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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1950 Honey Bulletin 1, Amdt. 2]

PART 624—HONEY

SUBPART—1950 HONEY PRICE SUPPORT PROGRAM

DETERMINATION OF GRADE

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 15 F. R. 4367, as amended, 15 F. R. 5548, containing the requirements with respect to the 1950 Honey Price Support Program are hereby amended as follows:

Section 624.106 *Determination of grade* is hereby amended to read as follows:

§ 624.106 *Determination of grade.*

(a) Packer and beekeeper shall sign a statement, in duplicate, for each transaction with respect to the amount of honey acquired, predominant floral source, color, the applicable support price, if any; the price paid the beekeeper and such other data as may be called for by CCC, in such form as shall be prescribed by CCC. The packer shall retain the original of this statement, and deliver the duplicate to the beekeeper.

(b) All honey for which a contracting packer pays less than the applicable support price as specified in § 624.109 (a) and (b) and honey which has a moisture content in excess of 18.6 percent but not in excess of 20 percent must be covered by an inspection certificate following inspection performed by a representative of the Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, unless the beekeeper waives such inspection and accepts packer's grade determination. The cost of such inspection shall be borne by the beekeeper, and if paid by the packer, may be deducted from the price which he pays for such honey.

(c) The grade of each lot of honey delivered to CCC shall be as stated in the Notice to Deliver issued by CCC. Such grade shall be determined, at time of delivery to CCC, by a representative of the Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture. Packer shall pay the cost of inspection of honey delivered to CCC and be reimbursed for such cost by CCC. CCC shall not be responsible for any costs or expenses incurred by the packer on honey which is unacceptable to CCC under the terms of this part or the contract between the packer and CCC.

The foregoing amendment shall be applicable with respect to honey acquired by eligible packers after 12:01 a. m., e. s. t., December 13, 1950.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1070, as amended, secs. 201, 401, 63 Stat. 1052, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1446, 1421)

Issued this 7th day of December 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved: December 7, 1950.

RALPH S. TRIGG,
President, Commodity Credit
Corporation.

[F. R. Doc. 50-11489; Filed, Dec. 12, 1950;
8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter I—Determination of Prices

[Sugar Determination 874.3, Amdt. 1]

PART 874—SUGARCANE; LOUISIANA

1950 CROP

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948 (herein referred to as "Act") the determination of fair and reasonable prices for the 1950 crop of Louisiana sugarcane

(Continued on p. 8815)

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issued August 30, 1950, as Part 874, § 874.3 (15 FR 5949), is hereby amended by deleting § 874.3 (e) (6) and substituting in lieu thereof the following:

§ 874.3 *Fair and reasonable prices for the 1950 crop of Louisiana sugarcane.*

(e) General.

(6) In the event that a freeze results in a condition where it is mutually advantageous to the producer and the processor-producer for the processor-producer to alter his customary method of operation by accelerating the rate of grinding at the mill in order to prevent undue losses of sugarcane in the field, and if because of such accelerated rate of grinding the recovery of sugar per ton of sugarcane is lowered, the producer and the processor-producer may agree upon a reduction in the payment for a ton of standard sugarcane which will reflect the lower recovery of sugar resulting from such accelerated rate of grinding. The agreement entered into pursuant to this subdivision is, however, subject to the approval of the Louisiana State Office, Production and Marketing Administration, Baton Rouge, Louisiana.

(7) The processor-producer shall not reduce the returns from the 1950 crop of Louisiana sugarcane to the producer below those determined herein through any subterfuge or device whatsoever.

Statement of bases and considerations.—This amendment provides that the producer and processor-producer may, in the event of a freeze, agree to a reduction in the payment for a standard ton of sugarcane whenever it is mutually advantageous to each for the processor-producer to accelerate the rate of grinding at the mill to prevent undue losses of sugarcane in the field. The reduction in payment shall reflect only the reduction in sugar recoveries resulting from the accelerated rate of grinding.

Recently a severe freeze occurred in various sections of the sugarcane producing region of Louisiana. Because of the large crop of sugarcane to be processed it has been necessary for some mills to increase the rate of grinding sugarcane in an effort to grind the crop before serious deterioration of the sugarcane takes place. The increase in the rate of grinding will result in greater losses of sugar in the bagasse with a consequent reduction in the recovery of raw sugar per ton of sugarcane. In

some regions in Louisiana, producers have indicated a desire to enter into an agreement with the processor-producer under which the payment for a ton of standard sugarcane will be reduced providing the mill will increase its grinding rate to prevent undue losses of sugarcane in the field.

In view of these circumstances it is deemed fair and reasonable that producers and processor-producers may agree to a reduction in the payment per ton of standard sugarcane which will reflect the lowered sugar recoveries. In view of the different conditions which may exist between mill areas, it is provided that agreements between producers and processor-producers must be approved by the Louisiana State Office of the Production and Marketing Administration.

Accordingly, I hereby find and conclude that the foregoing amendment to the price determination will effectuate the price provisions of the Sugar Act of 1948.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 7th day of December 1950.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 50-11539; Filed, Dec. 12, 1950; 8:53 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 989—HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and of the marketing agreement and order (7 CFR Part 989) regulating the handling of raisins produced from raisin variety grapes grown in California, hereinafter referred to as the "order," it is hereby found and determined, that the provisions appearing in the first two sentences of § 989.5 (b) of the order do not tend to effectuate the declared policy of the act, said provisions reading as follows: "Each handler shall file with the committee a certified report, for each week, showing, with respect to his acquisitions of each varietal type of raisins during the particular week covered by such report: (1) The total quantity acquired; (2) the reserve and surplus tonnages, separately, referable to his acquisitions of raisins; (3) the locations of such reserve and surplus tonnages; and (4) cumulative totals of such acquisitions from the beginning of the then current crop year to and including the end of the week for which the report is made. Each such weekly report shall be filed not later than Wednesday of the week following the week which is covered by such report."

It is therefore ordered, That the provisions appearing in the first two sentences of § 989.5 (b) of the marketing agreement and order regulating the handling of raisins produced from raisin variety grapes grown in California be, and they hereby are, suspended on and after publication of this suspension order in the FEDERAL REGISTER, said provisions reading as follows: "Each handler shall file with the committee a certified report, for each week, showing, with respect to his acquisitions of each varietal type of raisins during the particular week covered by such report: (1) The total quantity acquired; (2) the reserve and surplus tonnages, separately, referable to his acquisition of raisins; (3) the locations of such reserve and surplus tonnages; and (4) cumulative totals of such acquisitions from the beginning of the then current crop year to and including the end of the week for which the report is made. Each such weekly report shall be filed not later than Wednesday of the week following the week which is covered by such report."

Notice of proposed rule making, public procedure thereon, and publication or service of this suspension order 30 days prior to its effective date (see section 4 of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) are impracticable, unnecessary, and contrary to the public interest in that the provisions of the first two sentences of § 989.5 (b) of the order require handlers to furnish reports on the matters specified therein more frequently than is necessary under the present status of order operations and action is being taken in another document being executed concurrently herewith to require the furnishing of substantially similar reports at less frequent intervals. Therefore, the taking of this action will be in the nature of a benefit, or lessening of the restrictions which have been applicable, to the persons affected thereby. The circumstances are such that the change should obviously be made effective not later than the date on which this document is published in the FEDERAL REGISTER. The change effected by this suspension action will not require the persons affected thereby to make preparation prior to its effective date.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 7th day of December 1950, to be effective on and after the date of the publication of this suspension order in the FEDERAL REGISTER.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 50-11488; Filed, Dec. 12, 1950; 8:47 a. m.]

PART 989—HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

AMENDMENT OF ADMINISTRATIVE RULES AND REGULATIONS; REPORTS AND RECORDS

Pursuant to the applicable provisions of the marketing agreement and order

(7 CFR Part 969) regulating the handling of raisins produced from raisin variety grapes grown in California (hereinafter referred to as the "order"), effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), the Raisin Administrative Committee (the administrative agency for operations under such order) has submitted, for the approval of the Secretary of Agriculture, the further amendment of § 989.105 (a) of the administrative rules and regulations, as amended (15 F. R. 108, 1887), governing its operations, which is set forth hereinafter. After consideration of all pertinent available information, it is hereby found and determined that such further amendment of said § 989.105 (a) should be approved.

It is, therefore, hereby ordered, That the aforesaid § 989.105 (a) of the administrative rules and regulations, as amended (15 F. R. 108, 1887), be, and it is hereby, further amended so as to make the provisions now set forth therein apply only in times when the provisions of the first two sentences in § 989.5 (b) of the order, which they implement, are in effect, and to add, at the end of said § 989.105 (a), a new subparagraph to require the furnishing by handlers of generally similar reports, but at less frequent intervals, when the provisions of the first two sentences of said § 989.5 (b) of the order are suspended, and so that said § 989.105 (a) as thus further amended will read as follows:

§ 989.105 *Reports and records—(a) Reserve and surplus tonnage.* (1) The certified weekly report prescribed by the provisions of the first two sentences of § 989.5 (b) shall, except during any period when the provisions in said sentences are suspended, be submitted on Form RAC-1, "Acquisitions Report," which shall show the information required by those sentences separately by varietal type of raisins and, in addition, shall contain the following information and supporting documents:

(i) The handler's name and address, the date of the report, and an identification of the week to which it relates;

(ii) Copies of all weight certificates, door tags or receipts, or other evidences of weight, pertaining to the raisins acquired during the reporting week; such copies shall account for all of such acquired raisins, shall show and be segregated by the varietal type of raisins covered thereby, and shall show the name and address of each person from whom the raisins were acquired and the quantity of each varietal type acquired from each such person; and the certification of the report shall apply to these documents. Adding machine tapes, showing total acquisitions of each varietal type of raisin, should be submitted with these documents if they are available. If any of such documents are subsequently corrected, a notice of correction, identified as such, shall accompany the report for the week in which correction was made; and

(iii) A list, kept current, showing the names and addresses of all persons from whom the handler has acquired raisins during the current crop year.

The information and supporting documents specified in subdivisions (ii) and (iii) of this subparagraph need not be submitted by nonprofit cooperative agricultural marketing associations.

(2) Each handler shall, except during any period when the provisions in the first two sentences of § 989.5 (b) of the order are suspended, file with the committee a certified report for each week on Form RAC-3, "Weekly Report of Raisins Received for Memorandum Receipt or Warehousing", showing the quantities of raisins, separately stated as to each varietal type, which, during the reporting week, came into the handler's possession or control other than by acquisition or which left such possession or control; these shall include all raisins received for storage, bailment, warehousing or otherwise. The first report submitted in compliance with this subparagraph shall be cumulative so as to show the quantity of raisins of the crop year which have so come into the handler's possession or control and which are so held at the end of the reporting week.

(3) During any period when the provisions of the first two sentences of § 989.5 (b) of the order are suspended, each handler shall file with the committee a certified report showing, for such period or periods (not less than for 14 days) as shall be specified by the committee, with respect to his acquisitions of each varietal type of raisins during the particular period covered by such report:

(i) The total quantity acquired;

(ii) The cumulative totals of such acquisitions from the beginning of the then current crop year to and including the end of the period for which the report is made;

(iii) The handler's name and address, the date of the report, and an identification of the period to which it relates; and

(iv) The quantities of raisins, separately stated as to each varietal type, which, during the reporting period came into the handler's possession or control other than by acquisition or which left such possession or control; these shall include all raisins received for storage, bailment, warehousing or otherwise.

Each such report shall be filed not later than the end of the fifth day (exclusive of Saturdays, Sundays, and holidays) following the period which is covered by such report.

Notice of proposed rule making, public procedure thereon, and publication or service of this amendment after 30 days prior to its effective date (see section 4 of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) are impracticable, unnecessary, and contrary to the public interest. The present provisions of said § 989.105 (a) implement the provisions of the first two sentences of § 989.5 (b) of the order. However, the provisions of the first two sentences of § 989.5 (b) of the order are being suspended by a document which is being issued concurrently herewith. Generally similar reports will be needed during this suspension period, but at less frequent intervals. A new paragraph is

being added by this amendment action to said § 989.105 (a) which is designed to accomplish this objective. The taking of this action will be in the nature of a benefit to the persons affected thereby, in that they will be required to file such reports less frequently during the suspension period. The circumstances are such that the amendment should obviously be made effective not later than the date on which this document is published in the FEDERAL REGISTER. The changes effected by this amendment action will not require the persons affected to make preparation prior to its effective date.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C. this 7th day of December 1950, to be effective on and after the date of the publication of this document in the FEDERAL REGISTER.

[SEAL]

C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 50-11487; Filed, Dec. 12, 1950;
8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52620]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

LUMBER INVOICES

Due to the exemption from import tax provided for Englemann spruce in section 2 of Public Law 852, 81st Congress, approved September 27, 1950, which amended section 3424 (a) of the Internal Revenue Code (relating to the exemption of certain lumber from import tax), the need for a statement of the importer or other person having knowledge of the facts setting forth the reasons for his belief that the lumber covered by the invoice is Western white spruce as provided for in T. D. 51770, no longer exists. The additional information was required for the purpose of distinguishing between Western white spruce, which was exempt from import tax under the provisions of section 3424 (a), supra, and Englemann spruce, which was subject to the import tax.

The requirement in T. D. 51770 (12 F. R. 6871) of additional information on customs invoices for Western white spruce lumber for which an exemption is claimed from the import tax prescribed by the first sentence of the Internal Revenue Code, section 3424 (a), under the authority of the second sentence of that provision, is hereby revoked.

T. D. 49643 (8), as modified by T. D. 51770 (12 F. R. 6871), is further amended to read as follows:

(8) With respect to lumber claimed to be exempt from the import tax prescribed by the first sentence of section 3424 (a), Internal Revenue Code, under authority of the second sentence of that provision, as amended by section 2 of Public Law 852, 81st Congress, approved September 27, 1950, which exemption applies to Northern white pine (pinus

strobis), Norway pine (*pinus resinosa*), and Western white spruce entered for consumption or withdrawn from warehouse for consumption or after July 1, 1938, and to Englemann spruce entered for consumption or withdrawn from warehouse for consumption on or after October 7, 1950, there shall be filed in connection with the entry, preferably on the invoice filed with the entry, a declaration of the shipper or other person having knowledge of the facts, as to the species of lumber comprising the shipment, that is whether it is Northern white pine (*pinus strobus*), Norway pine (*pinus resinosa*), Western white spruce, or Englemann spruce.

Section 8.13 (i), Customs Regulations of 1943 (19 CFR, 8.13 (i)), as amended, is hereby further amended by deleting "and western white spruce," from the item "Northern white pine (*pinus strobus*), Norway pine (*pinus resinosa*), and western white spruce lumber for which exemption is claimed from the import tax prescribed by the first sentence of Internal Revenue Code, sec. 3424 (a).", and substituting therefor "Western white spruce, and Englemann spruce"; by deleting "51770, Oct. 9, 1917;" from the listing of Treasury decisions opposite said item; and by changing to a semicolon the period at the end of said listing and adding the number and date of this decision.

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. Interprets or ap-

plies sec. 481, 46 Stat. 719, 53 Stat. 415, as amended by sec. 2, Pub. Law 852, 81st Cong.; 19 U. S. C. 1481; 26 U. S. C. 3424)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: December 6, 1950.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.
[F. R. Doc. 50-11542; Filed, Dec. 12, 1950;
8:54 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 321]

[Controlled Rooms in Rooming Houses and
Other Establishments Rent Reg., Amdt.
317]

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

CERTAIN STATES AND ALASKA

Amendment 321 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 317 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81-825.92). Said Regulations are amended in the following respect:

The following new Items are incorporated in Schedule C:

Name of Defense-Rental Area	State	Localities affected by declarations for continuation of rent control after Dec. 31, 1950
(100) Evansville-Henderson...	Indiana.....	In Vanderburgh County, the city of Evansville and all unincorporated localities.
(105) La Porte-Michigan City.	Kentucky.....	In Henderson County, all unincorporated localities.
(111a) Iowa City.....	Indiana.....	In La Porte County, the city of La Porte.
(111a) Iowa City.....	Iowa.....	In Johnson County, the city of Iowa City and all unincorporated localities, if any, in the townships of East Lucas and West Lucas.
(158c) Albert Lea-Faribault...	Minnesota.....	In Freeborn County, the city of Albert Lea.
(169a) Jefferson City.....	Missouri.....	In Cole County, the city of Jefferson City and all unincorporated localities.
(173) Sedalia.....	do.....	In Pettis County, the city of Sedalia and all unincorporated localities.
(370) Alaska.....	Alaska.....	In the Territory of Alaska, the town of Petersburg.

This addition to Schedule C is based upon declarations made on the dates specified below in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended, by local governing bodies affecting the following localities:

(1) Town of Petersburg, Alaska—November 6, 1950.

(2) City of Iowa City, Iowa, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 7, 1950.

(3) City of Albert Lea, Minnesota—November 13, 1950.

(4) City of Jefferson City, Missouri, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 13, 1950.

(5) City of Sedalia, Missouri, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 20, 1950.

(6) City of Evansville, Indiana, and all unincorporated localities in the Defense-Rental Area, said City being the major portion of the Defense-Rental Area—November 20, 1950.

(7) City of La Porte, Indiana—November 20, 1950.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall be effective with respect to each locality covered thereby as of the date on which the declaration affecting that locality was made.

Issued this 8th day of December 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-11492; Filed, Dec. 12, 1950;
8:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter B—Estate and Gift Taxes

[Regs. 105; T. D. 5820]

PART 81—REGULATIONS RELATING TO ESTATE TAX

CREDIT FOR ESTATE, INHERITANCE, LEGACY
OR SUCCESSION TAXES; EXTENSION OF
TIME BY COMMISSIONER

Regulations 105 (26 CFR, Part 81) are amended as follows:

PARAGRAPH 1. Section 81.9, as amended by Treasury Decision 5239, approved March 10, 1943 (26 CFR 81.9), is further amended as follows:

(A) By striking out the entire paragraph (d) (including subparagraphs (1) and (2) thereof) and inserting in lieu thereof the following paragraph:

§ 81.9 Credit for estate, inheritance, legacy, or succession taxes.

(d) Before the Commissioner allows credit for such estate, inheritance, legacy, or succession taxes, there must be submitted to him a certificate of the proper officer of the taxing State, Territory, District of Columbia, or possession of the United States showing: (1) The total amount of such tax imposed (before adding interest and penalties and before allowing discount); (2) the amount of any discount allowed; (3) the amount of any penalties and interest imposed or charged; (4) the total amount actually paid in cash; and (5) the date of payment. If the amount of such taxes has been redetermined, the amount finally determined should be stated.

(B) By striking out paragraph (F) and inserting in lieu thereof the following paragraph:

(f) The Commissioner may require the submission of such additional proof as is deemed necessary to establish the right to the credit. For example, he may require the submission of a certificate of the proper officer of the taxing State showing (1) whether a claim for refund of such estate, inheritance, legacy, or succession taxes or any part thereof is pending and (2) whether a refund of such taxes or any part thereof has been authorized, and if a refund has been made, the date, the amount thereof, and a description of the property or interest in respect to which such refund was made. The Commissioner may also require an itemized list of the property in respect to which such taxes were imposed by the State, Territory, District of Columbia, or possession of the United States, certified by the officer having custody of the records pertaining to such taxes, and an affidavit (or a written declaration under penalties of perjury) of the executor stating whether any litigation has been instituted, or appeal taken, or whether any such action is designed or contemplated, either by him or, to his knowledge, by any beneficiary or other person, the final determination of which may affect the amount of such taxes.

PAR. 2. Section 81.70 (26 CFR 81.70) is amended by striking out the first sentence and inserting in lieu thereof the following sentences:

§ 81.70 Extension of time by Commissioner. In case it is impossible or impracticable for the executor to file a reasonably complete return within 15 months from the date of death, the Commissioner may, upon a showing of good and sufficient cause, grant an extension of time not to exceed 6 months from the due date. Application for an extension of time to file the return should be submitted on or before the due date and failure to do so may indicate negligence

and constitute sufficient cause for denial. * * *

Because this treasury decision relieves taxpayers from certain technical requirements under existing regulations, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

(53 Stat. 487; 26 U. S. C. 3791)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved December 7, 1950.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 50-11547; Filed, Dec. 12, 1950;
8:56 a. m.]

Subchapter C—Miscellaneous Excise Taxes
[Reg. 51; T. D. 5819]

PART 320—RETAILERS' EXCISE TAXES

SALES OF JEWELRY AND FURS BY U. S. AND
OTHER AGENTS

In order to conform Regulations 51 (26 CFR Part 320), relating to retailers' excise tax under Chapters 9A and 19 of the Internal Revenue Code, to the Revenue Act of 1950 (Public Law 814, 81st Congress, 2nd Session), approved September 23, 1950, such regulations are hereby amended as follows:

PARAGRAPH 1. The subheading immediately preceding the heading "Subpart A—Introductory", as amended by Treasury Decision 5558, approved April 11, 1947, is further amended to read as follows: "Regulations relating to excise taxes on sales by the retailer (Chapters 9A and 19 of the Internal Revenue Code, as amended)."

PAR. 2. The first sentence of § 320.0, as amended by Treasury Decision 5558, is further amended to read as follows:

§ 320.0 *Scope of part.* The regulations contained in this part deal with excise taxes imposed by Chapter 19 of the Internal Revenue Code, as added by section 552 of the Revenue Act of 1941, and Chapter 9A of the Internal Revenue Code, as added by section 210 of the Revenue Act of 1940, and amended by the Revenue Act of 1943, the Excise Tax Act of 1947, and the Revenue Act of 1950, on sales by the retailer of—

- (a) Jewelry.
- (b) Furs.
- (c) Toilet preparations.
- (d) Luggage.

PAR. 3. Immediately preceding § 320.2 there is inserted the following:

SEC. 610. EFFECTIVE DATE OF SECTIONS 601, 602. * * * [Revenue Act of 1950 (Public Law 814, 81st Cong., 2d Sess.), Approved September 23, 1950].

The amendments made by sections 601, 602, * * * shall be effective only with respect to articles sold on or after the first day of

the first month which begins more than ten days after the date of the enactment of this act. For the purposes of this section an article shall be considered as sold prior to such first day if possession thereto, or the right of possession thereto, passed to the purchaser before such first day.

PAR. 4. Section 320.2, as amended by Treasury Decision 5353, approved March 31, 1944, is further amended by adding at the end thereof the following:

The provisions of section 601 of the Revenue Act of 1950, relating to sales by auctioneers or other agents of jewelry and furs; and section 602 of the Revenue Act of 1950, relating to retail sales by the United States, its agencies or instrumentalities, become effective November 1, 1950.

PAR. 5. Immediately preceding § 320.3 there is inserted the following:

SEC. 601. SALES AT AUCTION [Revenue act of 1950 (Public Law 814, 81st Cong., 2d Sess.), approved September 23, 1950].

Chapter 19 (relating to retailers' excise taxes) is hereby amended by adding at the end thereof the following new section:

SEC. 2412. AUCTION SALES OF JEWELRY AND FURS.

(a) *In general.* For the purposes of sections 2400 and 2401 the term "articles sold at retail" includes an article sold at retail by an auctioneer or other agent in the course of his business on behalf of (1) a person who is not engaged in the business of selling like articles, or (2) the legal representative of the estate of a decedent who was not engaged in the business of selling like articles. In the case of articles so sold, the auctioneer or other agent shall, for the purposes of section 2403, be considered the "person who sells at retail".

(b) *Exemption of \$100 in case of auction sale at private home.*

(1) In the case of an auction sale held at the home of a person whose articles are being sold, any taxable article (as defined in paragraph (2)) of such person sold by the auctioneer shall be exempt from the tax imposed by section 2400 or 2401 except to the extent that the price for which such article is sold, when added to the sum of the sale prices of all other taxable articles of such person previously sold at the same auction, exceeds \$100.

(2) For the purposes of this subsection—

(A) the term "taxable article" means an article which, by reason of subsection (a) of this section and without regard to the exemption provided in paragraph (1), is taxable under section 2400 or 2401 when sold at auction; and

(B) in the case of articles of a decedent sold on behalf of the legal representative of his estate, an auction sale held at the home of such decedent shall be considered as "held at the home of a person whose articles are being sold".

SEC. 602. RETAIL SALES BY THE UNITED STATES OR BY ITS AGENCIES OR INSTRUMENTALITIES [Revenue Act of 1950 (Public Law 814, 81st Cong., 2d sess.), approved September 23, 1950].

Chapter 19 (relating to retailers' excise taxes) is hereby amended by adding after section 2412 (added by section 601 of this act) the following new section:

SEC. 2413. SALES BY UNITED STATES, ETC.

The taxes imposed by this chapter and by section 1651 shall apply with respect to articles sold at retail by the United States, or by any agency or instrumentality of the United States, unless sales by such agency or instrumentality are by statute specifically exempted from such taxes.

PAR. 6. Section 320.3 as amended by Treasury Decision 5353 is further amended by adding at the end thereof the following:

On and after November 1, 1950, articles taxable as jewelry or furs sold by an auctioneer or other agent in the course of his business on behalf of a person not engaged in the business of selling like articles at retail, or of the legal representative of such a person shall, for the purposes of sections 2400 and 2401 be regarded as "articles sold at retail". Likewise, such articles sold at retail by an auctioneer or other agent in the course of his business on behalf of the legal representative of the estate of a decedent who was not engaged in the business of selling like articles at retail shall be regarded as "articles sold at retail". In the case of such articles so sold the auctioneer or other agent shall, for the purposes of section 2403, be considered the "person who sells at retail", and shall be liable for the payment of tax and filing of returns.

The provisions of section 2412 (a) are not limited to auction sales but are applicable to all sales of taxable fur and jewelry articles at retail by an auctioneer or other agent in the course of his business.

A limited exemption in the amount of \$100 is provided in the case of an auction sale held at the home of the owner of the jewelry or furs. Thus, for example, if jewelry were first sold by an auctioneer at the owner's home for \$40 and a fur coat were next sold at the same sale for \$150, the sale of the jewelry would be tax-free and the remaining \$60 of the \$100 exemption would be applied against the sales price of the coat, \$90 of such sales price being subject to tax. Sales of articles not taxable under either section 2400 or 2401 shall not be considered in applying the \$100 exemption. Only one exemption is to be allowed regardless of the period of time during which the auction sale takes place. The exemption extends to an auction sale of articles of a decedent held at the home of such a decedent.

The taxes imposed by sections 2400 (jewelry, etc.), 2401 (furs), 2402 (toilet preparations), and 1651 (luggage, etc.) are applicable to any sales at retail by the United States, its agencies or instrumentalities, of articles within the scope of such taxes if made within the United States (including Alaska and Hawaii), unless sales by any such agency or instrumentality are by statute specifically exempted from such taxes. Thus, retail sales by Army Exchanges, Navy Exchanges, and other similar establishments are subject to the tax.

For the purpose of section 2403, the agency or instrumentality, or the person designated by it, shall file returns and pay the tax due on behalf of the United States or the agency or instrumentality.

Because of the short period of time between September 23, 1950, the date of approval of the Revenue Act of 1950, and November 1, 1950, the date on which, pursuant to such Act, the amendments to Chapter 19 become effective, and because of the technical nature of such amendments, it is found that it is im-

practicable and unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 467, 55 Stat. 720; 26 U. S. C. 2410, 3791)

[SEAL]

FRED S. MARTIN,
Acting Commissioner of
Internal Revenue.

Approved: December 7, 1950.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 50-11548; Filed, Dec. 12, 1950;
8:56 a. m.]

Subchapter E—Administrative Provisions
Common to Various Taxes

[Regs. 34; T. D. 5818]

PART 450—WITHDRAWAL OF FILLED CHEESE,
PLAYING CARDS, TOBACCO, SNUFF, CIGARS,
AND CIGARETTES, FROM FACTORIES, FREE
OF TAX, FOR USE OF THE UNITED STATES
TRANSPORTATION AND DELIVERY BONDS FOR
PLAYING CARDS; ELIMINATION OF OLEO-
MARGARINE

Regulations 34 (Revised January 1928) (26 CFR Part 450), but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4884, approved February 11, 1939 (Note, 26 CFR, Cum. Supp., page 5875), are amended as follows:

PARAGRAPH 1. The caption immediately following the title "Regulations No. 34, Revised" is amended to read as follows: "Regulations governing the withdrawal of filled cheese, playing cards, tobacco, snuff, cigars, and cigarettes, from factories, free of tax, for use of the United States."

PAR. 2. The first sentence of the paragraph as amended by Treasury Decision 5440, approved February 27, 1945 (26 CFR 450.0) preceding Article 1 (26 CFR 450.1) is further amended by striking out "oleomargarine."

PAR. 3. Article 2, as amended by Treasury Decision 5440 (26 CFR 450.2), is further amended to read as follows:

§ 450.2 *Bond.* Transportation and delivery bonds will not be required for the withdrawal free of tax of filled cheese, tobacco, snuff, cigars, and cigarettes, for use of the United States. The manufacturers' bond of manufacturers making such withdrawals will be held responsible for any tax liability incurred under the regulations in this part. A manufacturer of playing cards is not required to file a manufacturer's bond, but before withdrawing playing cards under the regulations in this part must furnish a transportation and delivery bond in duplicate on Form 665 with satisfactory sureties. The penal sum of the bond must be sufficient to cover the estimated amount of tax which will at any time constitute a charge against the bond, and in no case be less than \$500. The liability under such bond will be a continuing one, subject to increase as successive withdrawals

are made thereunder and to decrease as evidence of receipt, hereinafter required, is received by the collector. When the limit of liability under any such bond has been reached, no further withdrawals may be made thereunder; a new bond in duplicate must be filed under which subsequent withdrawals will be made. The bond shall state the location of the factory, including the district and State, from which the withdrawal is to be made. When a transportation and delivery bond, in duplicate, is submitted to the collector, he will, if the bond meets his approval, make indorsement to that effect on both the original and duplicate copies and forward the duplicate bond immediately to the Commissioner of Internal Revenue. The bonds may be executed by corporate surety or individual sureties; if given with individual sureties, each individual surety will be required to furnish affidavit in duplicate on Form 33, which will be attached to the original and duplicate bond, respectively.

PAR. 4. The second sentence of article 3 (26 CFR 450.3) is amended by striking out "and in the case of oleomargarine, the number of inner packages, if any."

PAR. 5. Article 5, as amended by Treasury Decision 5440 (26 CFR 450.5), is further amended by striking out paragraph (a), and by relettering paragraphs (b), (c), and (d) as (a), (b), and (c), respectively.

PAR. 6. Article 8, as amended by Treasury Decision 5440 (26 CFR 450.8), is further amended by striking out "oleomargarine" from the second sentence of the second subparagraph of paragraph (a).

(53 Stat. 467; 26 U. S. C. 3791. Interpret or apply 53 Stat. 403; 26 U. S. C. 3331)

Because the purpose of this Treasury decision is to relieve restriction, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

[SEAL]

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 50-11545; Filed, Dec. 12, 1950;
8:55 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—National Production Authority, Department of Commerce

[NPA Order M-2 as amended Dec. 11, 1950]

PART 25—RUBBER

This order, as amended, is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950 and the Rubber Act of 1943, as amended, as a readoption and a continuation, with certain revisions and additions, of Allocation Order R-1 (15 CFR

338.71-338.85) issued by the Office of Industry and Commerce, Department of Commerce, as amended on August 25, 1950 (15 F. R. 5794), which is hereby superseded. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-2 (Nov. 1, 1950) as follows: It amends §§ 25.6, 25.7 and 25.8 so as to continue the limitation of total new rubber consumption and natural rubber consumption but in reduced amounts for January and February, 1951. It adds a new § 25.5a to require production of camelback in a stated quantity. It also makes certain minor changes necessary to make the order applicable to January and February, 1951.

EXPLANATORY PROVISIONS

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AUTHORITY: §§ 25.1 to 25.20 issued under sec. 704, Pub. Law 774, 81st Cong., and sec. 10, 62 Stat. 105, 50 U. S. C. App. Supp. 1929; Pub. Law 575, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., and sec. 3, 62 Stat. 102, 50 U. S. C. App. Supp. 1922; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; E. O. 9942, Apr. 1, 1948, 13 F. R. 1823.

EXPLANATORY PROVISIONS

§ 25.1 *Purpose and effect.* The purpose of this part is to conserve the supply of rubber for the needs of national defense. It continues in effect, with some changes in both form and substance, most of the provisions of former Allocation Order R-1 (15 CFR 338.71-338.85). The restrictions imposed by Allocation Order R-1 fixing minimum percentages of synthetic rubber that must be used in certain listed rubber products remain the same in this part. The former provisions limiting total new rubber consumption have been substantially modified.

RULES AND REGULATIONS

fied and new provisions limiting natural rubber consumption have been included. In addition, this part contains new provisions limiting consumption of natural rubber latex and establishing the procedure and basis for allocation of Government-produced synthetic rubber.

§ 25.2 Definitions. As used in this part:

(a) "Natural rubber" means all new RHC (rubber hydrocarbon) forms and types of tree, vine, or shrub rubber, including natural rubber latex, but excluding reclaimed natural rubber.

(b) "Synthetic rubber" means all new RHC products of chemical synthesis similar in general properties and applications to natural rubber and specifically capable of vulcanization, including synthetic rubber latex but excluding reclaimed synthetic rubber.

(c) "GR-S" means a general-purpose synthetic rubber of the butadiene-styrene type produced in the United States generally suitable for use in the manufacture of transportation items such as tires or camelback, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camelback, as determined from time to time by the NPA, not including reclaimed general-purpose synthetic rubber.

(d) "Butyl" or "GR-I" means a special-purpose synthetic rubber produced in the United States, suitable for use in the manufacture of transportation items such as pneumatic inner tubes, not including reclaimed special-purpose rubber.

(e) "Consume" means, in the case of natural rubber or synthetic rubber, to compound, expend, formulate or in any manner make any substantial change in the form, shape or chemical composition except where any of these materials are used in the preparation of master-batches or compounds prepared for use in the manufacture of finished products.

(f) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.

(g) "New RHC" means total new rubber hydrocarbon. This is the total RHC content of natural rubber, synthetic rubber, uncured scrap rubber, uncured in-process materials, and the rubber hydrocarbon content of master-batches or compounds of new RHC.

(h) "Reclaimed rubber" means any rubber derived from the processing or treatment of vulcanized rubber or cured scrap rubber.

(i) "Natural rubber latex" means the dry latex solids contained in natural rubber liquid latex.

(j) "NPA" means the National Production Authority in the Department of Commerce.

REQUIRED USE OF SYNTHETIC RUBBER

§ 25.3 Synthetic rubber specifications. No person shall manufacture any product described in this section in any specified type or size unless it conforms with the synthetic rubber specifications and such other terms and conditions as are

prescribed below in this section. The synthetic rubber used to satisfy such specifications shall be that produced by the Government or for its account or purchased from others by the Government for resale by the Government or for its account.

(a) Tires. All pneumatic tires, in any type and size listed below, shall contain GR-S in at least the percentages designated in the following table:

Pneumatic tire groups, size and type	Percent GR-S of total natural rubber plus GR-S	
	Minimum group average	Minimum individual tire
Group 1:		
All 7.50 and down truck and bus tires, not including low platform trailer and wire tires.....	25	1
All 7.50 and down farm implement, garden implement and industrial tires.....	35	5
All passenger, and motor-cycle, front farm tractor and garden tractor tires.....	35	5
Group 2:		
All rear farm tractor and all other farm implement tires, not including rice and cane spade grip tires.....	75	55

Note: The group averages for groups 1 and 2 may be reduced by not more than three (3) points, provided the aggregate GR-S consumption in these groups equals the total amount of GR-S which would have been consumed if calculated on the above minimum group averages for groups 1 and 2. The above group averages and permitted tolerances must be balanced out each calendar month.

(b) Tire tubes—(1) Reestablishment of GR-I specifications. No synthetic rubber specifications are presently prescribed for tire tubes, but if the consumption of butyl (GR-I) by the entire industry indicates that the total annual consumption will be less than 15,000 long tons, specifications requiring the consumption of butyl (GR-I) in certain types and sizes of tire tubes will be reinstated in this part to the extent necessary.

(2) Markings on tire tubes. Every tube containing butyl (GR-I) synthetic rubber shall be marked by the manufacturer with one or more circumferential light blue stripes, applied on the base section of the tube, any one of which stripes shall be $\frac{3}{16}$ " minimum width. No other tire tube shall be so marked.

§ 25.4 Exceptions to required use of synthetic rubber—(a) Military orders. The provisions of § 25.3 shall not apply to products manufactured for the Department of Defense.

(b) Experimental purposes. Notwithstanding the provisions of § 25.3, any person may use up to a total of 2,000 pounds of natural rubber during any calendar quarter for experimentation in the manufacture of those sizes and types of tires for which specifications are provided in § 25.3 (a).

§ 25.5 Importation restrictions—(a) Certification required. No product for which synthetic rubber specifications are established in § 25.3 may be entered for consumption in the United States or its territories or possessions unless the importer furnishes to the appropriate Col-

lector of Customs a certificate reading substantially as follows:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in Title 18, U. S. Code (Crimes), section 1001, that the products covered by the invoice to which this certificate is attached contain at least the same percentage of synthetic rubber (of any type and wherever produced) as required by NPA Order M-2 for similar products.

(Date)

(Signature)

(b) Exceptions. No such certificate shall, however, be required for the importation (1) of any products by a diplomatic representative of a foreign government for his personal use or for the use of members of his staff or by a commercial representative of a foreign government for use in his official business and not for sale or (2) of any tires or camelback for experimental and testing purposes and not for sale.

CAMELBACK PRODUCTION REQUIRED

§ 25.5a Required production of camelback. Every person who produced camelback during the year ending June 30, 1950, shall produce in each of the two months, January and February, 1951, an amount of camelback which bears by weight at least the same proportion to his total new rubber consumption used in manufacture of transportation products during each such month as his production of camelback during the year ending June 30, 1950, bore by weight to his total new rubber consumption in such transportation products during that year.

RESTRICTIONS ON NEW RUBBER CONSUMPTION

§ 25.6 Limit on total new rubber consumption. (a) No person shall consume a total amount of new rubber (including all synthetic both dry and latex and all natural except latex and rubber from guayule) in excess of 82 percent in January 1951 and in excess of 80 percent in February 1951 of his base monthly new rubber consumption as computed under paragraph (b) of this section.

(b) Each person's base monthly new rubber consumption shall be one-fourth of his maximum new rubber consumption as permitted for the four-month period ending December 31, 1950, under the terms of § 338.80 of the former Allocation Order R-1 or as adjusted for such four-month period by the Department of Commerce.

(c) Such quantities of new rubber as are used in making products for the Department of Defense are hereby exempted from the limitation of this section and shall be excluded in computing consumption of new rubber in January and February, 1951 for purposes of this section.

§ 25.7 Limit on natural rubber consumption. (a) No person shall consume natural rubber (exclusive of natural rubber latex and rubber from guayule) in January, 1951 in excess of 51 percent, nor in February, 1951 in excess of 43 percent of his base monthly natural rubber consumption as computed under paragraph (b) of this section. Neither may any person consume natural rubber

(exclusive of natural rubber latex and rubber from guayule) in either January or February, 1951, in excess of the difference between his total new rubber consumption as permitted for that month under § 25.6 and the total synthetic rubber acquired by him from all sources during that month.

(b) Each person's base monthly natural rubber consumption shall be one-twelfth of his actual consumption of natural rubber (exclusive of natural rubber latex and rubber from guayule) during the year ending June 30, 1950: *Provided, however,* That if his maximum total new rubber consumption as permitted for the four-month period ending December 31, 1950 under the terms of § 338.80 of former Allocation Order R-1 has been or is adjusted by the Department of Commerce, his base monthly natural rubber consumption as above established shall be adjusted by the same percentage as his permitted total new rubber consumption was changed by such adjustment.

(c) Such quantities of natural rubber as are used in making products for the Department of Defense are hereby exempted from the limitation of this section and shall be excluded in computing consumption of natural rubber in January and February, 1951 for purposes of this section.

(d) The limitations prescribed in this section shall not apply during January or February, 1951, as the case may be, to any person whose consumption of natural rubber (exclusive of natural rubber latex and rubber from guayule) does not exceed 15,000 pounds during that month, but no such person may consume during that month more natural rubber (exclusive of natural rubber latex and rubber from guayule) than his base monthly natural rubber consumption as computed under paragraph (b) of this section.

§ 25.8 *Limit on natural rubber latex consumption.* (a) No person shall consume during the months of January and February, 1951, a total quantity of natural rubber latex in excess of one-sixth of his consumption during the year beginning July 1, 1949, and ending June 30, 1950.

(b) Any person who imports any natural rubber latex into the United States after October 1, 1950, shall offer at least 10 percent of his imports to the General Services Administration at his regularly established price.

(c) In the event that imports of natural rubber latex are of such volume that an excess remains available for consumption (including any amounts not accepted by General Services Administration), after deducting from total imports (1) the base-period consumption allowed by paragraph (a) of this section, (2) the stockpile set-aside provided by paragraph (b) of this section, and (3) a reasonable reserve for adjustments under § 25.18, such excess will be allocated quarterly to consumers by the NPA on the basis of their pro rata allocation of natural rubber latex during the fourth calendar quarter of 1950. Any allocations made under this paragraph may be consumed in addition to the amounts permitted by paragraph (a).

ALLOCATION OF SYNTHETIC RUBBER

§ 25.9 *Limitation on acquisition of synthetic rubber.* No person shall acquire more Government-produced GR-S or butyl (GR-I) than is allocated to him by the NPA. No person shall sell or transfer any synthetic rubber acquired from the Government to any person other than the Office of Rubber Reserve, Reconstruction Finance Corporation.

§ 25.10 *Allocation procedure.* The NPA will allocate quarterly, to each consumer of GR-S or butyl, the amounts of Government-produced GR-S and butyl that he may purchase during a specified calendar quarter. The NPA will notify the Office of Rubber Reserve, Reconstruction Finance Corporation, of such allocations and the Office of Rubber Reserve will not issue purchase permits to anyone for more GR-S or butyl than is allocated to him. Persons desiring to purchase GR-S or butyl will submit purchase requests to the Office of Rubber Reserve in accordance with its established procedure.

§ 25.11 *Basis of allocation.* GR-S and butyl will be separately allocated by the NPA for each calendar quarter on the following basis:

(a) *GR-S.* Subject to the provisions of paragraphs (d) and (e) of this section, each consumer of GR-S will be allocated his pro rata share of total available Government-produced GR-S, (after a reasonable amount has been reserved for defense and other Government orders, for such other programs as may be approved by the NPA, and for adjustments under § 25.18), based on the proportion which his total new rubber consumption (exclusive of butyl) during the year ending June 30, 1950 bears to the total new rubber consumption (exclusive of butyl) of the industry during that period, as determined by the NPA.

(b) *Butyl for tire tubes.* Subject to the provisions of paragraphs (d) and (e) of this section, each manufacturer of tire tubes will be allocated his pro rata share of total available Government-produced butyl (after a reasonable amount has been reserved for defense and other Government orders, for such other programs as may be approved by the NPA, and for adjustments under § 25.18), based on the proportion which his total new rubber consumption for tire tubes during the year ending June 30, 1950 bears to the total new rubber consumption of the industry for tire tubes during that period, as determined by the NPA.

(c) *Butyl for other uses.* Subject to the provisions of paragraphs (d) and (e) of this section, each consumer of butyl for purposes other than the manufacture of tire tubes will be allocated for each calendar quarter, his average quarterly consumption of butyl for such other purposes during the year ending June 30, 1950, as determined by the NPA.

(d) *Imports to be considered.* In making the allocations described in paragraphs (a), (b) and (c) of this section, the NPA will ascertain the quantities of imported GR-S and butyl acquired by

each consumer, and will reduce by the amounts of such imported rubber the allocations which would otherwise be made.

(e) *Inventories to be considered.* In making the allocations described in paragraphs (a), (b) and (c) of this section, the NPA will ascertain and take into account each consumer's inventory of GR-S and butyl, and will adjust the allocations insofar as practicable so that inventories (including rubber in warehouse and in transit) will not be increased beyond a 20-working-day supply.

§ 25.12 *Additional allocations for Government orders.* When any Government agency places orders with specifications requiring larger amounts of synthetic rubber than the manufacturer has available under his current allocations without increasing the natural rubber content in his civilian products, an allocation will be made to take care of such additional requirements.

GENERAL PROVISIONS

§ 25.13 *Reports of rubber consumption and stocks—(a) Monthly reports.* Every person who consumes or owns, at any time during any month, any type of rubber listed below in an amount equal to or in excess of the amounts specified below, shall file a monthly report on Form NPA-F3 (formerly IC-3410) with the NPA in accordance with the instructions accompanying the form. This report form covers consumption, stocks, receipts, production and shipments. No such report need be filed as to any listed type of rubber if the amount of it consumed and the amount of it owned during the month were each less than the amount specified below for such type of rubber.

Types:	Amount (pounds)
Natural rubber.....	15,000
Natural rubber latex (dry latex solids).....	5,000
Reclaimed rubber.....	10,000
GR-S (all types including GR-S latex) ¹	15,000
Butyl (GR-I) all types ¹	10,000
Neoprene (all types, including neoprene latex) ¹	5,000
Butadiene-Acrylonitrile types ¹	5,000

¹ Includes all types whether obtained from Government or other source, including imports.

(b) *Annual reports.* Every person who, during any calendar year, consumes or owns any types of rubber listed in paragraph (a) of this section in excess of the amounts specified for such types, and who has not reported those types of rubber on Form NPA-F3 (formerly IC-3410) for all months of the calendar year, shall file an annual report covering consumption and stocks in accordance with the instructions accompanying the annual report form. This report shall be made on Form NPA-F4 (formerly IC-49-1) and shall be filed not later than January 31 following the year being reported.

§ 25.14 *Reports by tire, tube and camelback manufacturers—(a) Monthly reports.* Each manufacturer of tires,

tubes, and camelback shall file a report of his production, shipments and inventory for each calendar month on Form NPA-F5 (formerly IC-3438) with the NPA in accordance with the instructions accompanying the form. Such report shall be filed by the 10th of the month following the month to which it relates.

(b) *Weekly reports of cured tires.* Each manufacturer of tires shall file a report of his production of cured tires for each week on Form NPA-F6 (formerly IC-4231) with the NPA in accordance with the instructions accompanying the form.

§ 25.15 *Reports by latex importers.* Every importer of natural rubber latex shall report by letter to the NPA by the 15th of each month in long tons of dry latex solids (a) his imports for the current month (actual receipts plus material due to arrive), (b) his scheduled imports for the next succeeding month, and (c) his estimate of his imports for the second and third succeeding months.

§ 25.16 *Other records and reports.* All persons subject to this part shall keep such records and file such other reports as may be required subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

§ 25.17 *Inventory limitation.* All of the materials subject to this part are also subject to Part 10 of this chapter (NPA Regulation 1) which prohibits the accumulation of materials in excess of a practicable minimum working inventory.

§ 25.18 *Adjustments and exceptions.* Any person affected by any provision of this part may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this part, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought and shall state the justification therefor.

§ 25.19 *Communications.* All applications, reports and other communications relating to this part should be addressed to the National Production Authority, Washington 25, D. C., Ref: Order M-2.

§ 25.20 *Violations.* Any person who wilfully violates any provision of this part, or furnishes false information or conceals any material fact in the course of operation under it, is guilty of a crime and upon conviction may be punished

by fine or imprisonment or both. In addition, administrative action may be taken against any such person to compel necessary adjustment of his inventories or consumption or to suspend his privilege of making or receiving further deliveries of, or from processing or using, materials subject to this part.

Note: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This part as amended shall take effect on January 1, 1951.

NATIONAL PRODUCTION
AUTHORITY,
W. H. HARRISON,
Administrator.

[SEAL]

[F. R. Doc. 50-11644; Filed, Dec. 12, 1950;
11:13 a. m.]

[NPA Order M-16]

PART 29—COPPER AND COPPER-BASE ALLOYS

SUBPART C—DISTRIBUTION OF COPPER AND COPPER-BASE ALLOY SCRAP

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives and consideration has been given to their recommendations. However, consultation with representatives, including trade association representatives, of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the necessity for immediate action, and because the order affects a large number of different trades and industries.

Sec.

- 29.51 What this subpart does.
- 29.52 Definitions.
- 29.53 Acceptance and deliveries of scrap.
- 29.54 Restrictions on disposal of scrap.
- 29.55 Restrictions on inventory accumulations by scrap dealers.
- 29.56 Restrictions on toll agreements.
- 29.57 Specific authorizations and directions.
- 29.58 Applications for adjustment.
- 29.59 Records and reports.
- 29.60 Communications.
- 29.61 Violations.

AUTHORITY: §§ 29.51 to 29.61 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

§ 29.51 *What this subpart does.* The primary purpose of this subpart is to regulate the acceptance, delivery and distribution (whether on purchase, toll agreement or otherwise) of copper scrap and copper-base alloy scrap. The subpart also prohibits undue accumulations of such scrap.

§ 29.52 *Definitions.* As used in this subpart:

- (a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.
- (b) "Copper" means unalloyed copper, including electrolytic copper, fire refined

copper and all unalloyed copper in any form.

(c) "Copper-base alloy" means any alloy in the composition of which the percentage of copper metal equals or exceeds 40 percent by weight, of the metallic content of the alloy. (Includes fired and demilitarized cartridge and artillery cases, and all copper-base alloy in any form. It does not include alloyed gold produced in accordance with U. S. Commercial Standard C3 67-38.)

(d) "Scrap" means all copper or copper-base alloy materials or objects, which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason.

(e) "Copper wire mill product" means bare wire, insulated wire and cable, whatever the outer protective coverings may be, and uninsulated wire and cable, where the conductors are made from copper, copper-base alloy, or copper clad steel containing over 20 percent copper by weight. All copper wire mill products should be measured in terms of pounds of copper content.

(f) "Brass mill product" means sheet, including strip and plate; rod, including bars; wire, or tube, including pipe; made from copper or copper-base alloy. This does not include copper wire mill products.

(g) "Foundry product" means cast copper or copper-base alloy shapes and forms suitable for ultimate use without remelting, rolling, drawing, extruding or forging. (Includes the removal of gates, risers and sprues and sandblasting, tumbling or dipping, but excludes any further machining or processing.)

(h) "Brass mill scrap" means scrap which is the waste or by-product of industry fabrication or of the production of brass mill products and copper wire mill products. It also includes reclaimed scrap which, by processing, has become usable by brass mills. It does not include material which has been reclaimed for use or which is unsuitable for brass mill use because of contamination.

(i) "Other copper-base alloy scrap" means alloyed copper scrap other than brass mill scrap.

(j) "Other unalloyed copper scrap" means unalloyed copper scrap other than brass mill scrap.

(k) "Fired and demilitarized cartridge and artillery cases" means fired and demilitarized cartridge and artillery cases which have been manufactured from brass mill products.

§ 29.53 *Acceptance of deliveries of scrap.* Any person listed in Column A of the table set forth below may accept delivery of the scrap materials specified in the corresponding section of Column B of the table. Unless specifically authorized in writing by the National Production Authority, deliveries of any such scrap materials shall not be made to or accepted by any person except as permitted by this section. Accordingly, any person who in his own operations generates scrap, but who does not produce copper raw materials, may not accept any of the scrap materials specified in Column B.

Column A	Column B
1. Scrap Dealer—Any person regularly engaged in the business of buying and selling scrap, but who does not melt such scrap.	1. Other unalloyed copper scrap; Other copper-base alloy scrap; Brass mill scrap; Fired and demilitarized cartridge and artillery cases, both contaminated and uncontaminated.
2. Refiner—Any person who produces unalloyed copper. This includes any person who converts copper or copper-base alloy scrap into refined copper or other usable forms of copper.	2. Other unalloyed copper scrap; Other copper-base alloy scrap; Contaminated fired or demilitarized cartridge and artillery cases not usable by a brass mill.
3. Brass Mill—Any person who produces brass mill products, brass mill castings, or intermediate shapes.	3. Brass mill scrap; Uncontaminated fired or demilitarized cartridge and artillery cases.
4. Brass and Bronze Foundry—Any person who produces foundry copper or copper-base alloy products.	4. Other unalloyed scrap; Other copper-base alloy scrap; Contaminated fired or demilitarized cartridge and artillery cases not usable by a brass mill.
5. Ingot Maker—Any person who produces copper-base alloy ingot for delivery as such.	5. Other unalloyed scrap; Other copper-base alloy scrap; Contaminated fired or demilitarized cartridge and artillery cases not usable by a brass mill.
6. Miscellaneous Producer—Any person, not listed above, who requires copper raw materials in his regular production operation, such as operators of chemical plants, iron foundries, aluminum foundries, etc.	6. Other unalloyed scrap; Other copper-base alloy scrap.

§ 29.54 Restrictions on disposal of scrap. (a) No person, other than one who is in the business of producing copper raw materials (such as refineries, ingot makers, copper wire mills, brass mills or foundries) shall melt or process any scrap generated in his plant through fabrication or accumulated in his operations through obsolescence, except as specifically authorized in writing by the National Production Authority, nor shall he dispose of such materials in any way other than by delivery to a person authorized by this subpart to accept such delivery.

(b) The provisions of paragraph (a) of this section will not apply to any establishment of the United States Army, Navy or Air Force such as arsenals, navy yards, gun factories and depots.

(c) Nothing contained in this subpart shall prohibit any public utility from using in its own operation copper wire or cable which has become scrap by obsolescence.

§ 29.55 Restrictions on inventory accumulations. (a) No person who generates scrap in his operations through fabrication, manufacture or obsolescence shall accumulate excessive inventories of scrap. Such excessive inventories may be subject to requisition, under certain circumstances, as provided in section 201 (a) of Title II of the Defense Production Act of 1950.

(b) No scrap dealer shall accept delivery of any form of scrap, defined in § 29.52, if his total inventory of such scrap (including inventory not physically located in the dealer's yard or plant) is, or by such receipt would become, in excess of his total deliveries of such scrap by weight during the first six months of 1950, divided by three.

§ 29.56 Restrictions on toll agreements. (a) Unless the person delivering or owning the scrap, or the person for whose benefit the conversion, remelting, or other processing of the scrap will be effected, has received the approval of the National Production Authority, no person shall deliver scrap, and no person shall accept same, for converting, remelting or other processing into electrolytic or fire refined copper under any existing or future toll agreement, conversion agreement or other arrangement by which title to the

scrap remains vested in the person delivering or owning the scrap, or pursuant to which unalloyed copper in any quantities, equivalent or otherwise, is to be returned to the person delivering or owning the scrap. The provisions of this paragraph will apply with equal effect to any agency relationship which would result in a toll arrangement hereinabove described.

(b) Persons requesting such approval shall file with the National Production Authority a letter setting forth: the names and addresses of the parties to any existing or proposed toll or conversion agreement; the kind, grade and form of the scrap involved; the tonnage of the scrap and the estimated tonnage of the electrolytic or fire refined copper resulting; the estimated rate and dates of delivery of such copper; the length of time such agreement or other similar agreement between the same parties has been in force; the duration of the agreement; the purpose for which such copper is to be used; and such other information as the applicant may wish to submit.

§ 29.57 Authorizations and directives. The National Production Authority may issue authorizations or directives from time to time with respect to the delivery, disposal and conversion of scrap. Such authorizations and directives shall be complied with by the recipients thereof, unless otherwise directed by the National Production Authority.

§ 29.58 Applications for adjustment. Any person affected by any provision of this subpart may file a request for adjustment or exception upon the ground that any provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this subpart, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent

facts and the nature of the relief sought, and shall state the justification therefor.

§ 29.59 Records and reports. (a) Each person participating in any transaction covered by this subpart shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this subpart have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this subpart shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this subpart shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act (Pub. Law 831, 77th Cong., 5 U. S. C. 139-139F).

§ 29.60 Communications. All communications concerning this subpart shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-16.

§ 29.61 Violations. Any person who willfully violates any provision of this subpart or any other order or regulation of the National Production Authority in the course of operation under this subpart is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority on allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this subpart have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This subpart shall take effect on January 1, 1951.

NATIONAL PRODUCTION
AUTHORITY,
W. H. HARRISON,
Administrator.

[SEAL]

[F. R. Doc. 50-11643; Filed, Dec. 12, 1950;
11:13 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 73—SHIPPERS

PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

REVISION AND REPUBLICATION OF REGULATIONS

Correction

In Federal Register Document 50-10917, published in Part II of the issue

RULES AND REGULATIONS

for Saturday, December 2, 1950, the following corrections are made:

1. The following three paragraphs should be inserted immediately below the citation of authority for Part 73 on page 8275:

The regulations in Parts 71-78 of this chapter are applicable to every common, contract, and private carrier of property subject to the regulatory provisions of section 835 of Public Law 772, 80th Congress (62 Stat. 738), and/or Part II of the Interstate Commerce Act, and also to every common, contract, and private carrier of property by rail or highway engaged in interstate commerce, with respect to transportation of explosives and other dangerous articles as defined in Parts 71-78 of this chapter:

Private carriers by public highway subject to Parts 71-78 of this chapter are prohibited from transporting any explosive or other dangerous article unless the article is properly described by name in papers required by Parts 71-78 of this chapter to accompany every shipment of such article; and that every such article must be packed and marked and in proper condition for transportation according to the regulations in Parts 71-78 of this chapter.

Documents accompanying all shipments made by way of common, contract, and private carriers, subject to Parts 71-78 of this chapter, shall bear license numbers of the consignees of such shipments according to requirement of the Director, United States Bureau of Mines; and that all losses and thefts of explosives in transit by way of such carriers shall be reported promptly to the Bureau of Service, Interstate Commerce Commission for transmission to the said Bureau of Mines, by the carrier in whose control the explosives were at the time of any such loss or theft.

2. The headnote for Part 77 should read as set forth above and the following three paragraphs should be inserted immediately below the citation of authority on page 8361:

The regulations in Parts 71-78 of this chapter are applicable to every common, contract, and private carrier of property subject to the regulatory provisions of section 835 of Public Law 772, 80th Congress (62 Stat. 738), and/or Part II of the Interstate Commerce Act, and also to every common, contract, and private carrier of property by rail or highway engaged in interstate commerce, with respect to transportation of explosives and other dangerous articles as defined in Parts 71-78 of this chapter:

Private carriers by public highway subject to Parts 71-78 of this chapter are prohibited from transporting any explosive or other dangerous article unless the article is properly described by name in papers required by Parts 71-78 of this chapter to accompany every shipment of such article; and that every such article must be packed and marked and in proper condition for transportation according to the regulations in Parts 71-78 of this chapter.

Documents accompanying all shipments made by way of common, contract, and private carriers, subject to Parts 71-78 of this chapter, shall bear license numbers of the consignees of such shipments according

to requirement of the Director, United States Bureau of Mines; and that all losses and thefts of explosives in transit by way of such carriers shall be reported promptly to the Bureau of Service, Interstate Commerce Commission for transmission to the said Bureau of Mines, by the carrier in whose control the explosives were at the time of any such loss or theft.

[S. O. 869]

PART 95—CAR SERVICE

USE OF REFRIGERATOR CARS FOR CERTAIN COMMODITIES PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of December A. D. 1950.

It appearing, that the movement of various commodities not requiring protective service in refrigerator cars is diminishing the use of such cars acutely needed for the transportation of perishable freight causing a shortage of equipment and impeding the use, control, supply, movement, distribution, exchange, interchange and return of such cars; in the opinion of the Commission an emergency exists in all sections of the country requiring immediate action to promote the National Defense and car service in the interest of the public and the commerce of the people.

It is ordered, that:

§ 95.869 *Use of refrigerator cars for certain commodities prohibited.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall furnish, supply, use, transport or move a refrigerator car or cars of the RS type, suitable for perishable freight, described in the Official Railway Equipment Register, M. A. Zenobia, Agent, ICC No. 295, loaded with commodities other than perishable freight as described in Item 1130 of Agent J. J. Quinn's Perishable Protective Tariff No. 15, ICC No. 26, except as provided below:

(1) Commodities loaded under the provisions of Trans-Continental Freight Tariff Supplement No. 16, Westbound Commodity Tariff No. 1, Section 2, Item 792 for cars bearing reporting marks PFE and SFRD to the south coast points, Westbound Commodity Tariff No. 4-X, Section 2, Item 792-E for cars bearing reporting marks BRE, FGE, LWD, NP, NRC, PFE or WFE to north coast points.

(2) Railroad Freight House Merchandise, (LCL Freight).

(a) When moving in the direction of the empty movement and to destinations 1,000 miles or more.

(b) Cars bearing reporting marks PFE and SFRD when loaded by railroads at Chicago, Illinois, and destined to Missouri River points or beyond.

(3) Empty beer containers.

(4) Commodities destined to points in Mexico when loaded in Pacific Fruit Express RS type refrigerator cars and covered by CSD Embargo No. 400 Permit.

(5) Fruit and vegetable containers and box shooks in Washington, Oregon, or California, to California points and between origin points and destination points wholly within the State of Washington.

(6) Pop corn. (Refrigerator cars necessary during warm weather or in warm climate to prevent overheating and to retain proper moisture content).

(b) *Application.* The provisions of this section shall apply to intrastate, interstate and foreign commerce, including commerce with insular possessions and the territories of Alaska and Hawaii.

(c) *Regulations suspended, announcement required.* The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter), announcing such suspension.

(d) *Special permits.* The provisions of this section shall be subject to special permits issued by Mr. D. W. Benton, Association of American Railroads, 59 E. Van Buren Street, Chicago 5, Illinois, to meet specific needs or exceptional circumstances.

(e) *Effective date.* This section shall become effective at 11:59 p. m., December 14, 1950.

(f) *Expiration date.* This section shall expire at 11:59 p. m., April 30, 1951, unless otherwise modified, changed, suspended or annulled by order of this Commission.

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

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-11368; Filed, Dec. 12, 1950; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 29]

INCOME TAX; TAXABLE YEARS BEGINNING
AFTER DECEMBER 31, 1941EXCLUSION FROM GROSS INCOME FOR MEM-
BERS OF ARMED FORCES SERVING IN COMBAT
AREAS

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U. S. C. 62, 3791).

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of
Internal Revenue.

In order to conform Regulations 111 (26 CFR Part 29) to section 202 (a) of the Revenue Act of 1950, approved September 23, 1950, such regulations are hereby amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.22 (b) (13)-1 the following:

SEC. 202. INCOME TAX EXEMPTIONS FOR MEMBERS OF THE ARMED FORCES SERVING IN COMBAT AREAS (REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950).

(a) Exclusion from gross income. Section 22 (b) (13) (relating to exclusions from gross income) is hereby amended to read as follows:

(13) Additional allowance for certain members of the Armed Forces.

(A) Enlisted personnel. Compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member served in a combat zone after June 24, 1950, and prior to January 1, 1952.

(B) Commissioned officers. In the case of compensation received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer served in a combat zone after June 24, 1950, and prior to January 1, 1952, so much of such compensation as does not exceed \$200.

(C) Definitions. For the purposes of this paragraph:

(i) The term "commissioned officer" does not include a commissioned warrant officer;

(ii) The term "combat zone" means any area which the President of the United States by Executive Order designates, for the purposes of this paragraph, as an area in which Armed Forces of the United States are

or have (after June 24, 1950) engaged in combat;

(iii) Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; and

(iv) The term "compensation" does not include pensions and retirement pay.

PAR. 2. Section 29.22 (b) (13)-1, as amended by Treasury Decision 5645, approved July 20, 1948, is hereby further amended by changing the heading thereof to read as follows: "Compensation of members of military and naval forces received prior to January 1, 1949."

PAR. 3. There is inserted immediately after § 29.22 (b) (13)-1 the following:

§ 29.22 (b) (13)-2 Compensation of members of the armed forces of the United States for service in a combat zone after June 24, 1950, and prior to January 1, 1952. In addition to the exemptions and credits otherwise applicable, section 22 (b) (13) provides that there shall be excluded from gross income:

(a) Compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member served in a combat zone after June 24, 1950, and prior to January 1, 1952.

(b) In the case of compensation received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer served in a combat zone after June 24, 1950, and prior to January 1, 1952, so much of such compensation as does not exceed \$200.

The exclusions under section 22 (b) (13) and this section are applicable only if active service is performed in a combat zone after June 24, 1950, and prior to January 1, 1952. Compensation is subject to exclusion whether or not it is received outside a combat zone or in a year (including a year after 1951) different from that in which such service is performed. Service is performed in a combat zone only if it is performed in an area which the President of the United States has designated by Executive order, for the purpose of section 22 (b) (13), as an area in which armed forces of the United States are or have (after June 24, 1950) engaged in combat, and only if it is performed on or after the date designated by the President by Executive order as the date of the commencing of combatant activities in such zone and on or before the date designated by the President by Executive order as the date of the termination of combatant activities in such zone. If a member of the armed forces serves in a combat zone for any part of a month, he is entitled to the exclusion for such month to the same extent as if he had served in such zone for the entire month.

The term "commissioned officer" does not include a commissioned warrant officer, and, accordingly, a commissioned warrant officer is entitled to the exclusion allowed to enlisted personnel under section 22 (b) (13) (A). The term "compensation", for the purpose of this section, does not include pensions and retirement pay. As to who are members of the armed forces, see § 29.3797-11.

These exclusions are applicable without regard to the marital status of the recipient of the compensation, and if a husband and wife both meet the requirements of the statute, then each is entitled to the benefit of an exclusion. In the case of a husband and wife domiciled in a State recognized for Federal income tax purposes as a community property State, any exclusion from gross income under section 22 (b) (13) operates before apportionment of the gross income of the spouses in accordance with community property law. For example, a man and his wife are domiciled in a community property State and he is entitled, as a commissioned officer, to the benefit of the exclusion of \$200 for each month under section 22 (b) (13) (B). He receives \$1,000 as compensation for active service for three months in a combat zone. Of such amount, \$800 is excluded from gross income under section 22 (b) (13) (B) and only \$400 is taken into account in determining the gross income of both husband and wife.

A member of the armed forces is in active service if he is actually serving in the armed forces. Periods during which a member of the armed forces is absent from duty on account of sickness, wounds, leave, internment by the enemy, or other lawful cause are periods of active service. A member of the armed forces in active service in a combat zone who there becomes a prisoner of war or missing in action is deemed, for the purpose of section 22 (b) (13) and this section, to continue in active service in the combat zone for the period for which he is entitled to such status for military pay purposes. These exclusions apply to compensation received by a member of the armed forces for services rendered while in active service even though payment is received subsequent to discharge or release from active service. Compensation credited to a decedent's account for a period subsequent to the established date of his death and received by his estate will be excluded under section 22 (b) (13) from the gross income of the estate to the same extent that it would have been excluded from the gross income of the decedent if he had lived and received such compensation.

PAR. 4. Section 29.3797-11 is hereby amended to read as follows:

§ 29.3797-11 Military or naval forces and armed forces of the United States. The term "military or naval forces of the United States" and the term "armed forces of the United States" each includes all regular and reserve components of the uniformed services which

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are subject to the jurisdiction of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force. The terms also include the Coast Guard. The members of such forces include commissioned officers and the personnel below the grade of commissioned officer in such forces.

[F. R. Doc. 50-11544; Filed, Dec. 12, 1950; 8:54 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration

[7 CFR, Part 26]

OFFICIAL GRAIN STANDARDS OF THE UNITED
STATES FOR RYENOTICE OF HEARINGS ON PROPOSED
AMENDMENT

Notice is hereby given that the United States Department of Agriculture has under consideration a proposed change in the official grain standards of the United States for rye (7 CFR 26.401 et seq.), promulgated under the authority of the United States Grain Standards Act, as amended (39 Stat. 482; 54 Stat. 765; 7 U. S. C. 71 et seq.). The Chicago Board of Trade has requested that consideration be given to decreasing the maximum limits of thin rye permitted in grades Nos. 1, 2, and 3.

Pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003) public hearings will be held and written communications will be received in order that all interested persons may have an opportunity to express their views on the proposal to revise the Standards, which is as follows:

(1) Decrease the maximum limits of thin rye permitted in grades Nos. 1, 2, and 3. The Standards at present provide that rye in grades No. 1 and No. 2 may contain not more than 20 percent and rye in grade No. 3 may contain not more than 30 percent, of rye and other matter that will pass through a 20 gage metal sieve with rectangular perforations 0.064 inch wide and $\frac{3}{16}$ inch long. The proposal, if adopted, would limit the maximum percentage of such rye and other matter permitted in grades Nos. 1 and 2 to 10 percent instead of the present 20 percent, and in grade No. 3 to 15 percent instead of the present 30 percent.

Any interested person who wishes to do so may propose alternative percentages either at the oral hearings or by written submission as hereinafter provided.

The United States Grain Standards Act requires that public notice be given of the modification of Standards adopted under its provisions, not less than 90 days in advance of the effective date of such modification. If any amendment is promulgated, it should be effective July 1, 1951.

Informal hearings will be held at Minneapolis, Minnesota; Omaha, Nebraska; and Chicago, Illinois, at which interested persons may submit their views and opinions orally or in writing with respect to the desirability of promulgating the

requested changes, and related matters. The times and places of such hearings will be as follows:

February 6, 1951, 2:30 p. m., Director's Room, Minneapolis Grain Exchange Building, Minneapolis, Minn.

February 7, 1951, 2:30 p. m., Director's Room, Omaha Grain Exchange Building, Omaha, Nebr.

February 8, 1951, 2:00 p. m., Room 680, Chicago Board of Trade Building, Chicago, Ill.

Interested persons may also submit written data, views, or arguments to the Director, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., to be received by him not later than February 20, 1951.

Consideration will be given to all information obtained at the hearings, to written data, views, and arguments received by the Director not later than February 20, 1951, and to all other information available in the United States Department of Agriculture before a decision is made as to what amendment, if any, shall be promulgated.

Robert H. Black, Grain Branch, Production and Marketing Administration, is hereby designated to conduct the hearings held pursuant to this notice; and J. E. Barr, Grain Branch, Production and Marketing Administration, is hereby designated to serve as his alternate.

Issued this 8th day of December 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Pro-
duction and Marketing Ad-
ministration.

[F. R. Doc. 50-11535; Filed, Dec. 12, 1950; 8:52 a. m.]

[7 CFR, Part 26]

OFFICIAL GRAIN STANDARDS OF THE UNITED
STATES FOR SOYBEANSNOTICE OF HEARINGS ON PROPOSED
AMENDMENTS

Notice is hereby given that the United States Department of Agriculture has under consideration certain proposed changes in the official grain standards of the United States for soybeans (7 CFR 1949 Supp. 26.601 et seq.), promulgated under the authority of the United States Grain Standards Act, as amended (39 Stat. 482; 54 Stat. 765; 7 U. S. C. 71 et seq.). The proposed amendments were submitted by the American Soybean Association and the National Soybean Processors' Association.

Pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003) public hearings will be held and written communications will be received in order that all interested persons may have an opportunity to express their views on the proposals to amend the Standards, which are as follows:

(1) Decrease the maximum limits for foreign material 1 percent in each numerical grade. The proposal, if adopted, would limit the maximum amount of foreign material permitted in grade No. 1 to 1.0 percent instead of the present 2.0

percent; in grade No. 2 to 2.0 percent instead of the present 3.0 percent; in grade No. 3 to 3.0 percent instead of the present 4.0 percent; and in grade No. 4 to 5.0 percent instead of the present 6.0 percent.

(2) Decrease the maximum limits for moisture content 1 percent in each numerical grade. The proposal, if adopted, would limit the maximum moisture content permitted in grade No. 1 to 12.0 percent instead of the present 13.0 percent; in grade No. 2 to 13.0 percent instead of the present 14.0 percent; in grade No. 3 to 15.0 percent instead of the present 16.0 percent; and in grade No. 4 to 17.0 percent instead of the present 18.0 percent.

The United States Grain Standards Act requires that public notice be given of the modification of Standards adopted under its provisions, not less than 90 days in advance of the effective date of such modification. If any amendments are promulgated, they should be effective September 1, 1951.

Informal hearings will be held in Toledo, Ohio; Chicago, Illinois; Cedar Rapids, Iowa; Decatur, Illinois; and Minneapolis, Minnesota. At the hearings, interested persons may submit their views and opinions orally or in writing with respect to the desirability of promulgating the requested changes. The times and places of such hearings will be as follows:

January 29, 1951, 2:30 p. m., Trading floor, Produce Exchange Building, Toledo, Ohio.

January 30, 1951, 2:00 p. m., Room 680, Chicago Board of Trade Building, Chicago, Ill.

January 31, 1951, 1:30 p. m., Assembly Room, Chamber of Commerce Building, Cedar Rapids, Iowa.

February 2, 1951, 2:30 p. m., Decatur Club Building, Prairie and Church Streets, Decatur, Ill.

February 5, 1951, 2:30 p. m., Director's Room, Minneapolis Grain Exchange Building, Minneapolis, Minn.

Interested persons may also submit written data, views, or arguments to the Director, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., to be received by him not later than February 15, 1951.

Consideration will be given to all information obtained at the hearings, to written data, views, and arguments received by the Director not later than February 15, 1951, and to all other information available in the United States Department of Agriculture before a decision is made as to whether or not either or both of the proposed amendments to the official grain standards for soybeans shall be promulgated.

Robert H. Black, Grain Branch, Production and Marketing Administration, is hereby designated to conduct the hearings held pursuant to this notice; and J. E. Barr, Grain Branch, Production and Marketing Administration, is hereby designated to serve as his alternate.

Issued this 8th day of December 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Pro-
duction and Marketing Ad-
ministration.

[F. R. Doc. 50-11534; Filed, Dec. 12, 1950; 8:52 a. m.]

[7 CFR, Part 37]

UNITED STATES SCORCHED PARTICLE
STANDARDS FOR DRIED MILKS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter proposed, of scorched particle standards for dried milks pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950). All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file the same in duplicate with the Director, Dairy Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 30th day after publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

UNITED STATES SCORCHED PARTICLE
STANDARDS FOR DRIED MILKS

§ 37.1 *United States scorched particle standards for dried milks.* The standards contained in this part consist of four (4) discs, each of which represents one of the following:

- 7.5 mg. of scorched particles,
- 15.0 mg. of scorched particles,
- 22.5 mg. of scorched particles,
- 32.5 mg. of scorched particles.

§ 37.2 *Preparation of discs.* Each of the four (4) discs was prepared in accordance with the procedure set forth in this section.

(a) Spread five grams of nonfat dry milk solids evenly over a petri dish and heat at 119° C. for four hours to produce scorched particles.

(b) After heating, keep in desiccator until the particles are weighed.

(c) Prepare Scorched Particle Solution by mixing .50 grams of the scorched particles (prepared in accordance with paragraph (a) of this section) gently with approximately 20 ml. of a 50 percent filtered sucrose solution. Transfer the mixture to a 200 ml. volumetric flask and dilute to volume using a 50 percent filtered sucrose solution and mix thoroughly.

(d) To provide particles which, in appearance, are similar to highly scorched, or burned, protein particles, prepare at least 1.0 gram of a charcoal mixture by using the following specified percentages of charcoal of the designated meshes:

- 200 mesh charcoal: 20 percent.
- 150 mesh charcoal: 50 percent.
- 100 mesh charcoal: 20 percent.
- 65 mesh charcoal: 10 percent.

(e) Prepare charcoal solution by placing 1.0 gram of the charcoal mixture (prepared in accordance with paragraph (d) of this section) in a one-liter volumetric flask and dilute to volume using a 50 percent filtered sucrose solution and mix thoroughly.

(f) Prepare each of the following sample solutions:

(1) *Sample Solution 1.* Mix 75 ml. of filtered, reconstituted, spray process non-

fat dry milk solids with (i) a quantity of scorched particle solution containing scorched particles aggregating 7.425 mg. and (ii) a quantity of charcoal solution containing charcoal particles aggregating 0.075 mg. The particle content of this sample solution is 7.5 mg.

(2) *Sample Solution 2.* Mix 75 ml. of filtered, reconstituted, spray process nonfat dry milk solids with (i) a quantity of scorched particle solution containing scorched particles aggregating 14.85 mg. and (ii) a quantity of charcoal solution containing charcoal particles aggregating 0.15 mg. The particle content of this sample solution is 15.0 mg.

(3) *Sample Solution 3.* Mix 75 ml. of filtered, reconstituted, spray process nonfat dry milk solids with (i) a quantity of scorched particle solution containing scorched particles aggregating 22.2 mg. and (ii) a quantity of charcoal solution containing charcoal particles aggregating 0.30 mg. The particle content of this sample solution is 22.5 mg.

(4) *Sample Solution 4.* Mix 75 ml. of filtered, reconstituted, spray process nonfat dry milk solids with (i) a quantity of Scorched Particle Solution containing scorched particles aggregating 31.9 mg. and (ii) a quantity of Charcoal Solution containing charcoal particles aggregating 0.60 mg. The particle content of this sample solution is 32.5 mg.

(g) Stir each sample solution immediately prior to filtering and filter through a standard lintine disc (1¼" diameter) using a filtering surface of 1¼" diameter. Rinse the container of each sample solution with filtered, reconstituted, spray process nonfat dry milk solids and filter the rinse through the applicable disc.

(h) Dry the discs at room temperature.

§ 37.3 *General.* To facilitate the use and availability of these scorched particle standards, a composite photograph of the four (4) discs is attached hereto and made a part hereof; and a copy of the photograph may be obtained, upon request, from the Dairy Branch, Production and Marketing Administration, U. S. Department of Agriculture, Room 2651, South Building, Washington 25, D. C.

Done at Washington, D. C., this 8th day of December 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 50-11536; Filed, Dec. 12, 1950; 8:52 a. m.]

[7 CFR, Part 70]

INSPECTION AND GRADING OF POULTRY AND DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF AND U. S. SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

NOTICE OF PROPOSED AMENDMENT

Notice is hereby given that the Department is considering, pursuant to

¹ Filed as part of the original document.

the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong.), an amendment to the regulations (7 CFR Part 70) governing the grading and inspection of poultry and domestic rabbits and edible products thereof and United States specifications for classes, standards, and grades with respect thereto. Such amendment would extend the period of exemption of dressed poultry and dressed domestic rabbits, as such, from the provisions of § 70.16 and § 70.17. Because of the shortage in materials needed to bring poultry processing plants into compliance, prior to January 1, 1951, with § 70.16 of the regulations, the poultry processing trade has requested the proposed extension to enable poultry dressing plants to complete the requisite changes in facilities without undue hardship.

All persons who desire to submit written data, views, or arguments with respect to the proposed amendment should file the same with the Chief of the Marketing Services Division, Poultry Branch, Production and Marketing Administration, Washington 25, D. C., not later than seven days after the date of publication of this notice in the FEDERAL REGISTER.

The proposed amendment is as follows:

Revise the heading and provisions of § 70.3 (h) *Exemption for one year from the provisions of § 70.16 and § 70.17* to read as follows:

§ 70.3 *Grading and inspection programs and services.*

(h) *Exemption from the provisions of § 70.16 and § 70.17.* The provisions of § 70.16 and § 70.17 shall not become applicable to the production of dressed poultry and dressed domestic rabbits, as such, until May 1, 1951. Prior to this date, dressed poultry and dressed domestic rabbits which have been produced in other than official plants may be brought into official plants for grading, inspection, or processing thereof. On and after May 1, 1951, only dressed poultry and dressed domestic rabbits from an official plant may be brought into another official plant for grading, inspection, or processing thereof.

Issued in Washington, D. C., this 7th day of December 1950.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 50-11538; Filed, Dec. 12, 1950; 8:53 a. m.]

[7 CFR, Part 946]

[Docket No. AO-123 A-11]

HANDLING OF MILK IN THE LOUISVILLE, KY., MILK MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK; PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable

PROPOSED RULE MAKING

rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Seelbach Hotel, Louisville, Kentucky, beginning at 9:30 a. m., c. s. t., December 18, 1950, for the purpose of receiving evidence with respect to proposed amendments herein-after set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Louisville, Kentucky, milk marketing area (7 CFR, 946.0 et seq.). These proposed amendments not received the approval of the Secretary of Agriculture.

Amendments to the Order (No. 46), as amended, for the Louisville, Kentucky, milk marketing area were proposed, as follows:

By the Falls Cities Cooperative Milk Producers' Association, Inc.:

1. Delete § 946.1 (e) and substitute therefor the following:

(e) "Producer" means any dairy farmer who produces, under a dairy farm inspection permit or rating issued by the appropriate health authority having jurisdiction in the marketing area, milk which is: (1) Delivered from his farm to a pool plant; or (2) ordinarily delivered to a pool plant, but whose milk is diverted to another plant, if the handler, in filing his monthly report pursuant to § 946.5 (a), reports the milk as receipts from a producer at such pool plant and as moved to the other plant; or (3) diverted by a cooperative association to any milk distributing or milk manufacturing plant, for the account of the association.

2. Delete § 946.1 (f) and substitute therefor the following:

(f) "Handler" means any person who (1) operates a "pool plant" or (2) operates a nonpool plant and either directly or indirectly disposes of Class I or Class II milk on a route extending into the marketing area; or (3) any cooperative association with respect to milk of producers which it causes to be diverted to any milk distributing or milk manufacturing plant, for the account of the association.

3. Add § 946.1 (l) to read as follows:

(l) "Plant" means the land, buildings, surroundings, facilities, and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products.

4. Add § 946.1 (m) to read as follows:

(m) "Receiving plant" means any plant currently used for receiving, weighing, or measuring, sampling, and cooling milk received there directly from dairy farmers' farms, and at which are currently maintained weight sheets or other records of dairy farmers' deliveries.

5. Add § 946.1 (n) to read as follows:

(n) "Pool plant" means any receiving plant which in a given delivery period

meets the following conditions and requirements:

(1) Such plant is located in the marketing area and milk of producers is disposed of therefrom in the marketing area as Class I or Class II milk; or

(2) Such plant is located outside the marketing area and disposes of Class I and Class II milk on routes operating wholly or partially within the marketing area which is not less than 10 percent of its total receipts of milk from producers.

(3) Such plant is approved by the appropriate health authority in the marketing area to furnish milk or cream to a plant described under subparagraphs (1) and (2) of this paragraph and (i) is located in the marketing area or (ii) is located outside of the marketing area and meets the following additional requirements: Not less than the following percentages of its total receipts of milk of producers is determined by the market administrator to have been moved to a plant(s) described in subparagraphs (1) and (2) of this paragraph during each of the delivery periods of October through February:

Delivery period:	Percentage of milk of producers
October.....	40
November.....	75
December.....	65
January.....	55
February.....	40

Provided, That the disqualification of such plant as a pool plant shall be effective for the first delivery period following the date of the determination by the market administrator that it has failed to comply with the above percentage requirements: *Provided further*, That the market administrator shall immediately after such determination, but not later than the 15th day after the end of the delivery period during which such plant failed to meet the requirements, notify the producers delivering to such plant of its disqualification, effective on the first day of the next succeeding delivery period after the notice is given and notice shall also be given in the same period to the cooperative associations, such notices to be given in writing addressed to the last known addresses of the parties to be notified: *Provided further*, That upon written request made on or before the 15th day of any delivery period by a receiving plant located outside of the marketing area, such plant shall cease to be a pool plant for the first delivery period following the market administrator's receipt of such request within which no milk was moved by such plant to a plant described in subparagraphs (1) and (2) of this paragraph and the market administrator shall immediately notify in writing to his last known address, each producer delivering to such plant and the cooperative associations of such plant's disqualification: *And provided further*, That the requirements stated herein shall not be retroactive but shall be effective for the first full delivery period following the effective date of this amendment and any such plant which is disqualified as a pool plant shall not become a pool plant until such plant again meets the percentage requirements beginning with the delivery period of October next following such disqualification.

6. Add § 946.1 (o) to read as follows:

(o) "Cooperative association" means any cooperative marketing association which the Secretary determines, after application by the association: (1) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and (2) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members.

7. Delete § 946.4 (a) (1) and substitute therefor the following:

(1) For the delivery periods of September through March, the Class III price; and for the delivery periods of April through August add 15 cents to the Class III price.

8. Delete in subdivision (i) of § 946.4 (b) (3) the words: "by 0.12 and then by 2" and substitute therefor: "by 0.12 and then by 2: *Provided*, That for the delivery periods of September through March, 15 cents shall be added."

9. Delete subdivision (ii) (c) of § 946.4 (b) (3) and substitute therefor the following:

(c) Add the value per hundredweight computed as follows: From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process; respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agriculture, deduct 5 cents, and multiply by 7.5: *Provided*, That for the delivery periods of April through August, 15 cents shall be deducted.

10. Delete § 946.4 (d) (1) and substitute therefor the following:

(1) *Class I milk*. Multiply by 0.125 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period.

11. Amend § 946.4 by adding paragraph (e) as follows:

(e) *Location differentials to handlers*.

(1) For that portion of milk of producers which is received at a pool plant located 50 miles or more from the City Hall, in Louisville, Kentucky, by shortest hard surfaced highway distance as determined by the market administrator, and which is moved to a pool plant located in the marketing area and classified as Class I milk, the prices specified in § 946.4 (b) (1) shall be reduced by the amount per hundredweight set forth in the schedule below for the appropriate distance at which is located the plant where such milk was received: *Provided*, That the quantity of milk to which the location differential shall apply shall not exceed the quantity of milk actually moved from such plant in fluid form to a pool plant located in the marketing area: *And provided further*, That for the purpose of this paragraph the skim milk and butterfat which was classified as net

pooled Class I milk during each delivery period shall be considered to have been first that milk which was received from producers at such handler's pool plant located in the marketing area:

Distance from the City Hall in Louisville (miles):	Amount per hundredweight (cents)
50 but less than 55	17
55 but less than 60	18
60 but less than 65	19
Within each 5-mile zone thereafter an additional 1 cent.	

(2) The location differentials provided in subparagraph (1) of this section shall be applicable to the portion of milk of producers, for which a cooperative association is a handler, received direct from the farm at any milk distributing or milk manufacturing plant located 50 miles or more from the City Hall in Louisville, Kentucky, by shortest hard surfaced highway distance.

12. Add § 946.5 (f) to read as follows:

(f) *Reports of handlers who operate nonpool plants.* Each handler shall make reports to the market administrator with respect to a nonpool plant from which Class I or Class II milk is directly or indirectly disposed of on a route extending into the marketing area, at such time and in such manner as the market administrator may request and shall permit the market administrator to verify such reports.

13. Delete paragraph (b) of § 946.7 and substitute therefor the following:

(b) *Computation and announcement of uniform price.* The market administrator shall compute and announce the uniform price per hundredweight of milk of producers containing 3.8 percent of butterfat f. o. b. the marketing area for each delivery period, as follows: (1) Combine into one total the respective values computed pursuant to paragraph (a) of this section, for all handlers who made the report described by § 946.5 (a) for such delivery period, except those in default of payments required pursuant to § 946.8 (a) for the preceding delivery period;

(2) Subtract, if the average butterfat content of all milk received from producers is in excess of 3.8 percent, or add, if such average butterfat content is less than 3.8 percent, the total value of the butterfat differential applicable pursuant to § 946.8 (f);

(3) Subtract for each of the delivery periods of April, May, and June an amount computed by multiplying the total hundredweight of milk received from producers, by handlers whose milk values are included under subparagraph (1) of this paragraph, by 10 percent of the average of the announced basic formula prices, rounded to the nearest cent, for the 12 months of the previous calendar year;

(4) Add the amount of applicable location differential for producers pursuant to § 946.8 (g);

(5) Add an amount representing the cash balance in the producer-settlement fund, less the amount held pursuant to subparagraph (3) of this paragraph for payment pursuant to § 946.8 (d) (2);

(6) Divide the amount computed pursuant to subparagraph (5) of this paragraph by the total hundredweight of milk of producers;

(7) Subtract from the figure computed pursuant to subparagraph (6) of this paragraph not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers and the result, less any fraction of a cent, shall be known as the uniform price per hundredweight to producers for milk of 3.8 percent butterfat content, f. o. b. the marketing area; and

(8) On or before the 10th day after the end of each delivery period, notify each handler and publicly announce such uniform price, f. o. b. the marketing area, the class prices and the butterfat differentials provided by § 946.4 (d) and § 946.8 (f).

14. Delete in § 946.8 (a) the words "paragraph (f) of this section" and substitute therefor "paragraphs (f) and (g) of this section."

15. Add in § 946.8 the following paragraphs:

(g) *Location differentials to producers.* In making payment to producers pursuant to paragraphs (a) and (h) of this section, there shall be deducted from the applicable uniform price per hundredweight computed pursuant to § 946.7 for milk of producers received at a pool plant or at any other plant at which such milk was received direct from the farm for the account of a cooperative association, located 50 miles or more from the City Hall in Louisville, Kentucky, by the shortest hard surfaced highway distance, as determined by the market administrator, the amount set forth below for the appropriate distance at which is located the plant where such milk was received:

Distance from the City Hall in Louisville (miles):	Amount per hundredweight (cents)
50 but less than 55	17
55 but less than 60	18
60 but less than 65	19
Within each 5-mile zone thereafter an additional 1 cent.	

(h) *Payments to cooperative associations.* In making payments to producers pursuant to paragraph (a) of this section, each handler shall pay on or before the third day prior to the day payments are due to individual producers, to a cooperative association which is authorized to collect payment for milk of its members and from which a request for such payment has been received, a total amount equal to not less than the sum of the values of the individual producers' milk at the uniform price per hundredweight, subject to the butterfat differentials and location differentials to producers set forth in paragraphs (f) and (g) of this section, less deductions for dairy supplies and dairy products authorized in writing by each producer.

(i) *Uniform statement to producers.* In making payments required by paragraphs (a) and (h) of this section, each handler shall furnish each producer or cooperative association with a supporting statement, in such form that it may

be retained by the producer or cooperative association which shall show:

(1) The delivery period and the name, address, and farm inspection permit number of the producer;

(2) The total pounds, the average butterfat content and daily weights of milk delivered by the producers;

(3) The rates at which payment is made to the producer or cooperative association for the delivery period;

(4) The amount or rates per hundredweight of each deduction together with the description of the respective deductions; and

(5) The net amount of payment to the producer or cooperative association: *Provided*, That with respect to payments pursuant to paragraph (h) herein, each handler shall furnish in appropriate form the name of the hauler (or trucker) of each producer's milk and the applicable rate, if known to him, and at the request of the association, such names and rates, together with all other information required herein, shall be furnished on forms as may be supplied by the association in lieu of the statements to individual producers otherwise required hereunder.

By the Louisville Milk Dealers Association:

16. Delete (ii) subparagraph (3) of § 946.3 (b) and substitute therefor the following:

(ii) in actual plant shrinkage of skim milk and butterfat in milk received from producers, and in actual plant shrinkage of skim milk and butterfat in producer milk received from handlers, but not to exceed 2 percent of such receipts of skim milk and butterfat, respectively, and.

17. Amend § 946.7 (a) and substitute therefor the following:

(a) *Computation of value for each handler.* For each delivery period the market administrator shall compute, subject to the provisions of paragraph (b) of § 946.6, the value of milk of producers received by each handler, by multiplying the quantity in each class, computed pursuant to § 946.3 (f), by the price applicable to such class and adding together such amounts: *Provided*, That if such handler uses butterfat from producers' milk to produce butter, an allowance shall be made in the value of milk computed for such handler at the rate of 0.10 times the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, on such butterfat so used. If such handler utilizes other source milk in milk products, the amount of butter allocated to butterfat in milk received from producers shall be a pro rata share based upon the respective volumes of butterfat from each source utilized in milk products.

18. Amend subparagraph (2) of § 946.8 (d) by deleting therefrom the following: "Provided, That payment under this subparagraph due any producer who has given authority to a cooperative association which is qualified under the 'Capper-Volstead Act' pursuant to § 946.9 (b), to receive payment for his milk shall be distributed to such cooperative

PROPOSED RULE MAKING

association if the association requests receipt of such payments."

19. Delete the first sentence of § 946.9 (a) and substitute therefor the following:

(a) Except as set forth in paragraph (b) of this section, each handler, in making payment to producers pursuant to § 946.8 (a), shall deduct 5 cents per hundredweight, or such amount not in excess thereof as the Secretary may prescribe, with respect to all milk received by such handler from producers (excluding such handler's own farm production) during the delivery period and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period: *Provided*, That the amount so deducted per hundredweight shall not exceed the amount per hundredweight deducted under paragraph (b) of this section.

20. Petitioner further requests and proposes that any other sections of Order No. 46, as amended, that may be directly or indirectly affected by the proposals herein submitted be opened for consideration and amendment.

By the Ideal Pure Milk Company, Inc.:

21. Amend § 946.1 (c) by deleting the words "Fort Knox Military Reservation."

By the Dairy Branch, Production and Marketing Administration:

22. Amend § 946.1 by adding a new paragraph to read as follows:

Pool plant. "Pool plant" means:

(1) The building and facilities, except those of the producer-handler, used during the month in the processing and packaging of producer milk any portion of which is disposed of on wholesale or retail routes (including plant stores and vendors) as Class I milk or Class II milk in the marketing area: *Provided*, That such definition shall include the facilities of such building used in the receipt and processing of milk other than producer milk, and

(2) The building and facilities which are used in the receipt of producer milk and which are approved by the appropriate health authority in the marketing area to furnish milk to a plant described in subparagraph (1) of this paragraph for use as Class I milk or Class II milk: *Provided*, That such definition shall include the facilities of such building used in the receipt and processing of milk other than producer milk.

23. Amend § 946.1 by adding a new paragraph to read as follows:

Producer milk. "Producer milk" means all skim milk and butterfat in milk produced by a producer.

24. Amend § 946.1 by adding a new paragraph to read as follows:

Price of butter. "Price of butter" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter at Chicago as reported by the Department of Agriculture during the month.

25. Delete paragraphs (g) and (h) of § 946.1.

26. Amend § 946.2 (c) (4) to read as follows:

(4) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 5 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 946.5, or (ii) made payments pursuant to § 946.8.

27. Amend § 946.2 (e) (7) to read as follows:

(7) Verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends.

28. Amend § 946.2 (c) by adding a new subparagraph to read as follows:

(9) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator.

29. Amend § 946.3 (b) (3) to read as follows:

(3) Class III milk shall be all skim milk and butterfat the utilization of which is established: (i) As used to produce any product other than those specified in subparagraphs (1) and (2) of this section, (ii) disposed of for livestock feed, (iii) disposed of in bulk to soda fountains, restaurants, bakeries, candy and soup manufacturers, and retail food establishments which, under the applicable health regulations are permitted to receive milk, skim milk, and fluid cream of other than Grade A quality for nonfluid uses, provided such use or disposition is made subject to verification by the market administrator, (iv) contained in monthly inventory variations, (v) in plant shrinkage of skim milk and butterfat in milk received from producers but not to exceed 2 percent of skim milk and butterfat, respectively, and (vi) in plant shrinkage of skim milk and butterfat in other source milk.

30. Amend § 946.3 (c) to read as follows:

(c) *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified as follows:

(1) As Class I milk if transferred or diverted in the form of milk or skim milk to a pool plant of another handler, and as Class II milk if so disposed of in the form of fluid cream, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the month within which such transaction occurred: *Provided*, That the skim milk or butterfat so assigned to Class II or Class III milk shall be limited to the amount thereof remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 946.3 (e) and any addi-

tional amounts of such skim milk or butterfat shall be assigned to the next higher-priced class in which such transferee-handler has equivalent use: *And provided further*, That if either or both handlers have received other source milk the skim milk or butterfat so transferred or diverted shall be classified at both plants so as to allocate the highest priced possible class utilization to producer milk.

(2) As Class I milk if transferred or diverted to a producer-handler in the form of milk or skim milk and as Class II milk if so disposed of in the form of fluid cream.

(3) As Class I milk if transferred or diverted in the form of milk or skim milk to a nonpool plant located 100 miles or more from the City Hall at Louisville, Kentucky, by the shortest highway distance, as determined by the market administrator.

(4) As Class I milk if transferred or diverted in the form of milk or skim milk to a nonpool plant located less than 100 miles from the City Hall at Louisville, Kentucky, by the shortest highway distance as determined by the market administrator, and as Class II milk if transferred or diverted in the form of fluid cream to such a plant, wherever located, unless the following conditions are met:

(i) The handler claims classification in another class on the basis of a utilization mutually indicated in writing to the market administrator by both the handler and the operator of the nonpool plant on or before the 5th day after the end of the month within which such transaction occurred;

(ii) The market administrator is permitted to audit the books and records showing the utilization of all skim milk and butterfat received at such nonpool plant; and

(iii) An amount of skim milk and butterfat not less than that so transferred or diverted was used in the indicated use: *Provided*, That the skim milk and butterfat so assigned to Class II milk or Class III milk shall be limited to the amount thereof used in such class in such nonpool plant and any additional amounts of skim milk and butterfat so transferred or diverted shall be assigned to Class I milk if transferred or diverted in the form of milk or skim milk and to Class II milk if transferred or diverted in the form of fluid cream.

31. Amend § 946.3 (d) to read as follows:

(d) *Computation of skim milk and butterfat in each class.* For each month, the market administrator shall correct for mathematical and for other obvious errors the reports of receipts and utilization submitted by each handler and shall compute the pounds of skim milk and butterfat in each class for such handler.

32. Amend § 946.3 by adding a new paragraph to read as follows:

Plant shrinkage. (1) Plant shrinkage shall be the volume of skim milk and butterfat remaining after deducting the total specific uses from the total receipts.

(2) Plant shrinkage may be considered as established only if both the volume of the total receipts of skim milk

and butterfat and the specific uses of such receipts at the handler's fluid milk plant during the month are established.

(3) If plant shrinkage is not established, the total quantity of skim milk and butterfat not specifically accounted for shall be Class I milk pursuant to paragraph (b) (1) (ii) of § 946.3.

33. Amend § 946.3 by adding a new paragraph to read as follows:

(g) *Allocation of plant shrinkage.* The market administrator shall allocate plant shrinkage over the handler's receipts at his approved plant as follows:

(1) Compute the total plant shrinkage of skim milk and butterfat in such receipts by such handler: *Provided*, That if producer milk is diverted by a handler to an approved plant of another handler without first having been received for purposes of weighing and testing in the diverting handler's plant, the respective quantities of skim milk and butterfat contained in such milk shall be included in the receipts of skim milk and butterfat, respectively, of the second handler in computing his plant shrinkage and shall be excluded from the receipts of skim milk and butterfat, respectively, of the diverting handler in computing his plant shrinkage; and

(2) Prorate the resulting amounts between such handler's receipts of skim milk and butterfat, respectively, in milk received from producers and other source milk.

34. Amend § 946.3 by adding a new paragraph to read as follows:

Responsibility for classification of milk. (1) All skim milk and butterfat shall be Class I milk unless the handler who first received such skim milk or butterfat can prove to the market administrator that such skim milk and butterfat should be classified otherwise.

(2) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses the original classification was incorrect.

35. Amend § 946.5 (a) to read as follows:

(a) *Reports of receipts and utilization.* On or before the 5th day after the end of each month each handler, except a producer-handler, shall report to the market administrator in the detail and on the forms prescribed by the market administrator as follows:

(1) The quantities of skim milk and butterfat contained in milk received from producers (including such handler's own farm production);

(2) The quantities of skim milk and butterfat contained in receipts from other handlers (except any nonfluid milk product which is received and disposed of in the same form);

(3) The quantities of skim milk and butterfat contained in receipts of other source milk;

(4) The utilization of all skim milk and butterfat required to be reported pursuant to this section;

(5) The disposition of Class I milk on routes operated wholly outside of the marketing area; and

(6) Such other information with respect to receipts and utilization as the market administrator may prescribe.

36. Amend § 946.5 (d) to read as follows:

(d) *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(1) The receipts and utilization of all receipts of producer milk and other source milk;

(2) The weights and tests for butterfat and other content of all milk, skim milk, cream, and milk products handled;

(3) Payments to producers; and

(4) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream, and milk products on hand at the beginning and end of each month.

37. Amend § 946.5 by adding a new paragraph to read as follows:

Reports of transportation rates. On or before the 10th day after the request of the market administrator, each handler shall submit a schedule of transportation rates which are charged and paid for the transportation of milk from the farm of each producer to such handler's plant or plants. Any changes made in such schedule of transportation rates and the effective dates thereof shall be reported to the market administrator within 10 days.

38. Amend § 946.6 by adding a new paragraph to read as follows:

Handlers subject to provisions of other orders. If any handler of milk subject to the provisions of this order is also subject to any of the provisions of any other milk marketing agreement or order issued pursuant to the act in such a way as to result in an apparent conflict or duplication of obligations the Secretary may, upon request in writing by the affected handler or upon his own initiative, determine and notify the handler and the respective market administrator as to the manner and extent to which provisions of each such order apply to the handler and to such handling. The determination shall be subject to review and to modification at any time. Such request if filed by the handler, shall state specifically what the conflict is, the order provisions involved and shall include a recommended determination, the reasons therefor and all relevant facts in support thereof. In making such determination the Secretary will seek to preserve the intent of each of the respective orders, maintain stability in each market within the framework of each order and will provide for the application of the respective order provisions in such a way as to avoid a duplication of obligations, insofar as possible, consistent with such standards.

39. Amend § 946.8 (c) to read as follows:

(c) *Payments to the producer-settlement fund.* On or before the 13th day after the end of each month, each handler shall pay to the market administrator any amount by which the classification value of his milk, computed pursuant to § 946.7 (a), for the month is greater than an amount computed by multiplying the hundredweight of milk received by him from producers during the month by the uniform price adjusted for the butterfat differential provided for in § 946.8 (f).

40. Amend § 946.8 (d) (1) to read as follows:

(1) *Payments out of the producer-settlement fund.* On or before the 14th day after the end of each month, the market administrator shall pay to each handler for payment to producers any amount by which the classification value of his milk, computed pursuant to § 946.7 (a), for the month is less than an amount computed by multiplying the hundredweight of milk received by him from producers during the month by the uniform price adjusted for the butterfat differential provided for in § 946.8 (f): *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

41. Renumber the sections, paragraphs, subparagraphs, and subdivisions, throughout the order, in accordance with the revised FEDERAL REGISTER procedure.

42. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the order, as amended, now in effect, may be procured from the Market Administrator, 1235 Starks Building, Louisville 2, Kentucky, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: December 8, 1950, at Washington, D. C.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[P. R. Doc. 50-11537; Filed, Dec. 12, 1950; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 40, 41, 61]

SCHEDULED AIR CARRIER CERTIFICATION
AND OPERATION RULES

SUPPLEMENTAL NOTICE OF PROPOSED RULE
MAKING

Reference should be made to notice of proposed rule making published in the FEDERAL REGISTER on October 5, 1950 (15 F. R. 6700).

Listed below are certain editorial corrections and minor revisions of the proposal referred to above which are hereby called to the attention of interested persons.

PROPOSED RULE MAKING

1. In footnote 1 to § 40.0 change "§ 292.2" to read "§ 292.1".
2. In § 40.21 (a) (1) change "IFR" to read "VFR".
3. In § 40.31 (a) (14) change "take-off operations" to read "take-off areas".
4. Add § 40.31 (a) (16) to read "List of aircraft used by the air carrier."
5. Add § 40.31 (a) (17) to read "Air-men training programs, including appropriate ground, flight, and emergency phases."
6. Delete § 40.32 (a) (8).
7. In § 40.32 (b) change "which are" to read "whether or".
8. In § 40.50 change "operating certificate" to read "operations manual".

9. Add § 40.53 (c) to read, "No airplane shall be taken off at a weight which exceeds the allowable weight for the runway being used as determined in accordance with the take-off runway limitations of the transport category operating rules, after taking into account the temperature operating correction factors required by §§ 4a.749a-T or 4b.117, and set forth in the Airplane Flight Manual for the airplane."

10. In § 40.87 (b) change "paragraph (a) (5)" to read "paragraphs (a) (5), (6), and (7)".

11. In § 40.135 (d) change "and one round trip under night VFR conditions"

to read "and where night operation is authorized one round trip under night VFR conditions."

12. In § 40.192 (b) change "ceiling or visibility" to read "ceiling and visibility".

13. In § 40.193 change "will continue to improve" to read "will continue or improve".

Dated December 7, 1950, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 50-11491; Filed, Dec. 12, 1950;
8:47 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[431.31]

ELECTRIC FLOOR POLISHERS OF HOUSEHOLD TYPE

NOTICE OF PROSPECTIVE CLASSIFICATION AS HOUSEHOLD UTENSILS AND PARTS WHOLLY OR IN CHIEF VALUE OF METAL UNDER PARAGRAPH 339, AND PARAGRAPH 397, TARIFF ACT OF 1930, AS MODIFIED, RESPECTIVELY

DECEMBER 7, 1950.

It appears probable that a correct interpretation of paragraph 339, Tariff Act of 1930, as modified, requires that electric floor polishers of the household type be classified thereunder at a rate of duty higher than that heretofore assessed on such articles under an established and uniform practice.

Further, inasmuch as paragraph 339 contains no provision for parts, it appears that parts, wholly or in chief value of metal, of electric floor polishers of the household type are properly classifiable under paragraph 397, even though such parts may have an electric element, at a rate of duty higher than that heretofore assessed on such items under an established and uniform practice.

Pursuant to 19 CFR 16.10a (d), Customs Regulations of 1943, as amended, notice is hereby given that the existing uniform practice of classifying such polishers and parts under paragraph 353, Tariff Act of 1930, as modified, as "articles having as an essential feature an electrical element or device . . . and parts thereof, finished or unfinished, wholly or in chief value of metal, and not specially provided for" is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct tariff classification of electric floor polishers of the household type and parts thereof wholly or in chief value of metal which are submitted to the Bureau of Customs, Washington 25, D. C., in writing. To assure consideration of such communications, they must be received in the Bureau not later than 30 days from the date of publication

of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL]

FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 50-11543; Filed, Dec. 12, 1950;
8:54 a. m.]

Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1950,
42nd Supp.]

HOME INSURANCE CO.

SURETY COMPANIES ACCEPTABLE ON FEDERAL BONDS

DECEMBER 6, 1950.

A Certificate of Authority has been issued by the Secretary of the Treasury to the above company under the act of Congress approved July 30, 1947, 6 U. S. C. secs. 6-13, as an acceptable surety on Federal bonds. An underwriting limitation of \$12,192,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL]

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 50-11541; Filed, Dec. 12, 1950;
8:53 a. m.]

DEPARTMENT OF DEFENSE

Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

Paragraph (d) of section 2, statement of organization and functions, appearing at 15 F. R. 541, February 1, 1950, is amended to read as follows:

SEC. 2. Organization and functions of agencies dealing with the public. . . .

(d) Office of the Judge Advocate General, Special Staff—(1) Mission. To

administer a system of military justice throughout the Army and to furnish general legal service.

(2) Law officer and legal adviser. The Judge Advocate General is the chief law officer of the Army and the chief legal adviser to the Secretary of the Army and all Army agencies. His office is organized and operated to perform legal duties required by law as well as to render the legal services necessary to the operation of the Army Establishment.

(3) Origin and development. The Office of the Judge Advocate General had its origin in the Revolutionary War when on July 29, 1775, the Continental Congress established the office "Judge Advocate of the Army," to which was "elected" the first Judge Advocate. In 1776, Congress created the title of Judge Advocate General and established the rank of lieutenant colonel for this position. With the act of July 5, 1884, the Judge Advocate General's Department by that title came into existence. It was renamed effective February 1, 1949, the Judge Advocate General's Corps, by act of Congress June 24, 1948.

(4) Legal basis. The statutory authority for the Office of The Judge Advocate General is found in section 308, Army Organization Act of 1950 (Pub. Law 581, 81st Cong.) and Title II, Pub. Law 759, 80th Cong.

(5) Major Functions—(i) Claims. Processes claims filed against the Army by approving or disapproving payment under existing statutes; prepares reports on private relief legislation; and supervises the activities of field claims officers.

(ii) Contracts and real property. Prepares opinions with regard to questions of contract law, taxation, bonds, and matters pertaining to real property and represents the Army in contractors' appeals.

(iii) International law. Prepares opinions relative to questions pertaining to international law affecting the Army.

(iv) Legal assistance. Supervises and directs the legal assistance. Supervises and directs the legal assistance plan throughout the Army.

(v) *Military justice.* Examines for legal sufficiency, records of trial by general court-martial and special court-martial records of bad-conduct discharges and confirms sentences as prescribed in Articles of War 48, 49, and 50; renders legal opinions on the administration of military justice; reviews and acts on petitions for new trials under the provisions of Article of War 53; and assists United States Attorneys in defense of habeas corpus petitions brought by military prisoners.

(vi) *Patents.* Controls and coordinates patent copyright, and trade-mark activities of the Army; processes claims and litigation matters arising out of these activities; and coordinates the patent and copyright aspects of procurement.

(vii) *Preparation and interpretation of statutes.* Prepares opinions on questions of law pertaining to military personnel of the Army and civilian employees of the Department of the Army and pertaining to statutes relating to the operation and functions of the Army or its personnel, and prepares or examines legislation for legal sufficiency.

(viii) *Procurement.* Formulates legal policies and procedures and renders opinions concerning Army procurement and prepares legal phases of industrial mobilization plans and procurement legislation.

(ix) *Litigation.* Supervises and initiates measures for the protection of the Government in litigation and other legal proceedings arising out of the operations of the Army Establishment or otherwise of interest to it.

(6) *Organization—(1) Judicial Council.* (a) Takes confirming action on records of trial by court-martial required by Articles of War 48 (c) and 50 (e).

(b) Conducts appellate review of records of trial by court-martial requiring confirmation or approval of the President.

(c) Acts in advisory capacity to the Judge Advocate General with respect to his power to mitigate, remit, or suspend sentences pursuant to Article of War 51.

(ii) *Administrative Office.* (a) Reviews and analyzes Judge Advocate General management problems, policies, and procedures, including the preparation and maintenance of workload statistics and budget estimates, the operation of a civilian personnel program, and the provision of office services.

(b) Maintains a legislative reference library of congressional documents, including committee reports and hearings.

(c) Edits and prepares for publication the Bulletin of the Judge Advocate General, the Military Laws, the Digest of Opinions of the Judge Advocate General, and the Index to Boards of Review opinions and holdings, and maintains index to opinions and decisions for research purposes.

(d) Provides military personnel administration and training for the Judge Advocate General's Corps.

(e) Files, indexes, and maintains all general records and records of trial by general and special courts-martial, courts of inquiry, and military commissions.

(iii) *Procurement Division.* (a) Formulates and establishes legal policies and procedures concerning procurement; develops contractual instruments and articles; examines for legal sufficiency contracts covering supplies and services, and deviations from standard contractual articles; prepares opinions and renders advice as to authority to contract, availability of funds, advertising, Buy-American Act exemptions, emergency purchases and related matters, and coordinates responsibility concerning acceptance, use and disposition of donations.

(b) Prepares legal phases of industrial mobilization plans; renders legal assistance to Munitions Board and planning agencies of General Staff, United States Army, and to the technical services in preparation of procurement plans for use in event of an emergency; drafts for submission to the Congress in event of an emergency proposed legislation relating to procurement, and drafts proposed Executive orders and Department of the Army regulations and orders relating to emergency procurement for promulgation; prepares and coordinates for submission to the Congress legislation relating to current procurement problems; prepares and coordinates reports on legislation relating to procurement before the Congress; maintains liaison with Office, Chief of Legislative Liaison and other interested agencies respecting procurement legislation, and maintains status record of pending procurement legislation.

(c) Formulates and establishes industrial labor relations policies and procedures and related legal principles; assists in resolution of labor difficulties; coordinates Army activities with appropriate civil agencies of Government in settling strikes and maintains appropriate procurement policy liaison with organized labor; formulates and establishes Army policies and procedures governing the disposition of contractor-employee labor claims and claims of contractors arising as a result of Army procurement; prepares and revises price revision and escalator clauses and maintains liaison with other Government agencies in formulation of general policies governing use of such clauses; supervises disposition of claims under section 17, Contract Settlement Act of 1944, and preparation of briefs in cases before Appeal Board, Office of Contract Settlement; furnishes legal advice and assistance in connection with requisitioning and return of personal property and disposition of proceeds of such property, including review of awards of fair and just compensation; advises the Assistant Secretary of the Army and the Provost Marshal General on legal and labor problems arising out of legislation and Army policy on employment of aliens and citizens on classified Army contracts; furnishes General Counsel to War Contract Hardship Claims Board, Chairman and counsel of Renegotiation Relief Advisory Committee, and represents Army on MB Industrial Labor Relations Committee and Foreign Contract Claims Committee.

(d) Furnishes legal counsel to Army agencies relative to procurement and re-

lease of Army supplies and equipment, under Economic Recovery and Military Aid programs for transfer to foreign countries, including Occupied Areas, and conducts liaison with State Department and other governmental agencies relative to legal aspects of proposed programs and the legal implementation of adopted programs.

(e) Examines and approves as to legal sufficiency official bonds, contract bonds, permit bonds, and similar types of surety bonds, and consents of surety to contract modifications for the Army; prepares legal opinions and correspondence upon bond matters; coordinates matters relating to the Expediter Plan in connection with bonds and consents of surety; maintains file of powers of attorney for approved representatives of authorized surety companies, and maintains records of approved bonds and related correspondence.

(f) Prepares legal opinions, legislation and reports to the Congress on tax matters, and arranges conferences relating to application of Federal, State, and local taxes to the Army, its agencies, personnel, activities and contractors; prepares Army tax regulations and procedures; takes or prepares action required with respect to tax matters affecting the Army, coordinating its tax activities with the Department of Justice and the Treasury Department and maintaining liaison with those agencies and with the Navy and Air Force, and maintains relations with Federal, State and local tax authorities and with tax administrators of manufacturing, industrial and business organizations.

(g) Formulates and establishes legal policies and procedures relating to redistribution and disposal of surplus military and industrial property, including real estate, salvage and scrap; coordinates property disposal matters with other Government agencies; prepares opinions as to legal sufficiency of proposed leases of industrial plants and facilities, and furnishes legal advice to Government-Furnished Property Advisory Board.

(h) Represents interests of the United States in statutory and contractual appeals of Army contractors before the Armed Services Board of Contract Appeals and the Appeal Board, Office of Contract Settlement.

(i) Reviews as to legal sufficiency reports of boards of officers holding personnel pecuniarily liable for loss of funds or other loss to the Government; examines and advises upon reports of survey wherein personnel are held pecuniarily liable for lost, damaged or destroyed Government property; makes recommendation upon the legal aspects involved in appeals to the Secretary of the Army for relief from pecuniary liability imposed by report of survey or board of officers; furnishes advice relative to the administration and use of nonappropriated funds, and takes appropriate action upon special assignments.

(iv) *Lands Division.* (a) Prepares legal opinions and drafts and reviews documents and proposed legislation relative to the following: The acquisition, possession, title, and disposition of real property, including encumbrances, limitations, easements, and interdepartment-

tal transfers and permits; the acquisition and cession of political jurisdiction as well as the existence and application of Federal and State laws on lands under the control of the Secretary of the Army; the custody, management, control, development, and the granting of licenses and leases of real property; and the use, improvement, removal of obstructions, and the placing of structures in and over navigable waters.

(b) Receives, classifies, indexes, files, preserves, and furnishes to authorized persons the following: Title records, abstracts of title, condemnation proceedings, transfers, executive orders, maps and surveys, leases, licenses and permits, and records concerning political jurisdiction over real property under the control and administration of the Secretary of the Army.

(c) Prepares text for the Army publication "Military Reservations."

(v) *Patents Division.* (a) Prepares or reports on proposed patent, copyright, and trade-mark legislation sponsored by the Army for submission to the Congress.

(b) Submits for recording in the Patent Office Register of Government Interests in Patents, all assignments and licenses received by the Army and acts as permanent repository of the original instruments.

(c) Exercises supervision over the collection and evaluation of information and preparation of technical reports requested by the Attorney General or by Federal courts for use in the defense of patent infringement suits against the Government or against Army contractors or subcontractors.

(d) Conducts patentability searches and renders reports on inventive disclosures and prepares and prosecutes applications for patents and trademarks in the Patent Office for Army agencies except those with patent subdivisions and performs similar functions with respect to copyrights.

(e) Prosecutes in collaboration with the Department of Justice interferences before Patent Office tribunals and Federal courts in patent design and trade-mark matters.

(f) Reviews Procurement Regulations to insure incorporation of patent and copyright clauses and coordinates revisions of these clauses with other Army agencies and with the Navy and Air Force and makes recommendations on requests for deviations from the patents and copyright clauses in Procurement Regulations; and reviews contract for licenses under patents.

(g) Makes recommendations on matters arising from the operation of the Royalty Adjustment Act of 1942 and coordinates where necessary with the Navy and Justice Departments and the Alien Property Custodian.

(h) Coordinates Department of the Army activities relating to Executive Order 9865 of June 14, 1947 and transmits descriptions of inventions to the Office of Technical Services, Department of Commerce, for filing of foreign patent applications.

(i) Checks reports of royalties paid on Army procurement against records of Government interests in the Patent Office.

(j) Coordinates Department of the Army activities in connection with claims arising from the Patent Interchange Agreement with the United Kingdom.

(k) Coordinates the handling and reviews patent infringement claims pursuant to the provisions of section 8-300 to 8-306, Joint Procurement Regulations.

(l) Performs the duties of secretary for the Army Service Patents Advisory Board and maintains the records of that Board.

(vi) *Boards of Review.* Performs the statutory duty of automatic appellate review of records of trial by court-martial provided by Article of War 50.

(vii) *Military Justice Division.* (a) Examines as to legal sufficiency records of trial by general court-martial not examined by the boards of review and initiates corrective action.

(b) Reviews all general court-martial orders and all special court-martial orders involving bad-conduct discharges and initiates corrective action.

(c) Drafts Army general court-martial orders in cases requiring confirmation.

(d) Prepares advisory opinions requested by reviewing authorities under provisions of paragraph 87b, Manual for Courts-Martial.

(e) Furnishes information and legal opinion on the administration of military justice.

(f) Assists the Department of Justice in the preparation of defense briefs, participates in arguments before the courts in habeas corpus proceedings, and assists in criminal proceedings involving military personnel.

(g) Acts as attorney for the United States Soldiers' Home on legal matters.

(h) Answers written and oral inquiries from Members of Congress, attorneys, military prisoners, other individuals, and agencies, and the Army on all types of courts-martial.

(i) Conducts personal interviews with persons having complaints or inquiries relating to general courts-martial and other forms of disciplinary action.

(j) Trains judge advocates in the principles of military justice.

(viii) *Military Affairs Division.* (a) Prepares opinions on questions of law pertaining to the procurement, appointment, enlistment, pay and allowances, status, promotion, reduction, separation, discharge, retirement, discipline, and administration of military and certain civilian personnel.

(b) Prepares opinions on general questions of law involving the Army not specifically allocated to other divisions of the Judge Advocate General's Office, including questions relating to the organization and the reorganization of the Department of the Army; the interpretation and application of the National Defense Act, the National Security Act of 1947, the Atomic Energy Act of 1947, and the Selective Service Act of 1948; the National Guard of the United States and the Organized Reserve Corps; martial law, military aid to the civil power and the loyalty program; and appropriated and nonappropriated funds.

(c) Prepares or examines for legal sufficiency drafts of bills to be submitted to the Congress and Executive Orders for the signature of the President and examines for legal sufficiency proposed Army Regulations and other proposed Army publications and letters of transmittal forwarding drafts of bills to the Bureau of the Budget and the Congress.

(d) Supervises and directs the legal-assistance plan throughout the Army.

(e) Prepares opinions which relate to the personal affairs of military personnel.

(f) Prepares opinions on questions of international law, including those involving the laws of war, the rules of warfare, prisoners of war, enemy aliens, relations with foreign governments, and military government.

(g) Prepares or advises and assists in the preparation and negotiation of conventions and executive agreements affecting the Army.

(ix) *Special Projects Division.* (a) Prepares extension courses of the Judge Advocate General's Corps.

(b) Prepares special texts, pamphlets, and other publications relating to the administration of military justice.

(c) Executes special projects assigned by the Assistant Judge Advocate General for Military Justice.

(x) *War Crimes Division.* (a) Conducts legal research and renders opinions and advice on the United States war crimes program.

(b) Coordinates the work of overseas war crimes agencies.

(c) Processes appeals of convicted war criminals forwarded to agencies of the Government and the Federal courts.

(d) Furnishes documents and conducts research for the Attorney General and the Solicitor General in war crimes litigation before the Federal courts.

(e) Makes recommendations to the Department of State on war crimes matters affecting policy decisions.

(f) Procures, processes, and ships evidence and witnesses requested by overseas commands for use in war crimes trials.

(g) Prepares the manuscript and supervises the publication and distribution of war crimes trial proceedings.

(h) Answers inquiries from Members of Congress, attorneys, and others in connection with war crimes matters.

(i) Indexes and files records of the trials of war criminals as final repository for the Army on war crimes material.

(j) Furnishes law schools, legal periodicals, authors, and the general public information on the war crimes program.

(xi) *New Trial Division.* (a) Processes petitions for new trial and for other relief made under the provisions of Article of War 53 and conducts correspondence on new trials and related matters.

(b) Makes or causes to be made additional investigations to obtain additional evidence for petitions and prepares briefs and legal opinions and make recommendations to the Judge Advocate General on action to be taken on the petitions.

(c) Makes arrangements for the appearance for oral argument by an accused or his representative before the

Judge Advocate General and hears arguments when so instructed.

(d) Exercises staff supervision over arrangements for the trial of cases in which a new trial has been granted under Article of War 53.

(xii) *Claims Division.* (a) Supervises and takes final action in processing claims against the Army arising under the Federal Tort Claims Act, the Foreign Claims, the Military Personnel Claims Act, and the act of 3 July 1943 including the preparation of opinions and certifications to support administrative approval and the processing of appeals as follows:

(1) Claims for damage to or loss of property or on account of personal injury or death caused by the negligent or wrongful act or omission of Army military or civilian personnel while acting within the scope of their employment.

(2) Claims for damage to or loss or destruction of property or for personal injury or death caused by the Army in foreign countries.

(3) Claims of Army military or civilian personnel for property damaged, lost, destroyed, captured, or abandoned in the service.

(4) Claims for damage to or loss or destruction of property or for personal injury or death caused by Army military or civilian personnel or otherwise incident to noncombat activities except those cognizable under (1) above.

(b) Supervises Foreign Claims Commissions.

(c) Prepares reports to Congress on private relief bills and veto messages for the President on bills relating to claims against the Army.

(d) Maintains and compiles research material, digests, illustrative opinions, manuals, and statistics on claims activities of the Army.

(xiii) *Litigation Division.* (a) Supervises litigation and other legal proceedings arising out of the operations of the Army Establishment or otherwise of interest to it, except proceedings involving habeas corpus and patent and tax matters, and initiates and coordinates measures for the protection of the Government therein.

(b) Represents the Department of the Army in presenting its position to and in maintaining liaison with other Government agencies, including the Department of Justice, regarding such pending and prospective litigation and other legal proceedings.

(c) Prepares and tries cases involving the Government before the Interstate Commerce Commission and other Federal and State administrative tribunals and regulatory bodies in transportation and rate matters.

(d) Supervises and takes final administrative action in the collection of non-contractual claims in favor of the Government.

(e) Initiates actions for the special representative of the Under Secretary of the Army in administrative fraud matters involving suspected criminal conduct or fraudulent activity by personnel in the Army Establishment or by private commercial concerns or individuals in connection with Army procurement activities and coordinates the same with

the Department of Justice and other agencies.

(f) Evaluates and acts upon requests for witnesses and release of information in connection with litigation and legal proceedings.

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

[F. R. Doc. 50-11477; Filed, Dec. 12, 1950;
8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

OIL AND GAS OPERATIONS IN THE SUBMERGED COASTAL LANDS OF THE GULF OF MEXICO

I. On June 5, 1950, the Supreme Court decided the cases of *United States v. Louisiana* and *United States v. Texas* in favor of the United States (339 U. S. 699, 707). On December 11, 1950, the Court entered its decrees in those cases, adjudging that the Federal Government has paramount rights in, full dominion and power over, and ownership of the lands and the oil and gas deposits underlying that portion of the Gulf of Mexico which extends from the line of ordinary low tide and from the seaward boundaries of inland waters along the coasts of Louisiana and Texas, to the outer edge of the continental shelf in the case of Texas and seaward twenty-seven marine miles in the case of Louisiana. Among other things, the decrees enjoin Louisiana and Texas, and their lessees, from carrying on any activities in the aforesaid areas of the Gulf of Mexico for the purpose of taking or removing therefrom any petroleum or gas, and from taking or removing therefrom any petroleum or gas, except under authorization first obtained from the United States.

There appear to be a number of producing oil and gas wells, and other wells where drilling operations are now being conducted, in areas of the Gulf of Mexico which are within the scope of the Supreme Court's decisions and decrees in the Texas and Louisiana cases. These activities presumably are being conducted under leases granted by the States of Louisiana and Texas. As a result of the decisions and decrees of the Supreme Court previously mentioned, such leases must be regarded as never having had any legal effect.

Under Executive Order 9633 (10 F. R. 12305), the natural resources of the submerged coastal lands of the United States were placed under "the jurisdiction and control of the Secretary of the Interior for administrative purposes, pending the enactment of legislation." This places upon the Secretary of the Interior, pending the enactment of legislation, the responsibility for the future protection of the Government's interest in those submerged coastal lands adjacent to Texas and Louisiana which are property of the United States under the Supreme Court's decisions and decrees.

The relationship between the known domestic supplies of petroleum and the present and potential national needs,

military and civilian, for petroleum is such that undue interruption of the present operations in the Gulf of Mexico would involve the risk of injury to our national security and economy. Moreover, the producing wells and the elaborate facilities used in drilling for and producing oil and gas in the submerged coastal lands are subjected to unusual risks of loss, injury, and deterioration through action by the elements, which can only be avoided or minimized by continuous and vigilant operation and maintenance. Such loss, injury, and deterioration, if permitted to occur, would be an economic waste in an operation of benefit to the national security and economy and productive of income to the Federal Government. Therefore, it is desirable that appropriate arrangements be made, subject to future congressional action, for the continuance of present operations in order to protect the interests of the United States in this valuable property. The Solicitor of the Department of the Interior is of the opinion that, in such circumstances, the Secretary of the Interior has implied authority to make such arrangements under the principle relied upon by the Attorney General in 40 Op. Atty. Gen. 41.

The extent of the relief to which the United States may be entitled because of trespasses upon and unauthorized leases of submerged coastal lands of the United States is still to be judicially determined; and the question as to whether any equities in lessees of a State, or in those claiming under such lessees, may be recognized by the United States, and, if so, to what extent, is dealt with in proposed legislation pending in the Congress.

II. Persons now conducting under State leases oil and gas operations in those areas of submerged coastal lands adjacent to the Texas and Louisiana coasts which are seaward of the ordinary low-water mark and are outside the inland waters of those States (1) are hereby authorized to continue such operations for a period of 60 days after December 11, 1950, subject, however, to the payment to the United States of the equivalent of such rentals, royalties, and other payments as were provided to be paid the lessor in such State leases for and during the period from December 11, 1950, to the expiration of said 60-day period, and (2) may file with the Director, Bureau of Land Management, Department of the Interior, Washington 25, D. C., not later than 30 days after December 11, 1950, written requests for permission to continue such operations beyond the 60-day period previously mentioned. Each request should describe the nature of the current operations, and should be accompanied by two copies of the State lease pursuant to which such operations have been conducted and, if practicable, two copies of a map of the leased area.

The authorization granted by or pursuant to Part II of this notice for the continuation of oil and gas operations by persons now conducting such operations under State leases is not to be construed, in any sense, as an adoption, confirmation, ratification, or validation of said leases by the United States, and is with-

out prejudice to any rights of the United States.

III. Any sum which the terms of any State lease covering an area of the aforesaid submerged coastal lands require a lessee who is not now conducting operations in such area to pay to the lessor during the period of 60 days from December 11, 1950, may be tendered to the Secretary of the Interior in the form of a check payable to the order of the Treasurer of the United States, accompanied by two copies of such lease. Such a payment will be accepted on the following conditions:

(1) The remittance will be deposited in a special account within the Treasury of the United States under 31 U. S. C. 725r, subject to the control of the Secretary of the Interior, the proceeds to be expended in such manner as may hereafter be directed by an act of Congress or, in the absence of such direction, as the Secretary of the Interior may deem to be proper, which may include a refund of the money to the person who paid it.

(2) The acceptance of such moneys will not amount to, or have the effect of being, an adoption, confirmation, ratification, or validation of the State lease by the United States and will be without prejudice to any rights of the United States.

(3) The Secretary of the Interior will not grant, in return for such payment, any right to inaugurate operations for the discovery and production of oil and gas within the area of submerged coastal land covered by the State lease, or any other right respecting such land.

OSCAR L. CHAPMAN,
Secretary of the Interior.

DECEMBER 11, 1950.

[F. R. Doc. 50-11578; Filed, Dec. 12, 1950;
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6329]

NEW ENGLAND POWER CO.

ORDER DENYING REQUEST FOR RECONSIDERATION OF SUSPENSION OF RATE SCHEDULE AND POSTPONING DATE OF HEARING

DECEMBER 6, 1950.

On November 29, 1950, New England Power Company (NEPCO) by letter requested reconsideration of the suspension of NEPCO's Rate Schedule FPC No. 81 ordered by the Commission on November 2, 1950, and postponement of the date of hearing from December 11, 1950, to February 1, 1951.

In its order of November 2, 1950, the Commission referred to the fact that NEPCO had not submitted its cost data in support of the proposed increase in rates as required by the Commission's general rules and regulations. The required data have not yet been submitted and NEPCO has merely reiterated unsupported general allegations, to the effect that the proposed rate is non-discriminatory and reasonable, such as were considered in connection with the previous order. It appears, however,

that good cause exists for postponing the hearing as requested.

The Commission, therefore, orders:

(A) NEPCO's request for reconsideration of the suspension of its Rate Schedule FPC No. 81 be and the same is hereby denied.

(B) The public hearing in the above-entitled matter be and the same is hereby postponed from December 11, 1950, to February 1, 1951, at 10:00 o'clock, a. m., e. s. t., in the Federal Power Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: December 7, 1950.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-11484; Filed, Dec. 12, 1950;
8:46 a. m.]

[Docket No. G-1535]

CENTRAL WEST UTILITY CO.

NOTICE OF APPLICATION

DECEMBER 7, 1950.

Take notice that on December 1, 1950, the Central West Utility Company (Applicant) a Kansas corporation with its principal place of business in Kansas City, Missouri, filed an amended application pursuant to section 7 of the National Gas Act, for (1) an order declaring that both Cities Service Gas Company and the Gas Service Company are subject in all respects to the jurisdiction of the Commission; (2) an order declaring that the Gas Service Company will be subject to the jurisdiction of the Commission if it extends its facilities into Clay County, Missouri; (3) an order pursuant to section 7 (a) of the act, directing Cities Service Gas Company and the Gas Service Company to establish a physical connection of their natural gas transportation facilities with a connecting pipeline which Applicant proposes to construct and to sell natural gas to Applicant; and (4) that the Commission issue a certificate of public convenience and necessity authorizing the construction and operation by the Applicant of its proposed pipeline facilities if it should be determined that such facilities are subject to the jurisdiction of the Commission.

Applicant's proposed facilities will be located in the service area in which it is presently supplying natural gas and will have a maximum capacity of approximately 30,000 Mcf. per day.

Applicant is presently engaged in the distribution of gas in Clay and Clinton Counties, Missouri. The application recites that the Company obtains its supply of natural gas from Panhandle Eastern Pipe Line Company but that such supply has been barely adequate in recent years and is insufficient to meet anticipated normal increases in demand

* See notice of original application, filed November 13, 1950, published in the FEDERAL REGISTER on November 29, 1950 (15 F. R. 8172-73).

for natural gas service in the territory which it serves.

Applicant asserts that its present peak day demand in Clay County is approximately 7 million cubic feet per day, which it estimates will increase within a period of five years to approximately 15 million cubic feet per day on a firm basis, exclusive of potential increased market demands on an interruptible basis for industrial use.

The cost of such facilities is estimated to be approximately \$200,000.

The application is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 27th day of December 1950.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 50-11478; Filed, Dec. 12, 1950;
8:46 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY IN CONNECTION WITH PROCUREMENT IN THE MANGANESE PROGRAM

1. Pursuant to the authority vested in me by provisions of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, and having determined that such action is advantageous to the government in terms of economy, efficiency and national security, I hereby delegate to the Secretary of the Interior authority to make purchases and contracts for supplies and services pursuant to Title III of the aforesaid act to the extent that said Secretary determines that such supplies and services are required in carrying out the manganese program of the Department of the Interior: *Provided, however,* That such purchases and contracts may be negotiated only if it is determined by the said Secretary that the facts are such as to bring the purchase or contract in question within the provisions of subsection 302 (c) (2), (9), or (10) of the aforesaid act.

2. This delegation shall be effective as of the date hereof.

Dated: December 6, 1950.

JESS LARSON,
Administrator.

[F. R. Doc. 50-11473; Filed, Dec. 12, 1950;
8:45 a. m.]

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATION OF SAN FRANCISCO WATER DEPARTMENT FOR ADJUSTMENT OF RATES

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) (e) of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, authority to represent the interests of the executive agencies of the

Federal Government and to appear as witnesses and counsel for the executive agencies of the Federal Government in the matter of application of the San Francisco Water Department before the Public Utilities Commission of San Francisco of the State of California is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to re-delegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of the date hereof.

Dated: DECEMBER 6, 1950.

JESS LARSON,
Administrator.

[F. R. Doc. 50-11474; Filed, Dec. 12, 1950;
8:45 a. m.]

[CPUC No. 31614]

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATION OF COAST COUNTIES GAS AND ELECTRIC CO., FOR INCREASE IN NATURAL GAS RATES

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) (e) of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, authority to represent the interests of the executive agencies of the Federal Government and to appear as witnesses and counsel for the executive agencies of the Federal Government in the matter of Application No. 31614 of the Coast Counties Gas and Electric Company before the Public Utilities Commission of the State of California is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to re-delegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of the date hereof.

JESS LARSON,
Administrator.

Dated: DECEMBER 6, 1950.

[F. R. Doc. 50-11475; Filed, Dec. 12, 1950;
8:45 a. m.]

No. 241—4

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Subparagraph (m) is added to Section III b 6, as follows:

(m) To execute on behalf of the PHA all documents necessary to accomplish transfers or relinquishments pursuant to the provisions of Section 201 of Title II of Public Law 475 (81st Cong.).

Dated: DECEMBER 6, 1950.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 50-11479; Filed, Dec. 12, 1950;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25638]

PETROLEUM PRODUCTS FROM LAKIN, KANS. TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

DECEMBER 8, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3651 and 3802.

Commodities involved: Petroleum products, carload.

From: Lakin, Kans.

To: Points in southern and official territories.

Grounds for relief: Competition with rail carriers and to maintain grouping.

Schedules filed containing proposed rates: D. Q. Marsh's I. C. C. 3802, Supp. 75. D. Q. Marsh's I. C. C. 3651, Supp. 241.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-11482; Filed, Dec. 12, 1950;
8:46 a. m.]

[4th Sec. Application 25637]

PHOSPHATE ROCK FROM FLORIDA MINES TO GADSDEN, ALA.

APPLICATION FOR RELIEF

DECEMBER 8, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., agent, for the Atlantic Coast Line Railroad Company and other carriers named in the application.

Commodities involved: Phosphate rock, ground or not ground, slush and floats (refuse and washings from phosphate rock), and soft phosphate, not acidulated nor ammoniated, carloads.

From: Bartow, Fla., and other points in Florida.

To: Gadsden, Ala.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: A. C. L. R. tariff I. C. C. No. B-3232, Supp. 23. S. A. L. R. tariff I. C. C. No. A-8153, Supp. 24.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-11483; Filed, Dec. 12, 1950;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-126, 59-76]

EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING ON APPLICATIONS FOR ALLOWANCE OF 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 6th day of December A. D. 1950.

The Commission on March 10, 1950 having issued its order approving a plan of recapitalization filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (the "act") by Eastern Gas and Fuel Associates ("Eastern"), a registered holding company and a subsidiary of Koppers Company, Inc.

NOTICES

("Koppers"), also a registered holding company, providing, among other things, for the distribution of new common stock of Eastern to the holders of its 6% Preferred Stock and its Common Stock; and the District Court of the United States for the District of Massachusetts on June 22, 1950 having issued an order approving and enforcing said plan and directing that the terms and provisions of the plan be carried out, and said order having established October 1, 1950, as the consummation date; and action having been taken to consummate the plan; and

The plan having provided that Eastern will pay such fees and expenses in connection with the plan as this Commission may determine, award or allocate upon the petition of any interested person, and the Commission in its said order

having reserved jurisdiction over the determination of the reasonableness and appropriate allocation of all fees and expenses and other remuneration incurred or to be incurred in connection with the plan and the transactions incident thereto:

Notice is hereby given that Eastern, Koppers and others have filed applications requesting the Commission to approve payment or release jurisdiction over the payment of fees and expenses for services rendered in connection with the plan and the transactions incident thereto.

All interested persons are referred to said applications, which are on file in the office of the Commission, for a full statement of the claims for fees and reimbursement of expenditures, which are summarized as follows:

	Fees	Expenses	Total
Fees and expenses of Eastern:			
Ropes, Gray, Best, Coolidge & Rugg, counsel for Eastern.....	\$140,000.00	\$3,161.93	\$143,161.93
Arthur Young & Co., accountants for Eastern.....	11,835.00	1,231.34	13,066.34
State St., Research and Management Co., financial consultants for Eastern.....	5,000.00		5,000.00
Old Colony Trust Co., exchange and transfer agent.....	10,000.00	13,165.26	23,165.26
General expenses.....		56,488.69	56,488.69
	166,835.00	64,047.22	230,882.22
Fees and expenses of Koppers:			
Smith, Buchanan & Ingersoll, counsel for Koppers.....	125,000.00	3,453.01	128,453.01
Drexel & Co., financial consultants and experts for Koppers.....	35,000.00	255.06	35,255.06
Charles F. Roos, expert witness for Koppers.....	20,838.21	377.04	21,215.25
Thomas N. Tarleau, expert witness for Koppers.....	3,605.23	316.12	3,921.35
Printing and transcript expense.....		17,454.84	17,454.84
	184,443.44	21,856.07	206,299.51
Preferred stockholders' committee:			
Burns, Blake & Rich, counsel for committee.....	125,000.00	12,956.87	137,956.87
F. C. Dumaine, Jr., member.....	5,000.00		5,000.00
Pierpont B. Foster, member.....	1,500.00		1,500.00
Expenses of committee.....		9,599.51	9,599.51
Standard Research Consultants, Inc., financial expert for committee.....	17,032.68	1,467.01	18,499.69
Jackson & Moreland, expert for committee.....	25,405.65	1,366.46	26,772.12
Irwin R. Harris, expert for committee.....	1,380.00		1,380.00
	175,317.74	25,389.85	200,707.59
Other fees and expenses:			
Charles Howard Bates, a 6 percent preferred stockholder.....		2,906.97	2,906.97
Withington, Cross, Park and McCann, counsel for Charles Howard Bates.....	10,000.00		10,000.00
	10,000.00	2,906.97	12,906.97
Grand total.....	536,596.18	114,200.11	650,796.29

¹ Includes amounts billed to Oct. 31, 1950.

² Includes fees and expenses.

³ Includes expenses of counsel.

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said applications:

It is ordered, Pursuant to sections 11 (e) and 18 of the act, that the hearings herein be reconvened for the purpose of taking evidence on said applications, said hearings to commence on December 18, 1950 at 10:00 a. m., e. s. t., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 193 will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Secretary of the Commission, on or before December 15, 1950, a request or application relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for the purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby empowered to exercise all such powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of said applications and that, upon the basis thereof, the following matters and questions are presented for consideration by the Commission, without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the services and disbursements for which remuneration is sought

are compensable, and whether it is lawful or appropriate to grant any allowances for fees and expenses to the persons making such claims.

2. Whether the amounts claimed are fair and reasonable and, if not, what amounts should be fixed by the Commission.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That a copy of this notice shall be mailed by registered mail to Eastern, Koppers, and the other applicants herein, that notice shall be given to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases under the act, and that further notice shall be given to all persons by publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 50-11490; Filed, Dec. 12, 1950;
8:46 a. m.]

BYRON F. OGG ET AL.

MEMORANDUM OPINION AND ORDER
REVOKING REGISTRATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of December A. D. 1950.

In the matter of Byron F. Ogg, P. O. Box 753, Poughkeepsie, New York; in the matter of Osler & Co., Inc., 60 Wall Street, New York, New York; in the matter of J. L. Penney, 50 Broadway, New York, New York; in the matter of Thomas A. Sheridan, d/b/a Radio Expansion Company, 1 Montgomery Street, Jersey City, New Jersey; in the matter of Augustin Leonard Rainey, d/b/a A. L. Rainey, Bar Building, Jamaica, Long Island, New York.

These are proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("the act") to determine whether the persons named above, each of whom is registered as a broker or dealer, or both, willfully violated section 17 (a) of the act and Rule X-17A-5 thereunder and, if so, whether it is in the public interest to revoke their respective registrations.¹

The proceedings were instituted by separate notices and orders for hearing dated October 9, 1950. On that date, copies of the notices and orders were sent by registered mail to the addresses last furnished to us by the registrants. These registered articles were returned to us by the Post Office Department with nota-

¹ Section 15 (b) provides in part: "The Commission shall, after appropriate notice and opportunity for hearing, by order * * * revoke the registration of any broker or dealer if it finds that such * * * revocation is in the public interest and that (1) such broker or dealer * * * (D) has willfully violated any provision * * * of this title, or of any rule or regulation thereunder."

tions indicating that the registrants could not be found at the addresses given. None of the registrants appeared in person or through a representative on November 6, 1950, the date set for hearing.*

On November 23, 1942, we promulgated Rule X-17A-5 under section 17 (a) of the act, which provides, among other things, that every registered broker or dealer must file with this Commission a report of his financial condition during each calendar year commencing with the year 1943. Promulgation of the rule was announced by publication in the *FEDERAL REGISTER*, by release to the press, and by distribution to persons on our mailing list.

The registrations of the registrants became effective prior to 1943, and have not been withdrawn, canceled, revoked or suspended. Our records show that none of the registrants filed the required reports during any year from 1943 through 1949.

Upon review of the records in these proceedings we have concluded that each of the registrants violated section 17 (a) of the act and Rule X-17A-5 thereunder as a result of the failure to file such reports. We conclude also that such violations were willful within the meaning of section 15 (b).†

We conclude, on the basis of the foregoing, that it is necessary in the public interest to revoke the registration of each of the registrants. However, in view of the fact that our records do not show whether any of them actually received personal notice of the scheduled hearings, and to avoid any possible prejudice to them, our order shall provide that the revocation of registrations be without prejudice to a motion on the part of any registrant to reopen the proceedings and to seek, upon a proper showing, to set aside the order of revocation applicable to said registrant.‡

Accordingly, it is ordered, That the registrations of Byron F. Ogg, Osler & Co., Inc., J. L. Penney, Thomas A. Sheridan, doing business as Radio Expansion Company, and Augustin Leonard Rainey, doing business as A. L. Rainey, be, and they hereby are, revoked without prejudice to a motion by any of said registrants to reopen the record in the proceeding, and, upon a proper showing, to set aside the order of revocation applicable to said registrant.

By the Commission (Chairman McDonald and Commissioners McEntire, Rowen, and McCormick), Vice Chairman Cook being absent and not participating.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-11481; Filed, Dec. 12, 1950;
8:46 a. m.]

*Our orders and notices instituting these proceedings provided that the same be published in the *FEDERAL REGISTER* not later than 15 days prior to November 6, 1950. Pursuant to this provision the orders and notices were published in the *FEDERAL REGISTER* of October 13, 1950. 15 F. R. 6895-6898.

†Sidney Ascher. — S. E. C. — (1950), Securities Exchange Act Release No. 4474.

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, 1945, 11 F. R. 11981.

[Vesting Order 15320]

YOICHIRO AND KIYOMI UYEDA

In re: Rights of Yoichiro Uyeda and Kiyomi Uyeda under contract of insurance. File No. D-39-14835-H-1.

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

1. That Yoichiro Uyeda and Kiyomi Uyeda, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 15,115,367 issued by the New York Life Insurance Company, New York, New York, to Yoichiro Uyeda, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Yoichiro Uyeda or Kiyomi Uyeda, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-11494; Filed, Dec. 12, 1950;
8:46 a. m.]

[Vesting Order 15821]

EDWIN ARNOLD WARNEKEN ET AL.

In re: Rights of Edwin Arnold Warneken et al. under insurance contract. File No. F-28-4751-H-1.

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

1. That Edwin Arnold Warneken and Irene Warneken, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1020849A, issued by the Occidental Life Insurance Company of California, Los Angeles, California, to Edwin Arnold Warneken, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Occidental Life Insurance Company of California, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Edwin Arnold Warneken or Irene Warneken, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-11495; Filed, Dec. 12, 1950;
8:48 a. m.]

[Vesting Order 15818]

HIDEKO AND GENGORO UCHIDA

In re: Rights of Mrs. Hideko Uchida and Gengoro Uchida under contract of insurance. File No. F-39-4938-H-1.

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

1. That Mrs. Hideko Uchida and Gen-goro Uchida, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,412,833 issued by the Sun Life Assurance Company of Canada, Dominion Square, Montreal, Quebec, to Mrs. Hideko Uchida, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Sun Life Assurance Company of Canada together with the right to demand, enforce, receive and collect the same (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Mrs. Hideko Uchida or Gen-goro Uchida, the aforesaid nationals of a designated enemy country (Japan); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-11493; Filed, Dec. 12, 1950; 8:48 a. m.]

[Vesting Order 15822]

EDWIN ARNOLD WARNEKEN ET AL.

In re: Rights of Edwin Arnold Warneken et al. under insurance contract. File No. F-28-4751-H-2.

Under the authority of the Trading With the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Edwin Arnold Warneken and Rene Warneken, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1020849-B, issued by the Occidental Life Insurance Company of California, Los Angeles, California, to Edwin Arnold Warneken, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Occidental Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Edwin Arnold Warneken or Rene Warneken, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-11496; Filed, Dec. 12, 1950; 8:48 a. m.]

[Vesting Order 15823]

EDWIN ARNOLD WARNEKEN ET AL.

In re: Rights of Edwin Arnold Warneken et al. under insurance contract. File No. F-28-4751-H-3.

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

1. That Edwin Arnold Warneken and Irene Warneken, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany).

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 204927, issued by the West Coast Life Insurance Company, San Francisco, California, to Edwin Arnold Warneken, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid West Coast Life Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Edwin Arnold Warneken or Irene Warneken, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-11497; Filed, Dec. 12, 1950; 8:48 a. m.]

[Vesting Order 15824]

AUGUST AND MARJORIE WINGLER

In re: Rights of August and Marjorie Wingler under contract of insurance. File F-28-25115-H-1.

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

1. That August Wingler and Marjorie Wingler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 201,108 issued by the Berkshire Life Insurance Company, Pittsfield, Massachusetts, to August Wingler, and any and all other benefits and rights of any kind or character

whatsoever under or arising out of said contract of insurance except those of the aforesaid Berkshire Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by August Wingler or Marjorie Wingler, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 20, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 50-11498; Filed, Dec. 12, 1950; 8:48 a. m.]

[Vesting Order 15848]

OTTO G. BALZER ET AL.

In re: Rights of Otto G. Balzer et al. under insurance contract. File No. F-28-2095-H-1.

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

1. That Otto G. Balzer and Louise Balzer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1391388, issued by the Travelers Insurance Company, Hartford, Connecticut, to Otto G. Balzer, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Travelers Insurance Company, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of,

or owing to, or which is evidence of ownership or control by Otto G. Balzer or Louise Balzer, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11499; Filed, Dec. 12, 1950; 8:48 a. m.]

[Vesting Order 15849]

RICHARD BRAUN ET AL.

In re: Rights of Richard Braun, Alfred O. Braun and Anna Braun under insurance contract. File No. F-28-28719-H-1.

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

1. That Richard Braun, Alfred O. Braun and Anna Braun, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,264,166, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Richard Braun, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Equitable Life Assurance Society of the United States together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or owing to, or which is evidence of ownership or control by Richard Braun or Alfred O. Braun or Anna Braun, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11500; Filed, Dec. 12, 1950; 8:48 a. m.]

[Vesting Order 15850]

HANS H. AND HENRY B. CARL

In re: Rights of Hans H. Carl and Henry B. Carl under insurance contract. File No. F-28-8219-H-1.

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

1. That Hans H. Carl and Henry B. Carl, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 857140 issued by The Travelers Insurance Company, Hartford, Connecticut, to Hans H. Carl, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Travelers Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Hans H. Carl or Henry B. Carl, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

NOTICES

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11501; Filed, Dec. 12, 1950;
8:48 a. m.]

[Vesting Order 15853]

FRIEDA DONATE ET AL.

In re: Rights of Frieda Donate et al. under insurance contract. File No. F-28-29247-H-1.

Under the authority of the Trading With the Enemy Act as amended, Executive Order 9293, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

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

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

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. PU 19219 (issued in lieu of Premium Paying Policy 73211220) issued by The Prudential Insurance Company of America, Newark, New Jersey, to Frieda Donate, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Prudential Insurance Company of America together with the right to demand, enforce, receive and collect the same is property payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Frieda Donate or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Frieda Donate, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Frieda Donate, are not within a designated

enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11502; Filed, Dec. 12, 1950;
8:48 a. m.]

[Vesting Order 15855]

KARL EICHORN, ET AL.

In re: Rights of Karl Eichorn, et al., under contract of insurance. File No. F-28-30503 H-2.

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

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

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Karl Eichorn, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 86601095, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Karl Eichorn, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Prudential Insurance Company of America together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Karl Eichorn or the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Karl Eichorn, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and

the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Karl Eichorn, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11503; Filed, Dec. 12, 1950;
8:48 a. m.]

[Vesting Order 15856]

ANTON ELKED ET AL.

In re: Rights of Anton Elked, et al., under contract of insurance. File No. F-39-43 H-1.

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

1. That Anton Elked and Marie Margarete Elked, also known as Fukutani Mitsu, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Anton Elked, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 3 196 682, issued by the New York Life Insurance Company, New York, New York, to Anton Elked, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Anton Elked or the domiciliary personal representatives, heirs, next-of-kin, legatees and distribu-

tees names unknown, of Anton Elked, or Marie Margarete Elked, also known as Fukutani Mitsu, the aforesaid nationals of a designated enemy country (Japan); and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11504; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15858]

OTTO AND ELIZABETH HAUG

In re: Rights of Otto Haug and Elizabeth Haug under contract of insurance. File F-28-22641-H-1.

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

1. That Otto Haug and Elizabeth Haug, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 15084860 issued by the New York Life Insurance Company, New York, New York, to Otto Haug, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Otto Haug or Elizabeth Haug, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11505; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15860]

OLIVER KIYOSHI AND YUZO HONDA

In re: Rights of Oliver Kiyoshi Honda and Yuzo Honda under contract of insurance. File No. F-39-4890-H-1.

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

1. That Oliver Kiyoshi Honda and Yuzo Honda, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1503530 issued by the Sun Life Assurance Company of Canada, Dominion Square, Montreal, Quebec, Canada, to Oliver Kiyoshi Honda, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Sun Life Assurance Company of Canada together with the right to demand, enforce, receive and collect the same (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Oliver Kiyoshi Honda or Yuzo Honda, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not

within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11506; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15861]

BUTOKU AND TERUKO KAYANO

In re: Rights of Butoku Kayano and Teruko Kayano under contract of insurance. File No. D-39-17232-H-1.

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

1. That Butoku Kayano and Teruko Kayano, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 15 265 695 issued by the New York Life Insurance Company, New York, New York, to Butoku Kayano, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company, together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Butoku Kayano or Teruko Kayano, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

All determinations and all action required by law, including appropriate consultation and certification, having

been made and taken, and it being deemed necessary in the national interest,

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11507; Filed, Dec. 12, 1950;
8:47 a. m.]

[Vesting Order 15862]

WATARU KITAGAWA ET AL.

In re: Rights of Wataru Kitagawa et al., under contract of insurance. File No. F-39-37-H-2.

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

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

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Wataru Kitagawa, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,468,186, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Wataru Kitagawa, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Sun Life Assurance Company of Canada together with the right to demand, enforce, receive and collect the same (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Wataru Kitagawa or the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Wataru Kitagawa, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Wataru Kitagawa, are not within a designated

enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11508; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15863]

WATARU AND CHIZU KITAGAWA

In re: Rights of Wataru Kitagawa and Chizu Kitagawa under contract of insurance. File F-39-37-H-3.

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

1. That Wataru Kitagawa and Chizu Kitagawa, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 525,160, issued by the Manufacturers Life Insurance Company, Toronto, Canada, to Wataru Kitagawa, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Manufacturers Life Insurance Company together with the right to demand, enforce, receive and collect the same (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Wataru Kitagawa or Chizu Kitagawa, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11509; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15864]

JUICHI AND TOSHIKO KONO

In re: Rights of Juichi Kono and Toshiko Kono under contract of insurance. File No. D-39-1639-H-4.

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 Juichi Kono and Toshiko Kono, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 15,133,276 issued by the New York Life Insurance Company, New York, New York, to Juichi Kono, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Juichi Kono or Toshiko Kono, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11510; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15086]

GEORG MANIGOLD ET AL.

In re: Rights of Georg Manigold et al. under insurance contract. File No. F-28-30501-H-1.

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

1. That Georg Manigold and Magdel Manigold, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown, of Georg Manigold, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 8,900,857 issued by The Equitable Life Assurance Society of the United States, New York, New York, to Georg Manigold, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Equitable Life Assurance Society of the United States, together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Georg Manigold or Magdel Manigold, or the children, names unknown, of Georg Manigold, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the children, names unknown, of Georg Manigold, 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.

No. 241—5

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11512; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15061]

YAI CHIKAOKA

In re: Rights of Yai Chikaoka under insurance contract. File No. D-39-18786-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 6825 GLHD, Serial 2994, issued by the Metropolitan Life Insurance Company, New York, New York, to Sutziro Chikaoka, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11513; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15865]

PAUL B. AND KAETHE C. LEONHARDT

In re: Rights of Paul B. Leonhardt and Kaethe C. Leonhardt under contract of insurance. File No. F-28-4993 H-1.

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

1. That Paul B. Leonhardt and Kaethe C. Leonhardt, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 903099 issued by the Travelers Insurance Company, Hartford, Connecticut, to Paul B. Leonhardt, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Travelers Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Paul B. Leonhardt or Kaethe C. Leonhardt, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11511; Filed, Dec. 12, 1950;
8:49 a. m.]

[Vesting Order 15962]

KATIE DOEBLER

In re: Rights of Katie Doebler under insurance contract. File No. D-28-10691-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Ex-

NOTICES

Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 10 921 626 A, issued by the Metropolitan Life Insurance Company, New York, New York, to Otto Doebler, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[P. R. Doc. 50-11514; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15964]

ANNA EMMA EHEMANN

In re: Rights of Anna Emma Ehemann under contract of insurance. File No. F-28-23161-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. G 8750, Certificate 290, issued by the Travelers Insurance Company, Hartford, Connecticut,

to Walter Ehemann, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[P. R. Doc. 50-11515; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15969]

ANNIE GIEHL

In re: Rights of Annie Giehl under insurance contracts. Files No. D-66-905-H-1, H-2.

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

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

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies No. GR-194 Sub No. 10774 and GR-194-SR, Certificate No. 4411, issued by the Aetna Life Insurance Company, Hartford, Connecticut, to Otto Broeske, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[P. R. Doc. 50-11516; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15975]

KIKU HAMANO ET AL.

In re: Rights of the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Kiku Hamano, deceased, et al. under contracts of insurance. F-39-4826 H-2 and H-3.

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

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

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Kiku Hamano, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 73702106 and 70238888 issued by the Metropolitan Life Insurance Company, New York, New York, to Kiku Hamano, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Kiku Hamano, deceased, or Julius Hamano, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distribu-

tees, names unknown, of Kiku Hamano, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11517; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15987]

IMAJIRO INOUI

In re: Rights of Imajiro Inoui, also known as Imajiro Marui, and Wakai Marui under insurance contract, File No. D-39-6801-H-1.

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

1. That Imajiro Inoui, also known as Imajiro Marui, and Wakai Marui, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,216,865 issued by the Sun Life Assurance Company of Canada, Dominion Square, Montreal, Quebec, Canada, to Imajiro Inoui, also known as Imajiro Marui, together with the right to demand, receive and collect the same (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Imajiro Inoui, also known as Imajiro Marui, or Wakai Marui, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and it being deemed necessary in the national interest,

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11518; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15988]

YASU AND RINZO IWAMOTO

In re: Rights of Yasu Iwamoto and Rinzo Iwamoto under insurance contract, File No. D-39-4834-H-1.

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

1. That Yasu Iwamoto and Rinzo Iwamoto, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 7242171 issued by The Prudential Insurance Company of America, Newark, New Jersey, to Yasu Iwamoto, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Yasu Iwamoto or Rinzo Iwamoto, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11519; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15990]

TAKE KATAYAMA

In re: Rights of Take Katayama under contract of insurance, File No. F-39-5974-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1540975 issued by the Sun Life Assurance Company of Canada, Dominion Square, Montreal, Quebec, Canada, to Masaichi Katayama, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Take Katayama, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11521; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15997]

MARY KRESS

In re: Rights of Mary Kress under contract of insurance. File No. D-28-10678-H-1.

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

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

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 6610459 A issued by the Metropolitan Life Insurance Company, 1 Madison Avenue, New York, New York, to Jakob Kress, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Mary Kress, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11522; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 15989]

SUEMITSU IWAYA ET AL.

In re: Rights of Suemitsu Iwaya et al. under insurance contract. F-39-4442-H-1.

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

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

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Suemitsu Iwaya, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 8264427, issued by the New York Life Insurance Company, New York, New York, to Suemitsu Iwaya, together with the right to demand, receive and collect said net proceeds, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Suemitsu Iwaya or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Suemitsu Iwaya, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11520; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 16044]

KLINGELBERG-FIJNWERK, N. V.

In re: Debts owing to Klingelberg-Fijnwerk, N. V., also known as Klingelberg-Fijnwerke, N. V.

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 Dr. G. A. Klingelberg, whose last known address is Remscheid, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That Klingelberg-Fijnwerk, N. V., also known as Klingelberg-Fijnwerke, N. V., is a corporation organized under the laws of Holland, whose principal place of business is located at L. E. Middellandstraat, Rotterdam, Holland, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by, or a substantial part of the stock of which is or has been owned or controlled directly or indirectly by the aforesaid Dr. G. A. Klingelberg and is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation of Cincinnati Milling and Grinding Machines, Inc., 4701 Marburg Avenue, Cincinnati, Ohio, in the amount of \$4,831.00, as of November 10, 1947, representing accumulated commissions payable to Klingelberg-Fijnwerk, N. V., also known as Klingelberg-Fijnwerke, N. V., presently on deposit at The Central Trust Company, Cincinnati, Ohio, in an account entitled Cincinnati Milling and Grinding Machines, Agent, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Schramm, Inc., West Chester, Pennsylvania, in the amount of \$1,144.00, as of December 31, 1945, representing advance payment of merchandise ordered by Klingelberg-Fijnwerk, N. V., also known as Klingelberg-Fijnwerke, N. V., and any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Klingelberg-Fijnwerk, N. V., also known as Klingelberg-Fijnwerke, N. V., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That Klingelberg-Fijnwerk, N. V., also known as Klingelberg-Fijnwerke, N. V., is controlled by, or acting for or on behalf of, a designated enemy country (Germany), or persons within such country, and is a national of a designated enemy country (Germany);

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in sec-

tion 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11523; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 16045]

ROBERT KUNZ

In re: Bank account owned by Robert Kunz. F-28-28020-E-1.

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

1. That Robert Kunz, whose last known address is 10 Dresden-N. 23, Hubertus St.-12, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Central Savings Bank, 2100 Broadway, New York 23, New York, arising out of a savings account, account numbered 22,852, entitled Robert Kunz in trust for Werner Kunz, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11524; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 16046]

A. MATSUSHIMA

In re: Interest in bank account owned by A. Matsushima, also known as Ayao Matsushima. D-39-906.

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 A. Matsushima, also known as Ayao Matsushima, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan).

2. That the property described as follows: An undivided one-half (½) interest in that certain debt or other obligation of The United States National Bank of Portland, Oregon, Portland 8, Oregon, arising out of a savings account, account numbered 220109, entitled "A. Matsushima or U. Matsushima with right of survivorship", together with any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11525; Filed, Dec. 12, 1950;
8:50 a. m.]

[Vesting Order 16047]

HUGO NADELMAN

In re: Stock owned by Hugo Nadelman. F-28-23637-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Exec-

utive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hugo Nadelman, whose last known address is c/o Falkenwaldstrasse 12, Stettin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Seven (7) shares of no par value common capital stock of The Pure Oil Company, 35 East Wacker Drive, Chicago 1, Illinois, a corporation organized under the laws of the State of Ohio, evidenced by a certificate numbered C00136603, registered in the name of Hugo Nadelman, together with all declared and unpaid dividends thereon,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11526; Filed, Dec. 12, 1950;
8:51 a. m.]

[Vesting Order 16048]

LUCIO D. NISHI

In re: Bank account owned by Lucio D. Nishi. F-39-602-E-1.

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

1. That Lucio D. Nishi, whose last known address is Minamitabira, Mura, Nagasaki, Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of The National City Bank of the City of New York, 55 Wall Street, New

York 15, New York, arising out of an inactive ledger account representing "Pre-War Accounts deposited through N. C. B. Shanghai", maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11527; Filed, Dec. 12, 1950;
8:51 a. m.]

[Vesting Order 16049]

DR. SILVIU ORBONAS

In re: Bank account owned by Dr. Silviu Orbonas. F-57-675-E-1.

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

1. That Dr. Silviu Orbonas, who, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Dr. Silviu Orbonas by The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, arising out of a checking account, entitled Dr. Silviu Orbonas, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evi-

dence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11528; Filed, Dec. 12, 1950;
8:51 a. m.]

[Vesting Order 16052]

ASAJIRO UEHISA

In re: Bonds owned by Asaji Uehisa. F-39-1260.

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 Asaji Uehisa, whose last known address is Suzhari Mura, Asagun, Kiroshima, Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Five (5) Tokyo Electric Light Co. Ltd. bonds, each of \$1,000.00 face value, bearing the numbers 48606, 48607, 48608, 64158 and 64159, in bearer form, presently in the custody of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco 20, California, in safekeeping account number 21600, together with any and all rights thereunder and thereto,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11529; Filed, Dec. 12, 1950;
8:51 a. m.]

[Vesting Order 16053]

YAMASHITA KAISEN KAISHA

In re: Debt owing to Yamashita Kaisha Kaisha. F-39-749-C-1.

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

1. That Yamashita Kaisha Kaisha, the last known address of which is Kobe, Japan, is a corporation, partnership, association, or other business organization, organized under the laws of Japan, which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Kobe, Japan, and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation, matured and unmatured, of the Export Insurance Company, 60 Beaver Street, New York 5, New York, arising from General Average contribution per S/S Yamazato Maru on various bales of cotton insured for \$530,507 under the insurance certificates of the aforesaid Export Insurance Company, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on November 28, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11530; Filed, Dec. 12, 1950;
8:51 a. m.]

[Vesting Order 16095]

HERMAN E. SIEGER

In re: Philatelic matter owned by Herman E. Sieger. P-28-26075-C-1.

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

1. That Herman E. Sieger, whose last known address is Lorch Wuertemberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

Personal property consisting of philatelic matter and presently in the custody of General Aniline & Film Corporation, 230 Park Avenue, New York, New York, described as follows:

1. Two Hundred Thirteen (213) pieces of mail, tied to Souvenir Sheets, carried in 1938 by the Graf Zeppelin (LZ130);

2. Four Hundred Eighty-four (484) pieces of mail addressed to Sudetenland; and

3. Nineteen Hundred Ninety-four (1994) pieces of mail addressed to various locations in Germany,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on December 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11531; Filed, Dec. 12, 1950;
8:51 a. m.]

[Return Order 810]

PIETRO GIARDINA AND MARIA FAUDALE

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

Pietro Giardina and Maria Faudale, Flumedinisi, Messina, Italy; Claim No. 11570; September 21, 1950 (15 F. R. 6322); \$1,502.24 in the Treasury of the United States in two equal shares, one each to Pietro Giardina and Maria Faudale.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11532; Filed, Dec. 12, 1950;
8:51 a. m.]

[Return Order 814]

WILHELM HANNS BOHUSLAW

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

Wilhelm Hanns Bohuslaw, a/k/a Hans W. Bohuslaw, Vienna, Austria; Claim No. 37920; October 25, 1950 (15 F. R. 7163); \$10,000.00 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on December 7, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 50-11533; Filed, Dec. 12, 1950;
8:51 a. m.]