Coordinator" means the person so designated by the Housing Expediter, whose office is at 4th Street and Adams Drive SW., Washington 25, D. C.;

(d) "Defense-rental Area" means any area so designated under the Emergency Price Control Act of 1942, as amended;

(e) "Landlord" includes an owner, lessor, sublessor, assignee or any other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations which are actually rented or being offered for rent, or an agent of any of the foregoing, and who is affected by any provision of a maximum rent regulation;

(f) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any rented housing accommodations;

(g) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing;

(h) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any real or personal property rented or offered for rent for living or dwelling purposes;

(i) "Area Rent Director" means the person designated by the Housing Expediter as director of any defense-rental area.

(j) "Regional Board Coordinator" means the person designated by the Regional Housing Expediter for the region in which the affected area is located as coordinator for local advisory boards in such region.

(k) "Quorum" means a majority of the full membership of the board but in no event fewer than three members of the board.

§ 840.252 *Amendment to §§ 840.201 through 840.252.* Any provision of §§ 840.201 through 840.252 may be amended or revoked by the Housing Expediter at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication unless otherwise specified therein.

This Regulation No. 1 for Procedures Before Local Advisory Boards shall become effective July 28, 1949.

NOTE: All reporting and record keeping requirements of this Regulation No. 1 for Procedures Before Local Advisory Boards have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of July 1949.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-6259; Filed, Aug. 1, 1949; 8:47 a. m.]

## TITLE 45—PUBLIC WELFARE

### Chapter IV—Office of Vocational Rehabilitation, Federal Security Agency

#### PART 402—BUSINESS ENTERPRISES PROGRAM FOR THE BLIND

Pursuant to the authority conferred by the Labor-Federal Security Appropriation Act, 1950, approved June 29, 1949, Title II, Subheading "Office of Vocational Rehabilitation" governing Federal reimbursement for one-half of necessary expenditures for acquisition of vending stands and other equipment to be controlled by the State Agency for the use of blind persons, the regulations prescribed pursuant to the Labor-Federal Security Appropriation Act, 1948, approved July 8, 1947 (12 F. R., 4644) are hereby adopted and prescribed as the regulations under the Labor-Federal Security Appropriation Act, 1950, with the following changes:

1. Section 402.2 (a), formerly § 601.2 (a), is hereby changed to read as follows:

(a) "Act" means Title II, Subheading "Office of Vocational Rehabilitation," of Public Law 141, approved June 29, 1949, known officially as the "Labor-Federal Security Appropriation Act, 1950."

2. Section 402.27, formerly § 601.27, is hereby changed to read as follows:

§ 402.27 *Continued operation of programs under plans submitted previous to the issuance of the regulations in this part.* Insofar as they are not inconsistent with the act or the regulations in this part, plan materials submitted pursuant to Regulations previously issued, Part 402, Chapter IV, formerly Part 601, Chapter VI, of Title 45, shall be of the same force and effect, and shall be subject to the same terms and conditions as though submitted under the regulations in this part.

(Pub. Law 141, 81st Cong.)

Dated: July 26, 1949.

[SEAL] JOHN L. THURSTON,  
Acting Administrator.

[F. R. Doc. 49-6251; Filed, Aug. 1, 1949; 9:08 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### PART 6—MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

CROSS REFERENCE: For amendment of Part 6, see Proclamation 2848, *supra*.



## NOTICES

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

[Misc. No. 47272]

## COLORADO AND OREGON

## RESTORATION ORDER NO. 1272 UNDER FEDERAL POWER ACT

JULY 27, 1949.

Pursuant to the following listed determinations of the Federal Power Commission and in accordance with 43 CFR 4.275 (a) (16) (Departmental Order No. 2238 of August 16, 1946, 11 F. R. 9080), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals the lands hereinafter described in Colo-

rado and Oregon so far as they are withdrawn or reserved for power purposes are hereby restored to location and entry under the United States mining laws only, subject to the provisions of section 24, of the Federal Power Act of June 10, 1920 (41 Stat. 1075, 16 U. S. C. 818), as amended, and subject to the stipulation that, if and when the land is required wholly or in part for purposes of power development, any structures, machinery, or improvements placed thereon which shall be found to interfere with such development shall be moved or relocated as may be necessary to eliminate interference with the power development without expense to the United States, its permittees or licensees:

Determination No.	Date and type of withdrawal	Description of lands
DA-275	Power site classifications Nos. 54 of Mar. 26, 1923, and 261 of Aug. 13, 1931.	Sixth Principal Meridian, Colorado: T. 15 S., R. 79 W., sec. 29 W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ , containing 120 acres.

The above-described lands are within the San Isabel National Forest.

Determination No.	Date and type of withdrawal	Description of lands
DA-363	Power site classification No. 123 of Jan. 7, 1926.	Willamette Meridian, Oregon: T. 37 S., R. 9 W., sec. 32, lot 2, containing 37.59 acres.

The above described lands are within the Siskiyou National Forest.

Effective immediately, the lands affected by this order shall be subject to application by the respective States in which they are located for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways under applicable laws and regulations contained in §§ 244.42 to 244.46 of Title 43 of the Code of Federal Regulations (Circular No. 1237 b, May 31, 1943, 8 F. R. 7717), as provided by the act of Congress approved May 28, 1948 (Public Law 559, 80th Congress).

This order shall not otherwise become effective until 10:00 a. m. on the 91st day after the signing of this order.

ROSCOE E. BELL,  
Associate Director.

[F. R. Doc. 49-6250; Filed, Aug. 1, 1949; 8:45 a. m.]

## DEPARTMENT OF THE TREASURY

## Bureau of Customs

[T. D. 52275]

## PRODUCTS OF LABRADOR

## MARKING OF COUNTRY OF ORIGIN

JULY 22, 1949.

Marking to indicate the name of the country of origin of articles manufactured or produced in the Coast of Labrador and the islands adjacent to the said Coast.

The Department of State has informed the Bureau of Customs that under the

agreement entitled "Terms of Union of Newfoundland with Canada" no change was made in the territory heretofore comprising Newfoundland and that under the agreement Newfoundland is comprised of the same territory, which includes the Coast of Labrador and the islands adjacent to the said Coast.

T. D. 47639 (5) is hereby revoked and articles manufactured or produced in the Coast of Labrador and the islands adjacent to the said Coast shall hereafter be marked to indicate "Newfoundland" or "Canada" as the country of origin.

[SEAL] FRANK DOW,  
Commissioner of Customs.

[F. R. Doc. 49-6265; Filed, Aug. 1, 1949; 8:48 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6226]

## MONTANA-DAKOTA UTILITIES CO.

## NOTICE OF APPLICATION

JULY 27, 1949.

Notice is hereby given that on July 25, 1949, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act, by Montana-Dakota Utilities Co., a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota, Montana, North Dakota, South Dakota and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of \$1,500,000 principal amount First Mortgage Bonds, 3 $\frac{1}{8}$ % Series, due November 1, 1972. Ap-

plicant proposes to sell the bonds to institutional buyers at 100% of their principal amount plus accrued interest and to use the proceeds to reimburse its treasury, in part, for expenditures made for additions to its electric and gas utility properties, all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 15th day of August 1949, filed with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-6257; Filed, Aug. 1, 1949; 8:46 a. m.]

[Docket No. G-1159]

## UNITED NATURAL GAS CO.

## ORDER FURTHER POSTPONING HEARING

JULY 26, 1949.

On July 26, 1949, United Natural Gas Company filed a motion for a further postponement of the hearing now set to commence on August 8, 1949, in the above-entitled docket.

The Commission finds: Good cause has been shown for further postponing the date of hearing as set by the order issued by the Commission in this docket on July 7, 1949.

The Commission orders: The hearing now set for August 8, 1949, at 10:00 a. m. be and the same is hereby further postponed until September 19, 1949, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: July 27, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-6260; Filed, Aug. 1, 1949; 8:47 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 812-605]

## ALDRED INVESTMENT TRUST

## NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of July A. D. 1949.

Notice is hereby given that Aldred Investment Trust (Aldred), 30 Broad Street, New York 4, New York, a registered, closed-end, investment company, has filed an application under section 23 (c) (3) of the Investment Company Act of 1940 for an order authorizing and approving the purchase by it from James H. Sachs of 4,000 shares of common stock



of which Aldred is the issuer, at \$9.40 a share or a total of \$37,600. There are 82,616 shares outstanding in the hands of 113 persons and at June 28, 1949, the stock had a net asset value of \$10.79 a share.

On February 20, 1948, in a receivership proceeding for Aldred, the United States Court of Appeals directed that shareholders be given the option of liquidation or continuing as shareholders. (*Bailey v. Proctor*, 166 F. 2d 392). Those shareholders who did not elect to retain their interest in the trust have been paid the liquidating value of their shares and the remaining assets were turned over to newly elected trustees. An application is pending (File No. 812-601) for the purchase from the Estate of Gabriel Caplan, deceased, of 35,000 shares at \$9.75 a share. The present proposal is a negotiated transaction with a person who is not an affiliate of Aldred.

Section 23 (c) of the act prohibits any closed-end company to purchase any securities of any class of which it is the issuer except upon conditions not here applicable or under such other circumstances as this Commission may permit by rules and regulations or orders for the protection of investors in order to insure that the purchases are made in a manner or on a basis which does not unfairly discriminate against any holders of the class or classes of securities to be purchased. Furthermore, the proposal does not meet the requirements of any rule or regulation adopted thereunder.

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

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after August 10, 1949, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than August 8, 1949, at 5:30 p. m., in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 49-6252; Filed, Aug. 1, 1949; 8:50 a. m.]

[File No. 70-1905]

COMMONWEALTH & SOUTHERN CORP.  
(DELAWARE) ET AL.

ORDER RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 25th day of July 1949.

In the matter of The Commonwealth & Southern Corporation (Delaware), Ohio Edison Company, Pennsylvania Power Company; File No. 70-1905.

The Commission having by order dated September 9, 1948 granted and permitted to become effective the joint applications-declarations, as amended, of The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, Ohio Edison Company ("Ohio"), a public utility subsidiary of Commonwealth and also a registered holding company, and Pennsylvania Power Company ("Pennsylvania"), a direct public utility subsidiary of Ohio, regarding, among other things, the issuance and sale by Ohio, pursuant to the competitive bidding requirements of Rule U-50, of \$12,000,000 principal amount of its First Mortgage Bonds, 3 1/8% Series, due 1978; the issuance and sale by Ohio to Commonwealth of additional shares of common stock of Ohio; the issuance and sale by Commonwealth of up to but not exceeding \$7,055,097.50 principal amount of its 2 1/4% promissory notes for the purpose of paying for the Ohio stock, and the issuance and sale by Pennsylvania to Ohio of additional shares of common stock of Pennsylvania; and

Said order having provided, among other matters, that jurisdiction be reserved with respect to all legal fees and expenses to be paid in connection with the proposed transactions; and

The Commission having by order dated September 22, 1948, released jurisdiction with respect to the matters to be determined as a result of the competitive bidding pursuant to Rule U-50, and having continued jurisdiction with respect to the payment of the fees aforementioned; and

The record having been completed with respect to the fees and expenses in connection with the aforementioned issue of bonds, said fees being as follows:

Counsel for the company: Winthrop, Stimson, Putnam and Roberts.....	\$10,000
Counsel for the purchasers of Ohio's bonds: Simpson Thatcher & Bartlett.....	7,000

The Commission having examined the information furnished with respect to such fees and expenses and it appearing that such requested fees and expenses are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved with respect to the legal fees and expenses in connection with the aforementioned issue of bonds be, and the same hereby is, released, and that the jurisdiction heretofore reserved with respect to other legal fees and ex-

penses in this matter be, and the same hereby is, continued.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-6253; Filed, Aug. 1, 1949; 8:46 a. m.]

[File No. 811-545]

PENNSYLVANIA INDUSTRIES CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its offices in Washington, D. C., on the 27th day of July A. D. 1949.

Notice is hereby given that Pennsylvania Industries Corporation of Pittsburgh, Pennsylvania, a closed-end non-diversified management company registered under the Investment Company Act of 1940, has filed an application pursuant to section 8 (f) of the act for an order declaring that the Applicant has ceased to be an investment company within the meaning of the act.

It appears that the Applicant, which has an authorized capital of 400,000 shares of common stock, was organized for the purpose of acquiring the assets of Pennsylvania Industries, Inc., a closed-end non-diversified management company registered under the Investment Company Act of 1940. The Applicant has issued only 50 shares of its stock, all of which are held by J. H. Hillman and Sons Company. It further appears that the proposed plan whereby the Applicant would acquire the assets of Pennsylvania Industries, Inc., has been abandoned, and that the Applicant has no present intention of making a future offering of its securities or to engage in the business of investing, reinvesting, or trading in securities, or engaging in any other business.

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

Notice is further given that an order granting the application upon such conditions as the Commission may deem necessary for the protection of investors may be issued by the Commission at any time on or after August 19, 1949, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than August 17, 1949, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by



the application which he desires to controvert.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 49-6254; Filed, Aug. 1, 1949;  
8:46 a. m.]

[File No. 70-2097]

KANSAS POWER AND LIGHT CO.

ORDER RELEASING JURISDICTION OVER FEES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 25th day of July 1949.

The Commission having, by orders dated April 14 and May 5, 1949, permitted to become effective a declaration filed by The Kansas Power and Light Company, a subsidiary of North American Light & Power Company and The North American Company, both registered holding companies, with respect to the issue and sale of \$10,000,000 principal amount of its First Mortgage Bonds; and

The Commission having by said orders reserved jurisdiction over the engineering fees and expenses to be paid by the company, and the record having been supplemented with a statement by Ralph E. Davis regarding his claim in the amount of \$6,500 for engineering services rendered the company in connection with said issue and sale of Bonds; and

The Commission having considered the record and it appearing to the Commission that the fee requested is not unreasonable and that jurisdiction over the engineering fees and expenses to be paid by the company should be released:

*It is ordered*, That jurisdiction heretofore reserved over the payment of fees and expenses of engineers for the company be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. BUBOIS,  
Secretary.

[F. R. Doc. 49-6255; Filed, Aug. 1, 1949;  
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 13576]

AUGUSTA FREDERICKA CHARLOTTE  
SCHROEDER

In re: Estate of Augusta Fredericka Charlotte Schroeder, also known as Augusta F. C. Schroeder, deceased. File No. D-28-12557; E. T. Sec. 16762.

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 Wellinghaus and August Krebs, 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-at-law, next of kin, legatees and distributees, names unknown, of Mary Broermann, deceased; of Kurt Krebs, deceased; and of August Krebs, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Augusta Fredericka Charlotte Schroeder, also known as Augusta F. C. Schroeder, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Dorothy Hill and Harry B. F. Wellinghaus, as administrators c. t. a., acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 and the domiciliary personal representatives, heirs-at-law, next of kin, legatees and distributees, names unknown of Mary Broermann, deceased; of Kurt Krebs, deceased; and of August Krebs, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

[SEAL] THOMAS H. CREIGHTON, Jr.,  
Acting Deputy Director, Office  
of Alien Property.

[F. R. Doc. 49-6267; Filed, Aug. 1, 1949;  
8:49 a. m.]

[Return Order 365]

ROBERT METZGER

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

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

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

Robert Metzger, Marseille, France, or Landau, Germany, Claim No. 4741; June 1, 1949 (14 F. R. 2877); \$4,686.94 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6268; Filed, Aug. 1, 1949;  
8:49 a. m.]

[Return Order 366]

RECONSTRUCTION FINANCE CORP.

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

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

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

Reconstruction Finance Corporation, Washington, D. C., 22602; June 2, 1949 (14 F. R. 2911); Property described in Vesting Order No. 201, dated October 2, 1942 (8 F. R. 625 January 16, 1943) relating to U. S. Letters Patent No. 1,901,407. This Return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6269; Filed, Aug. 1, 1949;  
8:49 a. m.]

[Return Order 372]

MAX ALAN SCHWENDEMANN

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

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



*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Max Alan Schwendemann, 1 Chemin du Grand Praz Lausanne, Switzerland, Claim No. 36639; June 11, 1949 (14 F. R. 3192); Property to the extent owned by the claimant immediately prior to the vesting thereof described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the literary work "Masters of the Chessboard" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$456.95.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6270; Filed, Aug. 1, 1949; 8:49 a. m.]

[Return Order 377]

TIPORIA LAZERIVICI ET AL.

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Tiporia Lazerivici, a/k/a Tipolra H. Leizerovici, and Tiporia Lazarovici, Bucharest, Roumania, Claim No. 35423; June 7, 1949 (14 F. R. 3076); \$549.99 in the Treasury of the United States.

Betti Granath, a/k/a Betty Malca Granath, Brasov, Roumania, Claim No. 35424; June 7, 1949 (14 F. R. 3076); \$549.99 in the Treasury of the United States.

Casia Ghitel Schwartz, a/k/a Casica Halmovici and Casia Halmovici, Bucharest, Roumania, Claim No. 35425; June 7, 1949 (14 F. R. 3076); \$549.99 in the Treasury of the United States.

Lenta Abramovici, a/k/a Helene Mandel, Helene Mendel and Lenta Mendel, Bucharest, Roumania, Claim No. 35426; June 7, 1949 (14 F. R. 3076); \$458.33 in the Treasury of the United States.

Ghizela Abramovici, Bucharest, Roumania, Claim No. 35427; June 7, 1949 (14 F. R. 3076); \$458.33 in the Treasury of the United States.

Zutu Abramovici, a/k/a Iosef Abramovici and Zuta Abramovici, Botosani, Roumania; Claim No. 35428; June 7, 1949 (14 F. R. 3076); \$458.33 in the Treasury of the United States.

All right, title, interest and claim of any kind or character whatsoever of Tiporia Lazerivici, Betti Granath, Casia Ghitel Schwartz, Lenta Abramovici, Ghizela Abramovici and Zutu Abramovici and each of them in and to the Estate of Nathan Abrahams, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 26, 1949.

No. 147—3

For the Attorney General.

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

[F. R. Doc. 49-6271; Filed, Aug. 1, 1949; 8:50 a. m.]

[Return Order 381]

MRS. MAURICE ARNOLD STROTHOTTE

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Mrs. Maurice Arnold Strothotte, Schouwteslaan 53rd Road, Haarlem, Nederland; Claim No. 5088; June 15, 1949 (14 F. R. 3255); Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944) relating to the music book entitled "Tunes From Everywhere" (listed in Exhibit A of the said vesting order), including royalties pertaining thereto in the amount of \$90.67.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6272; Filed, Aug. 1, 1949; 8:50 a. m.]

[Return Order 384]

ERNA HART AND FRITZ ROSENBERG

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Erna Hart, London, England, and Fritz Rosenberg, Tel-Aviv, Israel; Claims Nos. 36063 and 36392 (Consolidated); June 10, 1949 (14 F. R. 3171); \$14,818.99 in the Treasury of the United States, \$9,879.33 returnable to Erna Hart, \$4,939.66 to Fritz Rosenberg. Three-sixths of all right, title and interest in and to the Estate of Sigmund H. Speyer, deceased, formerly owned by Hermann Speyer, two-sixths returnable to Erna Hart, one-sixth to Fritz Rosenberg.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6273; Filed, Aug. 1, 1949; 8:50 a. m.]

[Return Order 385]

KLARA MAIER

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Klara Maier, Lacaune, France; Claim No. 5628; June 15, 1949 (14 F. R. 3255); \$2,495.97 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Klara Maier in and to the Estate of Ida Sonnenschein, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6274; Filed, Aug. 1, 1949; 8:50 a. m.]

[Return Order 375]

SOCIETA PER AZIONI "ETERNIT" PIETRA ARTIFICIALE

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

*It is ordered,* That the claimed property, described below and in the determination, including all royalties arising out of the use thereof subsequent to December 31, 1945, and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Societa per Azioni "Eternit" Pietra Artificiale, Genoa, Italy; Claim No. 33389; June 1, 1949 (14 F. R. 2886); \$472,397.46 in the Treasury of the United States. Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to U. S. Letters Patent No. 1,627,104; property described in Vesting Order No. 3434 (9 F. R. 4658, May 3, 1944), relating to U. S. Letters Patent Nos. Re. 17,335; 1,786,215; 1,947,998 and 1,984,073.

All interests and rights created in "Eternit", Pietra Artificiale Societa Anonima (now



## NOTICES

known as Societa per Azioni "Eternit" (Pietra Artificiale), to the extent owned by claimant immediately prior to the vesting thereof by Vesting Order No. 2353 (8 F. R. 14634, October 28, 1943), by virtue of an agreement dated January 5, 1929 (including all modifications thereto and supplements thereto) executed by "Eternit" Pietra Artificiale, L'Amministrazione Delegata and Johns-Manville Corporation, relating, among other things, to U. S. Letters Patent No. 1,627,104.

All interests and rights created in the Attorney General by virtue of (a) a license agreement (License No. 2287-F, dated July 28, 1947), entered into by the Attorney General and Johns-Manville Corporation, relating to U. S. Letters Patent Nos. 1,786,215; 1,947,998 and 1,984,073; and (b) a license agreement (License No. 2289-F, dated August 8, 1947), entered into by the Attorney General and Keasbey and Mattison Company, relating to U. S. Letters Patent No. 1,947,998.

This return of the property will be subject to the provisions and limitations of the Memorandum of Understanding between the Government of the United States of America and the Government of Italy regarding Italian assets in the United States of America and certain claims of United States nationals, dated August 14, 1947; it shall not be deemed to include the rights of any licensees under the above patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6243; Filed, July 29, 1949; 8:51 a. m.]

[Return Order 386]

SOCIETE D'APPAREILS DE CONTROLE ET  
D'EQUIPEMENT DE MOTEURS

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

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

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

Societe d'Appareils de Controle et d'Equipe-ment de Moteurs, Neuilly-sur-Seine, France; Claim No. 28215; June 11, 1949 (14 F. R. 3192); property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Ser. No. 397,812 (now U. S. Letters Patent No. 2,350,791). This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6275; Filed, Aug. 1, 1949; 8:51 a. m.]

[Return Order 371, Amdt.]

DURAND & CIE.

Return Order No. 371, dated July 11, 1949, is hereby amended to include the following property:

Property to the extent owned by claimant immediately prior to the vesting thereof described in Vesting Order No. 473 (8 F. R. 3679, March 25, 1943) relating to the musical composition entitled "Bolero" (listed in Exhibit A of said vesting order).

All other provisions of said Return Order No. 371 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 July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6276; Filed, Aug. 1, 1949; 8:51 a. m.]

CARLOS BLUME

NOTICE OF INTENTION TO RETURN VESTED  
PROPERTY

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

Claimant, Claim No., Property, and Location

Carlos Blume, 801 L Street NW., Washington, D. C., 36532; \$3,283.80 in the Treasury of the United States.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6277; Filed, Aug. 1, 1949; 8:51 a. m.]

LOUISE NAGAR

NOTICE OF INTENTION TO RETURN VESTED  
PROPERTY

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

Claimant, Claim No., Property, and Location

Louise Nagar, Ostende, Belgium, 11462; \$500.00 in the Treasury of the United States.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6278; Filed, Aug. 1, 1949; 8:51 a. m.]

WILLIAM GUSTAVE SMYTH

NOTICE OF INTENTION TO RETURN VESTED  
PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

William Gustave Smyth, 40, Faubourg Possonniere, Paris Xe, France, 26796; Property to the extent owned by Editions Smyth immediately prior to the vesting thereof described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the musical compositions "The Can-Can Conga (Rosita La Bonita)" and "Speak to Me of Love (Parlez-Moi D'Amour)" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$8,076.58.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6279; Filed, Aug. 1, 1949; 8:51 a. m.]

HENDRIK FREDERIK TUININGA

NOTICE OF INTENTION TO RETURN VESTED  
PROPERTY

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

Claimant, Claim No., Property, and Location

Hendrik Frederik Tuininga, Amsterdam, Holland; 6894; \$886.26 in the Treasury of the United States.

Executed at Washington, D. C., on July 26, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6280; Filed, Aug. 1, 1949; 8:51 a. m.]



[Return Order 374]

PIERRE ANDRE LEONACE PANNIER

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Pierre Andre Leonace Pannier, 18 Rue Raffet, Paris XVI, France, Claim No. 36419, June 11, 1949 (14 F. R. 3192); property to the extent owned by claimant immediately prior to the vesting thereof described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the literary work entitled "Maid of Sark" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$224.52.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6242; Filed, July 29, 1949; 8:51 a. m.]

[Return Order 376]

MARINO SCARDIGLI ET AL.

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Marino Scardigli, Porcari, Italy, Claim No. 35796; June 1, 1949 (14 F. R. 2888); \$100.00 in the Treasury of the United States.

Odoacre Scardigli, Porcari, Italy, Claim No. 35796; June 1, 1949 (14 F. R. 2888); \$100.00 in the Treasury of the United States.

Efrem Scardigli, Porcari, Italy, Claim No. 35796; June 1, 1949 (14 F. R. 2888); \$100.00 in the Treasury of the United States.

Rosina Scardigli, Porcari, Italy, Claim No. 35796; June 1, 1949 (14 F. R. 2888); \$16,577.65 in the Treasury of the United States. All

right, title, interest and claim of any kind or character whatsoever of Rosina Scardigli, in and to the estate of Julius Scott, also known as Giulio Scardigli, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6244; Filed, July 29, 1949; 8:51 a. m.]

[Return Order 373]

BANCO DI NAPOLI

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Banco di Napoli, Naples, Italy; Claim No. 34645; June 15, 1949 (14 F. R. 3255); \$605,250.00 in the Treasury of the United States. All right, title, and interest of the Attorney General by virtue of Vesting Order No. 103 in and to 2690 shares of the common capital stock of Banco di Napoli Trust Company of Chicago, an Illinois corporation, registered in the name of Banco di Napoli, Direzione Generale, Naples, Italy, together with Certificate of Beneficial Interest No. 1, issued in the matter of the liquidation of Banco di Napoli Trust Company of Chicago (Certificate stamped "Cancelled August 7, 1944").

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6245; Filed, July 29, 1949; 8:51 a. m.]

[Return Order 383]

ALBERTO TH. BEUTLER

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

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

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Alberto Th. Beutler, Santiago, Chile, Claim No. 31415, June 11, 1949 (14 F. R. 3191); \$2,402.96 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Flora Beutler in and to the estate of Hans G. Beutler, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6246; Filed, July 29, 1949; 8:51 a. m.]

BERCU LEBOV ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

*Claimant, Claim No., Property, and Location*

Bercu Lebov, a/k/a Bercu Leibovici and Bernard Leibovia, Focsani, Roumania, 30506, \$765.82 in the Treasury of the United States.

Avram Lebov, a/k/a Avram Leibv and Avram Leibovici, Focsani, Roumania, 30507, \$765.32 in the Treasury of the United States.

Pesa Finkelstein, nee Pesa Leibovici, a/k/a Pesa Lebov, Bucharest, Roumania, 30508, \$765.82 in the Treasury of the United States.

Estera Burah, nee Estera N. Leibovici, a/k/a Estera Lebov, Galatz, Roumania, 30509, \$765.82 in the Treasury of the United States.

All right, title, interest and claim of Nathan Lebov in and to the Estate of John Lebov, one-fourth thereof to each claimant.

Executed at Washington, D. C., on July 25, 1949.

For the Attorney General.

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

[F. R. Doc. 49-6247; Filed, July 29, 1949; 8:51 a. m.]



