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Washington, Saturday, February 3, 1951

**TITLE 3—THE PRESIDENT**  
**EXECUTIVE ORDER 10209**

AMENDING EXECUTIVE ORDER NO. 8557 OF SEPTEMBER 30, 1940, ENTITLED "PRESCRIBING REGULATIONS GOVERNING THE PAYMENT OF EXPENSES INCURRED IN CONNECTION WITH THE DEATH OF CERTAIN CIVILIAN OFFICERS AND EMPLOYEES OF THE UNITED STATES"

By virtue of and pursuant to the authority vested in me by the act of July 8, 1940, 54 Stat. 743, it is ordered that section 3 of Executive Order No. 8557 of September 30, 1940, prescribing regulations governing the payment of expenses incurred in connection with the death of certain civilian officers and employees of the United States, be, and it is hereby, amended to read as follows:

SEC. 3. *Preparation of remains.* The costs of preparation of remains allowable under section 2 of these regulations shall include costs of embalming, cremation, necessary clothing, and casket. The total amount allowed for such preparation shall not exceed \$150.

HARRY S. TRUMAN

THE WHITE HOUSE,  
February 1, 1951.

[F. R. Doc. 51-1862; Filed, Feb. 2, 1951; 10:06 a. m.]

**TITLE 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission**

**PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE**

**DEPARTMENT OF THE INTERIOR; BUREAU OF INDIAN AFFAIRS**

Under authority of § 6.1 (a) of Executive Order 9830, and at the request of the Department of the Interior, subparagraph (4) of § 6.110 (c) is amended to read as follows:

§ 6.110 *Department of the Interior.* \* \* \*

(c) *Bureau of Indian Affairs.* \* \* \*  
(4) NC/PD. Housekeeper positions up to and including CPC-6 under the Bureau of Indian Affairs.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259;

3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] HARRY B. MITCHELL,  
*Chairman.*

[F. R. Doc. 51-1781; Filed, Feb. 2, 1951; 8:48 a. m.]

**PART 8—PROMOTION, DEMOTION, AND REASSIGNMENT AND MOVEMENT OF EMPLOYEES BETWEEN AGENCIES WITH REEMPLOYMENT RIGHTS**

MISCELLANEOUS AMENDMENTS

1. Section 8.107 is amended to read as follows:

§ 8.107 *Promotions, demotions, and reassignments.* (a) All promotions after September 1, 1950, shall be indefinite.

(b) All reassignments of an employee on and after December 1, 1950, to positions above the grade (or level) which he last occupied on a permanent basis shall be indefinite. All reassignments within his last permanent grade (or level) may be either permanent or indefinite in the discretion of the head of the agency, except that any reassignment to the position last held on a permanent basis shall be permanent.

(c) All demotions of an employee on and after December 1, 1950, to positions above the grade (or level) which he last occupied on a permanent basis shall be indefinite. All demotions to positions below his last permanent grade (or level) shall be permanent. All demotions to positions within his last permanent grade (or level) may be either permanent or indefinite in the discretion of the head of the agency, except that a demotion to the position last held on a permanent basis shall be permanent.

2. Effective upon publication in the FEDERAL REGISTER, paragraph (c) of § 8.110 is amended to read as set out below.

§ 8.110 *Status unchanged.* \* \* \*

(c) Any permanent employee of the agency who is reached for separation by reduction in force from the position to which he was given an indefinite promotion, demotion, or reassignment shall, unless he is placed in a higher grade position than the one last occupied on a permanent basis, be considered as re-

(Continued on p. 1003)

**CONTENTS**  
**THE PRESIDENT**

<b>Executive Order</b>	Page
Prescribing regulations governing payment of expenses incurred in connection with death of certain civilian officers and employees of U. S.; amending EO 8557	1001

**EXECUTIVE AGENCIES**

<b>Agriculture Department</b>	
See Animal Industry Bureau; Production and Marketing Administration.	
<b>Alien Property, Office of</b>	
Notices:	
Vesting orders, etc.:	
Commerzbank Aktiengesellschaft	1037
Englehard, Karl, et al.	1032
Fleitmann, Herman C.	1044
Fritze, Rudolf	1044
German nationals	1038
Handelstrust West N. V., et al.	1039
Hansen, Johanna Margaretha	1040
Harlander, Kathi, et al.	1032
Heiser, Adolph	1042
Helmholz, Kurt	1046
Hessinger, Guenther	1033
Hidakata, Hisayoshi	1040
Hofmeister, Josef	1040
Ijuin, Torachi	1039
Inouye, Lee	1033
Jurgensen, Augusta Hansen	1041
Kamerbeek, Vincent Josef Herman Anton	1031
Kneifel, Julius and Wally	1030
Koeppe, Dr. W. H. Leonard, and Security Trust Co. of Rochester	1047
Koopmann, Hanns, et al.	1041
Kramer, Renita	1041
Kranold, Ursula, and Barbara Lindenberg	1034
McKee, William Alexander	1043
Mohr, August L., et al.	1043
Nakahara, Waro	1046
Nakano, Kosuke	1034
Niino, Chisa	1035
Opp, Erna, et al.	1035
Ortutay, Olica	1035
Redmann, Alma	1036
Robinson, Clarinda	1036
Roese, Henry	1046
Samson, Frances	1036



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#### CONTENTS—Continued

	Page
<b>Alien Property, Office of—Con.</b>	
Notices—Continued	
Vesting orders, etc.—Continued	
Schmauss, John.....	1036
Schmidt, Dora.....	1032
Schumacher, Carl Emil.....	1043
Seeger, Richard.....	1041
Siemssen, Ellen, et al.....	1030
Sonada, Saburo.....	1042
Steenkolen Handelsvereniging N. V.....	1045

#### CONTENTS—Continued

<b>Alien Property, Office of—Con.</b>	Page
Notices—Continued	
Vesting orders, etc.—Continued	
Strauss, Rudolph.....	1037
Tademoto, M.....	1033
Tanaka, Matakichi.....	1042
Taxis, Marie.....	1044
Theuner, Helen Marie.....	1029
Togioka, Tsunegoro.....	1047
Wetzel, Lilli, et al.....	1047

#### Animal Industry Bureau

Proposed rule making:	
Cattle; recognition of breeds and books of record of purebred animals.....	1019
Rules and regulations:	
Dogs; recognition of breeds and books of record of purebred animals.....	1006

#### Army Department

See Engineers Corps.

#### Civil Service Commission

Rules and regulations:	
Competitive service exceptions; Department of the Interior.....	1001
Promotion, demotion, and reassignment and movement of employees between agencies with reemployment rights; miscellaneous amendments.....	1001

#### Commerce Department

See Federal Maritime Board; National Production Authority.

#### Defense Department

See Engineers Corps.

#### Economic Stabilization Agency

See Price Stabilization, Office of; Wage Stabilization Board.

#### Engineers Corps

Rules and regulations:	
Navigation regulations; Chesapeake Bay near Annapolis, Md.....	1016

#### Federal Maritime Board

Notices:	
Luckenbach Steamship Co.; hearing on application to bareboat charter dry-cargo vessels.....	1022

#### Federal Power Commission

Notices:	
Hearings, etc.:	
Hope Natural Gas Co.....	1023
Indiana Gas and Water Co., Inc., and Texas Gas Transmission Corp.....	1023
Wabash Natural Gas Co.....	1023

#### Interstate Commerce Commission

Notices:	
Applications for relief:	
Charcoal briquettes from Michigan and Wisconsin to points in official territory.....	1024
Pig iron from North Atlantic ports to Canton and Mansfield, Ohio.....	1023
Scrap iron or steel from Pensacola, Fla., to Birmingham, Ala.....	1024
Soda and soda products between points in official territory.....	1024

#### CONTENTS—Continued

	Page
<b>Interstate Commerce Commission—Continued</b>	
Notices—Continued	

Applications for relief—Con.	
Soda, caustic, from New Jersey, Virginia, and New York to Cincinnati, Ohio.....	1025
Steel or wrought pipe and fittings from St. Louis, Mo., and East St. Louis, Ill., to points in Texas.....	1025
Water-rail rates; iron and steel articles from Baltimore, Md., to Southeast.....	1024
Rules and regulations:	
Locomotives other than steam; rules and instructions for inspection and testing.....	1019

#### Justice Department

See Alien Property, Office of.

#### National Production Authority

Rules and regulations:	
Copper and copper-base alloys, use; base period; applications for adjustment; use during first calendar quarter of 1951.....	1016

#### Post Office Department

Rules and regulations:	
Establishment and organization; Bureau of Finance and Bureau of Facilities.....	1019

#### Price Stabilization, Office of

Rules and regulations:	
Anthracite delivered from mine or preparation plant.....	1011
Coal, except Pennsylvania anthracite, delivered from mine or preparation plant.....	1008
Defense Agency pricing.....	1006

#### Production and Marketing Administration

Proposed rule making:	
Milk handling in Toledo, Ohio, area.....	1021
Petitions for modification:	
New Orleans Stock Yards, Arabi, La.....	1021
Omaha Union Stock Yards.....	1020
Rules and regulations:	
Limitation of shipments:	
California and Arizona:	
Lemons.....	1003
Oranges.....	1004
Florida; tangerines.....	1003

#### Securities and Exchange Commission

Notices:	
Hearings, etc.:	
American & Foreign Power Co., Inc., et al.....	1025
Malden and Melrose Gas Light Co. et al.....	1027
U. S. & Foreign Securities Corp. et al.....	1028

#### Treasury Department

Notices:	
New England Casualty Insurance Co. of Springfield, Mass.; surety companies acceptable on Federal bonds.....	1022

#### Veterans' Administration

Rules and regulations:	
Vocational rehabilitation and education; registration and research.....	1017

CONTENTS—Continued

Wage Stabilization Board	Page
Rules and regulations:	
Definition of wages, salaries or other compensation	1014
Increases determined but not effective prior to Jan. 25	1014
Increases to comply with minimum wage laws authorized	1015
Non-Federal public employees	1015

CODIFICATION GUIDE

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

<b>Title 3</b>	Page
Chapter II (Executive orders):	
8557 (amended by EO 10209)	
10209	1001
<b>Title 5</b>	
Chapter I:	
Part 6	1001
Part 8	1001
<b>Title 7</b>	
Chapter IX:	
Part 930 (proposed)	1021
Part 933	1003
Part 953	1003
Part 966	1004
<b>Title 9</b>	
Chapter I:	
Part 151	1006
Proposed	1019
<b>Title 32A</b>	
Chapter III—OPS:	
CPR 3	1008
CPR 4	1011
GCPR, SP 1	1006
Chapter IV—WSB:	
GR 1	1014
GR 2	1014
GR 3	1015
GR 4	1015
Chapter VI—NPA:	
M-12, Dir. 1	1016
<b>Title 33</b>	
Chapter II:	
Part 207	1016
<b>Title 38</b>	
Chapter I:	
Part 21	1017
<b>Title 39</b>	
Chapter I:	
Part 1	1019
<b>Title 49</b>	
Chapter I:	
Part 91	1019

stored to the position he last held on a permanent basis or to one in the same grade (or level) as such position and shall compete for retention at that grade (or level) under Part 20 of this chapter.

3. Effective upon publication in the FEDERAL REGISTER, § 8.111 is revoked. (R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,  
 [SEAL] HARRY B. MITCHELL,  
 Chairman.  
 [F. R. Doc. 51-1732; Filed, Feb. 2, 1951; 8:49 a. m.]

TITLE 7—AGRICULTURE

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

[Tangerine Reg. 107]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.511 *Tangerine Regulation 107—*  
 (a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than February 5, 1951. Shipments of tangerines, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 23, 1950, and will so continue until February 5, 1951; the recommendation and supporting information for continued regulation submitted to February 4 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 30; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject

thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 5, 1951, and ending at 12:01 a. m., e. s. t., February 12, 1951, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1 Bronze; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than a size that will pack a 210 pack of tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19¼ inches; capacity 1,726 cubic inches) except that the minimum size of such tangerines shall be 2¼ inches with a total tolerance for variations incident to proper sizing of 20 percent, by count, of tangerines that are smaller than 2¼ inches in diameter of which not more than one-half, or a total of 10 percent by count of the tangerines, are smaller than 2¼ inches in diameter.

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Bronze," "diameter," "210 pack," and "standard pack" shall have the same meaning as when used in the United States Standards for Tangerines (7 CFR 51.416).

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

Done at Washington, D. C., this 31st day of January 1951.

[SEAL] S. R. SMITH,  
 Director, Fruit and Vegetable,  
 Branch, Production and Marketing Administration.

[F. R. Doc. 51-1738; Filed, Feb. 2, 1951; 8:51 a. m.]

[Lemon Reg. 368]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.475 *Lemon Regulation 368—*(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this

RULES AND REGULATIONS

[Orange Reg. 357]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.503 Orange Regulation 357—

section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on January 31, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein-after specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 4, 1951, and ending at 12:01 a. m., P. s. t., February 11, 1951, is hereby fixed as follows:

- (i) District 1: 20 carloads;
- (ii) District 2: 230 carloads;
- (iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 367 (16 F. R. 763), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

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

Done at Washington, D. C., this 1st day of February 1951.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Marketing Administration.

[F. R. Doc. 51-1857; Filed, Feb. 2, 1951; 8:53 a. m.]

(a) *Findings.* (1) Pursuant to the Provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on February 1, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., February 4, 1951, and ending at 12:01 a. m., P. s. t., February 11, 1951, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1: No movement;

(b) Prorate District No. 2: No movement;

(c) Prorate District No. 3: No movement;

(d) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1: 350 carloads;

(b) Prorate District No. 2: 750 carloads;

(c) Prorate District No. 3: Unlimited movement;

(d) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used herein, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

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

Done at Washington, D. C., this 2d day of February 1951.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Feb. 4, 1951, to 12:01 a. m., P. s. t., Feb. 11, 1951]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	2.0200
A. F. G. Porterville	1.5184
Ivanhoe Cooperative Association	.6964
Sandilands Fruit Co.	.6377
Dofflemyer & Son, W. Todd	.4615
Earlbest Orange Association	1.7432
Elderwood Citrus Association	.9515
Exeter Citrus Association	3.1344
Exeter Orange Growers Association	1.3522
Exeter Orchard Association	.0000
Hillside Packing Association	1.2254
Ivanhoe Mutual Orange Association	1.1771
Klink Citrus Association	4.7111
Lemon Cove Association	2.4121
Lindsay Citrus Growers Association	2.4713
Lindsay Cooperative Citrus Association	1.1161
Lindsay Fruit Association	1.6901
Lindsay Orange Growers Association	1.2235
Naranjo Packing House	1.0817
Orange Cove Citrus Association	4.1632
Orange Packing Co.	1.2563
Orosi Foothill Citrus Association	1.6466
Paloma Citrus Fruit Association	1.2021

PRORATE BASE SCHEDULE—Continued  
ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Rocky Hill Citrus Association	1.3197
Sanger Citrus Association	4.6014
Sequoia Citrus Association	1.1420
Stark Packing Corporation	2.7985
Visalia Citrus Association	1.9166
Waddell & Son	1.8544
Baird-Neece Corporation	1.8092
Beattle Association, D. A.	.3059
Grand View Heights Citrus Association	1.3532
Magnolia Citrus Association	2.2292
Porterville Citrus Association	1.8724
Richgrove-Jasmine Citrus Association	.0000
Strathmore Cooperative Association	1.3644
Strathmore District Orange Association	1.3205
Strathmore Fruit Growers Association	1.0393
Strathmore Packing House Co.	1.6286
Sunflower Packing House Co.	1.9127
Sunland Packing House Co.	2.5614
Terra Bella Citrus Association	1.3026
Tule River Citrus Association	1.1845
La Verne Cooperative Citizens Association	.1703
Lindsay Mutual Groves	1.3607
Martin Ranch	.0300
Orange Cove Orange Growers	3.1634
Webb Packing Co., Inc.	.3610
Woodlake Packing House	2.8953
Anderson Packing Co., R. M.	.9291
Andrews Bros. of California	.0000
Baker Bros.	.3742
Barnes, J. L.	.0281
Batkings, Jr., Fred A.	.0715
Bear State Packers, Inc.	.1794
California Citrus Groves, Inc., Ltd.	3.5672
Chess Co., Meyer W.	.6488
Darby, Fred J.	.0361
Darling, Curtis	.0016
Dubendorf, John	.1917
Edison Groves Co.	.0000
Evans Bros. Packing Co.	.0000
Harding & Leggett	2.4245
Hirasuna, Jimmie	.0057
Independent Growers, Inc.	2.4433
Kim, Charles	.0553
Kroells Packing Co.	2.8466
Larson, Kermit	.1156
Lo Bue Bros.	1.3282
Maas, W. A.	.0735
Marks, W. & M.	.4367
Manasian, Bob	.0046
Moore Packing Co., Myron	.0917
Nicholas, Richard	.0042
Randolph Marketing Co., Inc.	2.3103
Reimers, Don H.	.4496
Shiba, Geo G.	.0011
Sky Acres Ranch	.0482
Swenson, L. W.	.0517
Terry, Floyd J.	.0061
Toy, Chin	.0000
Woodlake Heights Packing Corp.	.5339
Zaninovich Bros., Inc.	1.3219

Prorate District No. 2

Total	100.0000
A. F. G. Alta Loma	.3040
A. F. G. Corona	.2668
A. F. G. Fullerton	.0317
A. F. G. Orange	.0304
A. F. G. Riverside	.7024
A. F. G. Santa Paula	.0492
Edington Fruit Co., Inc.	.7300
Hazeltine Packing Co.	.1318
Krinar Packing Co.	1.7562
Placencia Cooperative Orange Association	.6163
Placencia Pioneer Valencia Growers Association	.0443
Signal Fruit Association	.7462

PRORATE BASE SCHEDULE—Continued  
ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Azusa Citrus Association	1.5038
Covina Citrus Association	1.7597
Covina Orange Growers Association	.5591
Damerel-Allison Co.	1.2529
Glendora Citrus Association	1.4348
Glendora Mutual Orange Association	.6205
Puente Mutual Citrus Association	.0745
Valencia Heights Orchard Association	.2407
Gold Buckle Association	2.7050
La Verne Orange Association	3.9529
Anaheim Valencia Orange Association	.0190
Fullerton Mutual Orange Association	.3880
La Habra Citrus Association	.1403
Yorba Linda Citrus Association, The	.0555
Escondido Orange Association	.5982
Alta Loma Heights Citrus Association	.3838
Citrus Fruit Growers	.9151
Etiwanda Citrus Fruit Association	.2093
Mountain View Fruit Association	.1449
Old Baldy Citrus Association	.4913
Rialto Heights Orange Growers	.3439
Upland Citrus Association	2.9836
Upland Heights Orange Association	1.4551
Consolidated Orange Growers	.0248
Garden Grove Citrus Association	.0279
Goldenwest Citrus Association, The	.1764
Olive Heights Citrus Association	.0455
Santiago Orange Growers Association	.1382
Villa Park Orchards Association, The	.0367
Bradford Bros., Inc.	.2288
Placencia Mutual Orange Association	.2298
Placencia Orange Growers Association	.3095
Yorba Orange Growers Association	.0595
Call Ranch	.7660
Corona Citrus Association	1.0702
Jameson Co.	.5214
Orange Heights Orange Association	2.2318
Crafton Orange Growers Association	.9756
East Highlands Citrus Association	.3165
Redlands Heights Groves	.5775
Redlands Orangedale Association	.7026
Rialto-Fontana Citrus Association	.2927
Break & Sons, Allen	.1980
Bryn Mawr Fruit Growers Association	.7096
Mission Citrus Association	.7956
Redlands Cooperative Fruit Association	1.0325
Redlands Orange Growers Association	.7455
Redlands Select Groves	.4447
Rialto Orange Co.	.3302
Southern Citrus Association	.6762
United Citrus Growers	.5266
Zilen Citrus Co.	.3342
Arlington Heights Citrus Co.	.7702
Brown Estate, L. V. W.	1.8031
Cavilan Citrus Association	2.0704
Highgrove Fruit Association	.6134
McDermont Fruit Co.	1.4928
Monte Vista Citrus Association	1.4521
National Orange Co.	1.1805
Riverside Heights Orange Growers Association	1.0782
Sierra Vista Packing Association	.8503
Victoria Avenue Citrus Association	3.3182
Claremont Citrus Association	1.0455

PRORATE BASE SCHEDULE—Continued  
ALL ORANGES OTHER THAN VALENCIA ORANGES—  
continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
College Heights Orange & Lemon Association	2.2169
Indian Hill Citrus Association	1.2956
Pomona Fruit Growers Exchange	2.1155
Walnut Fruit Growers Association	.6301
West Ontario Citrus Association	1.2828
El Cajon Valley Citrus Association	.2958
Escondido Cooperative Citrus Association	.0497
San Dimas Orange Growers Association	1.6857
Canoga Citrus Association	.4421
North Whittier Heights Citrus Association	.1594
San Fernando Heights Orange Association	.3335
Sierra Madre-Lamanda Citrus Association	.1809
Camarillo Citrus Association	.0119
Fillmore Citrus Association	1.3956
Ojai Orange Association	.9782
Piru Citrus Association	1.4906
Rancho Sespe	.0014
Santa Paula Orange Association	.0000
Tapo Citrus Association	.0087
Ventura County Citrus Association	.1869
East Whittier Citrus Association	.0064
Murphy Ranch	.0799
Anaheim Cooperative Orange Association	.0545
Bryn Mawr Mutual Orange Association	.4573
Chula Vista Mutual Lemon Association	.1384
Euclid Avenue Orange Association	2.7987
Foothill Citrus Union, Inc.	.6236
Garden Grove Orange Cooperative, Inc.	.0341
Golden Orange Groves, Inc.	.2822
Highland Mutual Groves, Inc.	.2073
Index Mutual Association	.0142
La Verne Cooperative Citrus Association	3.7522
Mentone Heights Association	.5238
Olive Hillside Groves	.0079
Orange Coop Citrus Association	.0582
Redlands Foothill Groves	1.9320
Redlands Mutual Orange Association	.7740
Ventura County Orange & Lemon Association	.4068
Whittier Mutual Orange & Lemon Association	.0289
Allec Bros.	.0047
Babijuce Corp. of California	.3814
Banks, L. M.	.0259
Bennett Fruit Co., Inc.	.3648
Book, Maynard C.	.0007
Borden Fruit Co.	.0179
Cherokee Citrus Co., Inc.	.7870
Chess Co., Meyer W.	.4750
Dunning Ranch	.1538
Evans Bros. Packing Co.	1.2144
Gold Banner Association	1.4354
Granada Packing House	.7914
Hill Packing House, Fred A.	.6045
Knapp Packing Co., John C.	.3845
Lawson, Geo. P.	.0000
MacDonald Fruit Co.	.1049
Orange Belt Fruit Distributors	2.0511
Panno Fruit Co., Carlo	.0488
Paramount Citrus Association, Inc.	.4183
Placencia Orchard Co.	.0912
Prescott, John A.	.0083
Redlands Fruit Association, Inc.	.0175
Riverside Citrus Association	.1839
Ronald, P. W.	.0377
San Antonio Orchard Co.	1.4565
Stephens, T. F.	.1671
Summit Citrus Packers	.0507
Wall, E. T., Grower-Shipper	2.0865
Western Fruit Growers, Inc.	2.7230

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter F—Animal Breeds  
[BAI Order 379, Amdt. 12]

#### PART 151—RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

##### DOGS

On November 28, 1950, a notice of rule making was published in the FEDERAL REGISTER (15 F. R. 8120) regarding the proposed withdrawal of recognition by the Secretary of Agriculture of the book of record of purebred dogs entitled "Livre des Origines Français", sponsored by the Société Centrale Canine pour l'Amélioration des Races de Chiens en France, 3 Rue de Choiseul, Paris, France, of which Mr. A. Bordereau is Director General.

After due consideration of all relevant material presented in connection with the notice, the Secretary of Agriculture, pursuant to the authority vested in him by section 201, Paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Supp. III, sec. 1201, Par. 1606), hereby withdraws recognition of the said book of record, and hereby amends § 151.10 (a), Chapter I, Title 9, Code of Federal Regulations (14 F. R. 159), as amended, by removing the name of said stud book from the list of books of record named under the subheading "dogs".

(Par. 1606, 46 Stat. 673, as amended; 19 U. S. C. and Supp. 1201, par. 1606)

The foregoing amendment shall become effective on the 7th day of March 1951.

Done at Washington, D. C., this 30th day of January 1951.

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

[F. R. Doc. 51-1725; Filed, Feb. 2, 1951; 8:49 a. m.]

## TITLE 32A—NATIONAL DEFENSE, APPENDIX

### Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[GCFR, Supp. Reg. 1]

#### DEFENSE AGENCY PRICING

Pursuant to the Defense Product on Act of 1950 (Pub. Law 774 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 733), this Supplementary Regulation 1 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

*Statement of considerations.* This Supplementary Regulation 1 exempts from the General Ceiling Price Regulation certain purchases and sales of defense materials and services. These exemptions are deemed to be necessary at the present time in order to insure that price controls shall not interfere with the defense effort.

Many commodities and services purchased by Defense Agencies are of a strictly military nature and the imposition of price ceilings upon them is not practical or advisable because of frequent changes of specifications or production plans or because of variations in the conditions under which contractors and subcontractors operate. Moreover, there are certain types of purchases, such as emergency purchases, and purchases under secret and developmental contracts for which the price control techniques of the General Ceiling Price Regulation are not suitable. Experience has indicated that in such cases and in the case of commodities especially designed for military needs, prices can be best controlled by the Defense Agencies themselves either in the original negotiation or in renegotiation provided for by law to eliminate excessive profits.

This supplementary regulation exempts from the General Ceiling Price Regulation until April 1, 1951, sales to the Defense Agencies or to suppliers with defense contracts or sub-contracts of commodities or services normally produced or supplied only for military use. This provision is designed to eliminate any immediate adverse effect of the freeze upon military procurement. After April 1, 1951, the exemption applies only to a more limited group of commodities and services of this type specified in the supplementary regulation. Furthermore, in order to facilitate defense programs, specific provision is made to exempt purchases of strategic and critical materials from marginal sources for the stockpile until April 1, 1951.

Contracting officers of Defense Agencies are specifically exempted from the civil and criminal liabilities under the General Ceiling Price Regulation for buying commodities or services at higher than ceiling prices. Those selling to the Defense Agencies are, however, still bound by these provisions of the General Ceiling Price Regulation, and the removal of the liability on the part of the purchaser in no way affects the seller's obligation. Contracting officers are not typically purchasers "in the regular course of business or trade" and, as such, are not subject to the prohibition of the Defense Production Act of 1950. This supplementary regulation, however, specifically removes this liability in order that there may be no misunderstanding which would lead to delay in the procurement of essential defense materials.

Sales of scrap, waste, damaged, or used materials or commodities by a Defense Agency, sales by the Atomic Energy Commission and sales by commissaries, exchanges and stores of the Department of Defense are also exempt from the General Ceiling Price Regulation. The operations of these stores are governed by law and regulations of the Department of Defense. Such stores are not open to the public and the prices charged in them are generally lower than prevailing market prices. To subject these stores to price control would impose an unnecessary task both upon the Department of Defense and upon the Director of Price Stabilization.

Sec.

1. What this regulation does.
2. Temporary exemptions, commodities and services for military needs.
3. Strategic and critical materials.
4. Special sales.
5. Certain commodities sold to a Defense Agency.
6. Certain services supplied to a Defense Agency.
7. Developmental contracts.
8. Secret contracts.
9. Emergencies.
10. Individual hardship adjustments.
11. Facts to be shown in applications for adjustment.
12. Certification required for adjustment.
13. Contracts and deliveries pending disposition of adjustment applications.
14. Records.
15. Defense Agencies and officers not liable as purchasers.
16. Definitions.

**AUTHORITY:** Sections 1 to 16 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

**SECTION 1. What this regulation does.** This Supplementary Regulation 1 provides for the exemption from the General Ceiling Price Regulation of certain sales to the Defense Agencies and to their suppliers and, with respect to sales not exempt, for the adjustment of ceiling prices in certain hardship cases. It also relieves the Defense Agencies and their officers of any liability, as buyers, under the General Ceiling Price Regulation.

**SEC. 2. Temporary exemptions, commodities and services for military needs.** Until April 1, 1951, the provisions of the General Ceiling Price Regulation shall not apply to sales, of commodities and services normally produced and supplied only for military use, to a Defense Agency or to any person for use in connection with a defense contract or sub-contract.

**SEC. 3. Strategic and critical materials.** The provisions of the General Ceiling Price Regulation shall not apply to sales made to the General Services Administration pursuant to Public Law 520, 79th Congress, of strategic and critical materials:

(a) Under contracts outstanding on January 25, 1951, or,

(b) With the prior written approval of the Director of Price Stabilization, under contracts entered into after January 25, 1951, but prior to April 1, 1951, in those cases where such materials are produced from sources the operation of which is determined by the Administrator of General Services to be uneconomical, at the ceiling price otherwise applicable, by reason of the marginal or submarginal character of such source.

**SEC. 4. Special sales.** The provisions of the General Ceiling Price Regulation shall not apply:

(a) To sales by the Department of Defense through such Department's commissaries, exchanges, and stores.

(b) To sales by the Atomic Energy Commission.

(c) To sales of scrap, waste, damaged, or used materials or commodities by a Defense Agency.

**SEC. 5. Certain commodities sold to a Defense Agency.** The provisions of the

General Ceiling Price Regulation shall not apply to sales of the following commodities to a Defense Agency or to any person for use in connection with a defense contract or subcontract:

(a) Aircraft, ammunition, amphibians, armor plate, armored trains, artillery, automatic weapons, balloon barrage equipment, boats, bombs, bomb directors, bomb sights, caissons, degaussing equipment, depth charges, fire control equipment, gas, gas masks, grenades, guided missiles, gun mounts, gyros, gun sights, harbor and yard craft, machine guns, military bridges, military propellers, military synchros, mines, mine sweeping equipment, missile and rocket launchers, mortars, parachutes, projectiles, projector charges, pyrotechnics, radar, range finders, rockets, servo motors, ships, small arms, sonar, torpedoes, and torpedo tubes.

(b) The following commodities when especially designed to meet military needs: Armored vehicles, automobiles, beach markers, chemical products, diving lungs (self-contained), drop tanks (fuel), electronic and communication devices, field ranges, ground handling equipment for aircraft, instruments, landing mats, military-type caskets, nets and booms, photographic equipment, ration containers, shipboard water coolers, special construction equipment, special conveyers, special dehydrated foods, special hand tools, special mobile units (including bath, laundry, shoe repair, and bakery), special navigational buoys, special training and testing equipment, special training and testing devices, tanks, tents, trailers, trailer mounted flood-light units, train trucks and other handling equipment, trucks, water distillation units, and water purification equipment and tablets.

(c) Component parts and assemblies of any product listed in section 5 (a) or (b) of this supplementary regulation, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated (but not including raw or unfinished materials or any materials or articles which are in such form as to permit their use in the manufacture of products not listed in section 5 (a) or (b) of this supplementary regulation).

(d) Ammunition boxes, aviation gasoline of 100 octane or higher, canteens, canteen cups, cartridge cases, combat helmets, concertina barbed wire, helmet liners, identification tags, meat cans, metal insignia, military explosives, paratroop equipment, source and fissionable materials, and water sterilization bags.

(e) Completed operational rations—when made especially to military specifications and not sold commercially in the normal course of trade.

**SEC. 6. Certain services supplied to a Defense Agency.** The provisions of the General Ceiling Price Regulation shall not apply to the following services supplied, to a Defense Agency or to any person in connection with a defense contract or subcontract, by independent contractors (as distinguished from employees):

(a) Any service which is rendered or supplied otherwise than in connection

with the processing, distribution, storage or installation of any article or material.

(b) Repairs to and maintenance of boats, ships, and vessels.

(c) Stevedoring and car loading and unloading.

(d) Aircraft services—lubrication, maintenance, painting, rental, repair, storage, washing, operation, conversion, modification, or other servicing thereof (including but not limited to maintenance of or repairs to engines, instruments, accessories, parts and other equipment used in connection therewith).

(e) Any manufacturing service performed in the production of a product listed in section 5 (a), (b) or (c) of this supplementary regulation.

(f) Preparation for shipment of aircraft, tanks, and other special purpose military vehicles, and engines, parts, accessories, and instruments therefor, including but not limited to lubricating, painting, storing, packing, washing, testing, repairing, converting, modifying, maintaining, and preparing and restoring the premises, facilities, and equipment used in connection with such services.

(g) Experimental, developmental, and research services.

(h) Tow boat, barge, and lighterage services and charter hire of ships and vessels.

(i) Cataloguing, material identification, and material preservation services.

(j) Construction services, including the installation and removal of building materials and equipment, performed in connection with any building, structure, or construction project.

(k) Marine salvage operations.

**SEC. 7. Developmental contracts.** (a) The provisions of the General Ceiling Price Regulation shall not apply to sales of any commodities or services pursuant to a defense contract or subcontract which is certified in writing to the Director of Price Stabilization, Washington 25, D. C., by the appropriate Defense Agency as being a "developmental" contract or subcontract.

(b) A contract or subcontract is, for the purpose of this section 7, deemed to be "developmental" during such period, not to exceed six months, as is required by the manufacturer or supplier for the accumulation of sufficient production experience to permit him to make a reasonably accurate estimate of his manufacturing costs or as is required by a purchaser thereunder for the selection of a product.

(c) The certifying Defense Agency shall promptly file with the Director of Price Stabilization, Washington 25, D. C., a report containing a description of the product to be manufactured or service to be supplied, a summary of the terms of the contract or subcontract, including all pricing provisions, a statement of the production program of which the contract or subcontract is a part, and an estimate of the expected duration of such developmental work.

(d) If at any time the Director of Price Stabilization determines, after consultation with the certifying Defense Agency, that the period necessary for

development has expired, and in writing so notifies such agency and the manufacturer of the commodity or supplier of the service, this exception shall not apply to the commodities or services thereafter sold, delivered, or supplied under the contract or subcontract to which such notice relates.

**SEC. 8. Secret contracts.** The provisions of the General Ceiling Price Regulation shall not apply to sales of any commodity or the performance of any service pursuant to a contract which is officially classified as "secret" or above.

**SEC. 9. Emergencies.** (a) The provisions of the General Ceiling Price Regulation shall not apply to the sale of any commodity or service to a Defense Agency under such circumstances of emergency as to make immediate delivery imperative and as, in the judgment of the Defense Agency, to render it impossible to secure immediate delivery at the ceiling price which would otherwise be applicable.

(b) The sale shall not be exempt unless the Defense Agency promptly files with the Director of Price Stabilization, Washington 25, D. C., a report setting forth for each purchase: (1) The name and address of the seller, (2) the date of purchase, (3) the date of delivery, (4) a description of the commodity, or service purchased, and (5) a brief statement of the facts giving rise to the emergency situation which necessitated such purchase at a price higher than the applicable ceiling price; except that the information specified in items (4) and (5) of this paragraph may be omitted where such agency states that omission is required in the interests of national security.

**SEC. 10. Individual hardship adjustments.** The Director of Price Stabilization, either on his own motion or on application for adjustment in accordance with Price Procedural Regulation 1 may adjust the ceiling price or prices of any seller who has entered into or proposes to enter into a defense contract or subcontract for the sale of a commodity or service essential to the defense program, whenever it appears that the ceiling price impedes or threatens to impede the production, manufacture, or distribution of such commodity or the supply of such service.

**SEC. 11. Facts to be shown in applications for adjustment.** Such application shall set forth for each commodity and service, (1) the applicable ceiling price, (2) the requested price, and (3) the facts showing the nature and cause of the hardship.

**SEC. 12. Certification required for adjustment.** The seller shall forward such application to the appropriate Defense Agency which shall transmit it to the Director of Price Stabilization, Washington 25, D. C., with a certification by the Defense Agency that in its judgment:

(a) The ceiling price or prices impedes or threatens to impede the production, manufacture, or distribution or such commodity or the supply of such service, and

(b) The production, manufacture, or distribution of the commodity or the supply of the service is essential to the defense program.

SEC. 13. *Contracts and deliveries pending disposition of adjustment applications.* Upon the filing of an application for adjustment and until final disposition of the application, contracts may be entered into or proposals and bids may be submitted at the price or prices requested in the application and deliveries may be made under such contracts, but the seller may not receive and the buyer may not pay the amount by which the requested price exceeds the ceiling price unless and until an order granting a higher price has been issued. The seller shall include in any sale, contract to sell, or offer to sell at the price requested:

(a) The ceiling price for the commodity or service in question.

(b) A statement that the quoted price is subject to approval by the Director of Price Stabilization.

(c) A statement that an appropriate application has been filed with the Director of Price Stabilization.

SEC. 14. *Records.* A seller of commodities and services the sale of which is exempted by this supplementary regulation from the price ceiling established in General Ceiling Price Regulation shall not be required to comply with the record keeping provisions of the General Ceiling Price Regulation (Sec. 16) but must preserve and keep available for examination by the Director of Price Stabilization records in his possession showing the prices charged by him for the commodities and services which he delivered or offered to deliver during the base period, December 19, 1950 to January 25, 1951.

SEC. 15. *Defense Agencies and officers not liable as purchasers.* The prohibitions contained in the General Ceiling Price Regulation against buying or receiving any commodity or service at a price higher than the ceiling price permitted shall not be construed to apply to any Defense Agency, or any contracting or paying finance officer thereof. Any such Defense Agency or contracting or paying finance officer thereof shall be relieved of any and every liability, civil or criminal, imposed by such regulation or by the Defense Production Act of 1950.

SEC. 16. *Definitions.* (a) Terms used in this supplementary regulation shall, unless defined herein, or unless the context requires a different meaning, have the same meaning as when used in the General Ceiling Price Regulation.

(b) The term "Defense Agency" as used in this regulation means the Department of Defense (including the Department of the Army, the Department of the Navy, and the Department of the Air Force), the Maritime Administration of the Department of Commerce, the United States Coast Guard, and the Atomic Energy Commission.

(c) "Defense contract" means a purchase order, or agreement with a Defense Agency.

(d) "Subcontract" means any purchase order, or agreement to perform all

or any part of the work required under or to make or furnish any commodity needed for the performance of a defense contract.

*Effective date.* This regulation is effective immediately.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

FEBRUARY 1, 1951.

[F. R. Doc. 51-1858; Filed, Feb. 1, 1951;  
5:14 p. m.]

[CPR 3]

COAL, EXCEPT PENNSYLVANIA ANTHRACITE,  
DELIVERED FROM MINE OR PREPARATION  
PLANT

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738): *It is hereby ordered,* That ceiling prices and ceilings on the sale of coal, except Pennsylvania anthracite, from a mine or preparation plant shall be effective as provided in this Ceiling Price Regulation No. 3.

*Statement of considerations.* Bituminous coal prices have been non-inflationary since the Korean outbreak. However, with the threat of a more serious emergency and the possibilities of record-high levels in industrial activity resulting from the defense program, it is likely that a basic industry such as coal will not be able to avoid the forces of inflation. During World War II coal proved to be the main source of energy for the economy, and it was produced in great volume to satisfy the civilian and military needs of the country. It again may have to be produced in large amounts to meet the needs of the country in building its defenses.

Average mine realization, i. e., the average price per ton f. o. b. the mine, has changed very little during the last three years. According to figures compiled and published by the United States Bureau of Mines, the average mine realization was as follows:

	Per ton
1948.....	\$4.99
1949.....	4.85
1950 estimated.....	4.90

Since July 1948 wholesale prices on bituminous coal—f. o. b. mine prices plus transportation charges—compiled by the United States Bureau of Labor Statistics, have fluctuated within a narrow range of one percent. At the same time, they reflect increased transportation costs in part, which means that current mine prices are lower, even though slightly, than they were a year or two back. According to the latest information available, it appears that the bituminous coal price level has changed little since 1948, and the change that has taken place has edged downward. There is no evidence of a general increase in

bituminous coal prices since the Korean outbreak.

Bituminous coal is mined in 30 States of the United States and Alaska by thousands of companies. Over 90 percent of the total production is mined east of the Mississippi River to supply a substantial part of the country's main fuel market. Today, coal is in good supply except as occasioned in special instances by transportation shortages. With present manpower and equipment, along with adequate transport, the bituminous coal industry can increase its output well above the current rate, which is 550 to 560 million tons annually.

With its many companies spread over the nation, the bituminous coal industry is highly competitive and there are few markets where tonnage from widely separated fields fail to meet. In addition, coal has strong competition from oil, natural gas and waterpower.

Actually, coal is not one but many products represented by sizes and grades produced under widely different conditions. Because of this factor and because of the keen competition, it has a complex market structure. If the latter is ignored under a system of ceiling price control, production and distribution will be hampered and financial difficulties will be encountered which will jeopardize the ability of the industry to supply the maximum needs of the economy. Because of seasonal and other factors, it requires a period of approximately one year to obtain a representative picture of market operations.

Records over the years show that the bituminous coal industry is not a prosperous one and that it has been considered hazardous for investment purposes. New capital has to be derived primarily from earnings. Yet, the progressive management in the industry has mechanized the mines to a high degree, particularly in late years, and has provided a plant that needs a steady return for financial support. A large percentage of the earnings during the better periods since World War II have been used in large amounts to promote greater plant modernization. This accounts for the very sound and strong position of the industry to produce all of the coal required by the country for its civilian and defense programs.

In combatting inflation, the bituminous coal industry generally can adopt pre-Korean price levels without financial hardship except for the impact of the wage increase negotiated during the first two weeks of January 1951, and effective February 1, 1951, and parallel wage increases in other segments of the industry. Since the industry absorbed the increased costs of the wage agreement entered into in March of 1950, the additional cost of the 1951 wage increase, without price adjustment by mines, would result in serious financial difficulties. It is estimated that the 1951 wage advance will cost, on a weighted average basis, approximately 25 cents per ton. This advance, of course, will vary from mine to mine. Furthermore, not only was the 1950 wage addition absorbed, but the increased costs of supplies and other items related to mining, have been ab-

sorbed without price advances since the start of the Korean conflict.

Another consideration is that the bituminous industry, with its numerous units, has many mines operating at a return near or below costs. A price schedule established without recognition of these situations can depress production. A cost increase such as resulting from wages, unless reflected in prices, may cause the actual closing of mines.

In arriving at a fair and representative period upon which to base ceiling prices, it was obvious that the 12 months' period prior to the Korean outbreak was unrepresentative insofar as most of the bituminous coal industry is concerned. During that period there were general suspensions of operations and there were three-day week operations beyond the control of the industry during a good part of the period. In addition to these factors the 1949-50 winter was comparatively warm in the major fuel consuming markets, which depressed coal sales of domestic heating coals. Excesses in the supply of residual fuel oil caused by imports from foreign fields competed with industrial coal and captured large coal markets on the Atlantic seaboard and at other points. This factor also resulted in price reductions. These factors, viewed as exceptional and temporary, combined to cause serious disruptions in the marketing of bituminous coal and their effects are still noticeable today.

The period July 1948 to June 1949, inclusive, is considered to be the latest year that has the features of normalcy. Bituminous coal production during that year was 576 million tons, about what might be expected during the year ahead. There were no general strikes of consequence. At the same time, on the conservative side, the 1948-49 winter was relatively warm, and the impact of foreign oil had begun to be felt by late 1948. As stated above, there have been no wide fluctuations since the middle of 1948.

The regulation controlling ceiling prices of bituminous coal, lignite and Virginia anthracite contemplates (a) limiting the average mine realization, during 12 months' periods under the regulation, to the average mine realization of the base period, as adjusted, and (b) fixing ceiling prices at the highest prices received during the base period or the period from January 1-15, 1951, as adjusted. The latter period permits the reflection of the more current changes in price relationships. In brief, the regulation fixes average mine realizations at a representative pre-Korean year and the ceiling prices for individual sizes or grades of coal at the highest prices received during the same year except for recognition of recent changes in price patterns. On the average, prices for domestic heating coals and other major grades are today at about the same level they were in the base period. Average realization obtainable under this order will not exceed the average realization that could be obtained under the General Ceiling Price Regulation. To the realization levels and ceiling prices so established, the regulation permits the addition of the increased costs under the 1951 wage agreement.

In arriving at a fair and representative base period for the industry, it was determined that conditions affecting the bituminous coal industry west of the Mississippi River required a different base period. This segment of the industry produces less than 10 percent of the national output. In that part of the country the industry was affected less by strikes and the three-day week than was the industry east of the Mississippi. Furthermore, the western fields were affected less by competition with foreign oil. The winters in the west were more normal and enhanced the marketing and realization of domestic sizes. Therefore, the realization levels have increased since 1948 but have not shown an increase since June of 1950.

Therefore, the regulation as applicable to the bituminous coal industry west of the Mississippi River and Alaska will use (a) a period March to December 1950, inclusive, as a base period, and (b) that period and January 1-15, 1951, inclusive, will be used from which to establish ceiling prices. It is found that provisions of the regulation promote stability and efficiency.

*Findings of the Director of Price Stabilization.* In the judgment of the Director of Price Stabilization the provisions of Ceiling Price Regulation No. 3 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

#### Sec.

1. Applicability of regulation.
2. Definitions.
3. Prohibition against selling, delivering or otherwise disposing of coal at prices above the ceiling.
4. Ceiling prices and ceiling weighted average realization.
5. Long-term contracts.
6. Procedure for establishing ceilings on new products.
7. Less than ceiling prices.
8. Evasion.
9. Reporting, invoicing and record-keeping requirements.
10. Sales agents and distributors.
11. Petitions for amendments.
12. Adjustable pricing.
13. Taxes.
14. Enforcement.

*AUTHORITY:* Sections 1 to 14 issued under sec. 704, Public Law 774, 81st Cong. Interpret or apply Title IV, Public Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

**SECTION 1. Applicability of regulation.** This regulation establishes ceiling prices and ceilings on weighted average realization for coal, except Pennsylvania anthracite, produced and sold at a mine or preparation plant in the 48 States of the United States, the District of Colum-

bia, and the territories and possessions of the United States. It is applicable to all sales or deliveries of coal f. o. b. mine.

**SEC. 2. Definitions.** When used in this regulation, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(b) "Producer" means a person engaged in the business of mining or preparing coal at a preparation plant which is an adjunct of a mine or mines, and any person acting as an agent of a producer in the sale of coal;

(c) "Distributor" means a person who purchases coal for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, and any person acting as an agent of such distributor in the sale of coal;

(d) "Sales agent" is a person who, as agent of a producer, sells coal produced by such producer for him or on his behalf;

(e) "Coal" means: (1) Bituminous coal, including all bituminous, semi-bituminous and sub-bituminous coal; (2) lignite (which is defined as a coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place at the mine of 30 per centum or more); and (3) Virginia anthracite coal.

(f) "Bunker fuel" means coal used aboard a vessel for consumption thereon;

(g) "Ton" means a short or net ton of 2,000 pounds;

(h) "F. o. b. mine" means free on board transportation facilities at a mine, a preparation plant operating as an adjunct of a mine or mines, or other loading facilities;

(i) "Base period" means: (1) For all coal produced east of the Mississippi River, the base period shall be July 1, 1948, to June 30, 1949, inclusive; (2) for all coal produced west of the Mississippi River and Alaska, the base period shall be March 1, 1950, to December 31, 1950, inclusive;

(j) "Realization" is the gross amount of money or value received or debited to the account of the producer in the sale of coal and shall include the total price charged by the producer (including commissions to sales agents and discounts to distributors);

(k) "Open market sales" shall include coal sold, delivered or otherwise disposed of by rail, truck, barge or other method of transportation pursuant to an arms-length transaction and shall not include coal used to produce coal, sales to employees of the producer, coal used by the producer, and controlled sales. "Controlled Sales" means sales for consumption by the buyer (1) where the relationship between producer and buyer is that of a wholly-owned or controlled subsidiary and parent corporation, or (2) where there is common ownership or control of the producer and buyer in a third party, or (3) where the relation

between producer and buyer for any similar reason is such that the sale is non-competitive, and is generally termed "captive" sales.

(1) "Ceiling price" means the highest price applicable to a particular size or grade of coal determined in accordance with the provisions of this regulation. Such ceiling price shall include commissions to sales agents and discounts to distributors, and shall be an f. o. b. mine price.

**SEC. 3. Prohibition against selling, delivering or otherwise disposing of coal at prices above the ceiling.** On and after the 1st day of February 1951, regardless of any contract, agreement, lease or other obligation:

(a) No person who is a producer or distributor shall sell, dispose, deliver or ship coal from a mine or preparation plant operating as an adjunct of a mine or mines or from mine loading facilities, at prices higher, f. o. b. the mine, than the ceiling prices determined in accordance with the provisions of this regulation.

(b) No person shall, in the course of trade or business, buy or receive such coal so delivered or shipped at prices higher than the ceiling prices determined in accordance with the provisions of this regulation. Any person who buys or receives coal subject to the provisions of this regulation may rely in good faith on a certified statement furnished by the seller that the prices charged do not exceed the ceiling prices so established.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited in paragraphs (a) and (b) of this section.

**SEC. 4. Ceiling prices and ceiling weighted average realization.** (a) The ceiling prices for each mine or group of mines, for any size or grade of coal, as established by previous marketing practices, which may be charged under this regulation shall be the highest prices received for coal in the same sizes or grades in the base period or in the period January 1-15, inclusive, 1951. The producer shall file a certified statement of these ceiling prices, to include such ceiling prices as are derived from distributors' sales, with the Director and with the regional office or offices of the Office of Price Stabilization in the area or areas where the producer's coal is shipped, within 10 days after such prices become effective, on a form prescribed and in accordance with instructions issued by the Director, as provided in section 7 of this regulation.

(b) On and after February 1, 1951, the prices charged for the coal produced at any mine or group of mines shall be such that the weighted average realization per ton by the producer for the 12-month period commencing February 1, 1951, and ending January 31, 1952, and for each 12-month period beginning on the first day of each succeeding month, commencing March 1, 1951, shall not exceed the weighted average realization obtained by the producer from the sale, delivery or other disposal of coal during the base period.

(c) The producer shall determine his ceiling weighted average realization for the base period for any such mine or

group of mines by dividing the realization received from sales of coal on the open market by the number of tons so sold. The producer shall file a certified statement of the ceiling weighted average realization so determined with the Director, as required by section 8 (a) of this regulation.

(d) The ceiling prices and ceiling weighted average realization determined for a mine or mines in accordance with the provisions of this regulation may be increased by the amount of the increase in cost resulting from wage and salary advances and other items related to the payroll: *Provided*, That such increases became effective on or after January 1, 1951, and prior to July 1, 1951, and that such increases satisfy the policy and requirements of the Wage Stabilization Board of the Economic Stabilization Agency.

(e) The highest price referred to in paragraph (a) of this section shall be separately determined by the producer in accordance with such classification, whether by size, grade or other grouping or designation as established by previous marketing practices.

(f) The ceiling prices to be determined in paragraph (a) of this section and the ceiling weighted average realization to be determined under paragraph (b) of this section may, at the option of the producer, be determined and established for a group of mines (as distinguished from a particular mine), where such mines are operated or controlled by a single person, and where such mines produce similar and interchangeable coals: *And provided, further*, That such groupings have been the usual custom and practice in the marketing of such coals.

**SEC. 5. Long-term contracts.** (a) A producer who sells and delivers coal under a bona fide long-term written contract of three years or longer, entered into prior to July 1, 1948, may, at his option, exclude such tonnage in determining the ceiling weighted average realization under section 4 (c) of this regulation and must exclude such tonnage in determining ceiling prices under section 4 (a) of this regulation. In such event, the realization obtained from coal sold under such contract during the life of this regulation may not be included in computing realization under section 4 (b) of this regulation. Such tonnage and realization shall be reported separately on forms prescribed and in accordance with instructions issued by the Director.

(b) Coal sold and delivered under the terms and conditions of all such contracts, whether excluded or not, may continue to be sold and delivered in accordance with the terms and conditions, including pricing provisions, of such contracts.

**SEC. 6. Procedure for establishing ceilings on new products.** (a) In the event the weighted average realization for a mine or group of mines as determined in accordance with the foregoing provisions is less than the representative cost of production at such mine or mines the producer may file a petition asking for such adjustment in his ceiling prices

or realization as will not require the mine or group of mines to operate at a loss.

(b) In the event a mine or group of mines were not in operation during all or part of the base period, or in the event all or a portion of a mine or group of mines' production as presently produced has been affected by unusual circumstances or is of a special or enhanced quality due to the installation of preparation or other facilities during or since the base period, such producer may file a petition seeking the establishment of ceiling prices and a ceiling weighted average realization that are fair and equitable. The producer shall state the name of the mine, if any, the name or number of the seam, the county and the state in which the mine is located, the type of operation whether underground or strip; and in addition shall furnish the same information for the nearest mine or mines in the same seam and producing coal similarly processed, and the applicable ceiling prices for such mine. If there is no such mine in the same seam, the producer shall furnish the same comparative information for the nearest mine in a substantially similar seam.

For 30 days after filing the application, such coals of the applicant shall be sold at temporary ceiling prices no higher than the ceiling prices established under this regulation for the coals which are produced at the nearest mine or mines in the same seam or in a substantially similar seam and similarly processed. After 30 days from the filing of the application, if no action has been taken by the Director, the prices as requested in the application shall be the ceiling prices for such coals.

(c) If a particular size of coal was not made or sold during the base period or during the period January 1-15, inclusive, 1951, and therefore no specific ceiling price is established therefor, the ceiling price for such size shall be determined as follows:

(d) (1) If the particular unpriced size is a lump size, the ceiling price shall be not more than the lowest ceiling price established for any size of lump coal for the same mine.

(2) If the particular unpriced size is a double-screened coal, the ceiling price shall be not more than the lowest ceiling price established for any double-screened size of the same mine.

(3) If the particular unpriced size is a resultant (slack or screening) size, the ceiling price shall be not more than the lowest ceiling price for any resultant (slack or screening) size of the same mine.

(e) In the event of the mixture of two or more sizes or classifications of coal to which different ceiling prices are applicable, which mixture was not made during the base period or the period January 1-15, 1951, the ceiling price for such mixture shall not be more than the weighted average of the ceiling prices for each of the component sizes or classifications of coal in said mixture, on a per net ton basis.

(f) It is the intent and purpose of this section and this regulation that no mine or group of mines shall obtain an average realization for any consecutive

12-month period beginning February 1, 1951, which exceeds the weighted average realization during the base period as adjusted.

(g) Where bituminous coal is delivered from a mine or preparation plant in any transportation facilities owned or subject to the control of the producer or subsidiary or affiliate of the producer, or in any transportation facilities hired by the producer, there may be added to the applicable ceiling prices established herein a sum not in excess of the highest charge for transportation costs made during the base period or the period January 1-15, 1951, inclusive, but in no event to exceed the lowest common carrier rate for a haul between the same points; provided that there may also be added by a producer, to the applicable ceiling price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(h) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the base period.

(i) Any purchaser, lessee or transferee of a mine for which ceiling prices and a ceiling weighted average realization have been established shall take the ceiling prices or ceiling weighted average realization previously assigned to the mine or other seller, lessor, or transferor thereof.

**SEC. 7. Less than ceiling prices.** Lower prices than those established under this regulation may be charged, demanded, paid or offered.

**SEC. 8. Evasion.** The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to bituminous coal alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise. Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

**SEC. 9. Reporting, invoicing and record-keeping requirements.** (a) Each producer shall compute and establish its weighted average realization during the base period and shall report such realization base to the Director within 10 days after the date ceiling prices become effective under this regulation. The report shall be made on forms prescribed and according to instructions issued by the Administrator.

(b) The basis for setting up ceiling prices on particular sizes and grades of bituminous coal shall be submitted to the Director on forms provided by him in

accordance with his instructions within ten days after this regulation becomes effective.

(c) Ceiling price schedules shall be filed by the producer, sales agent or distributor with the Director and with the regional office or offices of the Agency in the area or areas where the producer's coal is shipped, within ten days after the day such prices become effective. Copies of such price schedules shall be open for public inspection. All changes in ceiling prices shall be similarly filed.

(d) Each producer shall report monthly its monthly realization to the Director on forms provided by him and in accordance with his instructions on or before the twentieth day of the month following the month for which the report is being filed.

(e) Each person subject to this regulation shall keep on file invoices and other sales data of the base periods applicable to average realizations and ceiling prices. Each person subject to this regulation shall furnish to each person to whom he sells bituminous coal an invoice stating the ceiling price established by this part separately from any other charge or a certified statement that the prices charged do not exceed the ceiling prices established under this regulation.

(f) Each person subject to this regulation shall preserve and keep available for inspection by the Director for a period of two years, all records necessary to substantiate ceiling prices, base period realization and average realization established pursuant to this regulation.

(g) The producer shall furnish to each retail coal dealer to whom he sells coal a statement showing the exact dollar-and-cents amount the producer has added to the price of his coal as authorized under this regulation.

**SEC. 10. Sales agents and distributors.** No sales agent or distributor shall charge a price f. o. b. mine, preparation plant operated as an adjunct of a mine or mines, or from mine loading facilities in excess of the ceiling price or prices established for such mine or mines under the provisions of this regulation: *Provided*, That in the event a distributor purchased coal from a mine or mines during the producer's base period or the period January 1-15, 1951, and resold such coal, said distributor may buy and resell coal from said mine or mines and charge the highest price or prices he received for each size or grade of coal during the aforesaid periods plus any adjustments in price applied to the f. o. b. mine price of such coal: *Provided, further*, That the distributor files with the Director such reports or records as may be required on forms prescribed and according to instructions issued by the Director. The distributor shall preserve his records to support such reports for a period of two years.

**SEC. 11. Petitions for amendments.** Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with Price Procedural Regulation 1 issued by the Economic Stabilization Administrator.

**SEC. 12. Adjustable pricing.** Any person may agree to sell at a price which

can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

**SEC. 13. Taxes.** There may be added to the applicable ceiling price the amount of any sales, gross receipts, gross proceeds or use tax levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller customarily added the amount of such tax to the ceiling price and separately stated the tax on his invoices prior to January 15, 1951.

**SEC. 14. Enforcement.** Persons violating any provision of this regulation are subject to the criminal penalties, and enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

**Effective date.** This regulation shall become effective on the 1st day of February 1951.

**NOTE:** The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DiSALLE,  
Director of Price Stabilization.

[F. R. Doc. 51-1887; Filed, Feb. 2, 1951;  
12:01 p. m.]

[CPR 4]

ANTHRACITE DELIVERED FROM MINE OR  
PREPARATION PLANT

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738); *It is hereby ordered*, That ceiling prices on the sale of anthracite from a mine or preparation plant shall be effective as provided in this Ceiling Price Regulation 4.

*Statement of Considerations*

The level of prices on anthracite has not changed basically since the start of the Korean conflict. Faced with intensive competition of oil, natural gas, and bituminous coal, the anthracite industry

has not been able to realize market expansion with the growth of defense activity and, as a matter of fact, is operating on a narrow financial margin. Moreover, it appears that anthracite mining capacity is well above requirements of the prospective market.

Available information, covering over two-thirds of the anthracite industry, shows that net income before taxes was about 15 cents per ton in 1950, and as low as 5 cents per ton in November of that year. This income was only 1 to 2 percent of the average mine price.

The larger sizes are distributed almost exclusively for home heating. Although a substantial portion of the steam sizes is sold to industrial consumers, primarily for steam generation purposes, the major portion of the small sizes is consumed in domestic and commercial heating. All together, about 75 percent of the commercial anthracite production moves for space heating purposes. Substitutes for solid fuels cannot be made without equipment changes.

The New England States, New York, New Jersey, Delaware, Maryland, Pennsylvania, and the District of Columbia make up the industry's primary marketing area, and this area consumes about 80 percent of the anthracite shipped to market. As of July 1, 1948, the Census Bureau estimated that almost one-third of the nation's population lived in this marketing area. These facts demonstrate the vital importance of the anthracite industry as an important source of fuel for a large segment of the nation's population. The need to increase its production during the defense period, is underscored further by the fact that of all the fuels commonly used for space heating in this principal market area, the consumption of anthracite accounted for 40 percent of the total of all fuels consumed.

*Anthracite during World War II and the need for increased production during the present defense period.* The anthracite industry made a substantial contribution to the heavy demands for fuel during World War II. For the five years ending December 31, 1946, the total anthracite production averaged more than 60 million tons per year. Because of the large military demands for fuel oil, the great industrial needs for bituminous coal and metallurgical coke, and the shifts in population, many consumers formerly using these war-drafted fuels, had to use anthracite to take care of their fuel needs.

The strategic importance of anthracite in time of national emergency, cannot, therefore, be overestimated.

Upon the basis of these facts and circumstances, and giving consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, it is readily apparent that anthracite production must expand to meet the present defense demands.

*The present position of the anthracite industry.* Preliminary figures show that the total production for 1950 will approximate 42 million tons, or 30 percent less

than the average yearly production during the period of World War II.

*The industry's price pattern since April 1950.* On March 16, 1950, the anthracite industry signed a wage contract, calling for increased wages, with representatives of the United Mine Workers of America. Anthracite prices are customarily reflected in published circular prices issued by the major operators, and in April of 1950, the operators published their circular prices which took into account the March wage contract. Since April 1950, however, basic material and supply costs have steadily risen, while the prices published in April 1950 prevailed for sales made throughout that year.

A study of the industry's supply cost shows a weighted average increase of 13.4 percent. This is equivalent to 10.7 cents per net commercial ton of production. Anthracite companies were notified on January 1, 1951, by the Bureau of Employment and Unemployment Compensation of the State of Pennsylvania that minimum unemployment rates in effect under the merit rating system were being increased. The maximum taxable wages increased from \$3,000 to \$3,600 for Old Age Insurance. The total social security increase cost is 9.2 cents per net ton.

On January 26, 1951, the industry signed a new wage contract with the UMWA calling for a higher wage. Translated into production costs, this wage increase with equalizing increases for clerical and supervisory forces, adds \$0.696 per net ton to the industry's cost of producing anthracite. The industry's level of prices on January 1, 1951, and its present financial condition does not permit industry absorption of this increased cost of production. The total of all of the cost increases detailed is 89.5 cents.

Giving due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, it is thus apparent that the ceiling prices for the industry must take into account the increased supply costs which the industry has not passed along to its customers. It is also apparent, for the same reasons, that the period May 24, 1950, to June 24, 1950, is not generally representative for this industry, and that the industry must be permitted to price its anthracite on the basis of the circular prices which it had in effect on January 1, 1951, supplemented by the aforesaid increased costs.

Special services such as oil treatment, truck loading at pockets, etc., shall be continued and charges for such services shall be made in the same amounts as they have historically been in the past.

The regulation also establishes quality standards for anthracite and specified amounts by which ceiling prices must be reduced for anthracite failing to meet such standards. These stated differentials are defined to reflect the loss in value to the consumer by reason of the higher ash content, and it is accordingly necessary to decrease the ceiling prices applicable to substandard anthracite to preserve the relative values between standard and poor quality anthracite.

With respect to customary marketing of anthracite some companies have received a premium for anthracite. Upon filing proof with the Director, producers may add such differential, not in excess of 25 cents per net ton, to the ceiling price applicable to such coals.

#### *Findings of the Director of Price Stabilization*

In the judgment of the Director of Price Stabilization the provisions of Ceiling Price Regulation No. 4 are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances, and has given consideration to their recommendations.

#### Sec.

1. Applicability of regulation.
2. Definitions.
3. Prohibitions against selling or delivering anthracite at prices above the ceiling.
4. Less than ceiling prices.
5. Adjustment of prices.
6. Adjustable pricing.
7. Premium coals.
8. Special services.
9. Transportation
10. Taxes.
11. Evasion.
12. Records and reports.
13. Petitions for amendment.
14. Enforcement.

**AUTHORITY:** Sections 1 to 14 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

**SECTION 1. Applicability of regulation.** This regulation establishes ceiling prices on anthracite produced and sold f. o. b. the mine.

**Sec. 2. Definitions.** When used in this regulation, the term:

(a) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Producer" means a person engaged in the business of mining and/or preparing anthracite and any person acting as an agent of a producer in the sale of anthracite.

(c) "Distributor" means a person who purchases anthracite f. o. b. transportation facilities at a mine or preparation plant for resale, and resells the same in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling such anthracite, and any person acting as an agent of a distributor in the sale of anthracite.

(d) "Anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(e) "Ground storage facility" means a storage facility not operated as an adjunct of a mine or preparation plant, which is customarily used by a producer or distributor for storage of anthracite in transit from a mine or adjunct preparation plant to a purchaser.

(f) "Ton" means a short or net ton of 2,000 pounds.

(g) "F. o. b. mine" means free on board transportation facilities at a mine, a preparation plant or other loading facilities (not including ground storage facilities).

**SEC. 3. Prohibition against selling or delivering anthracite at prices above the ceiling.** On and after the 1st day of February 1951, regardless of any contract, agreement, lease, or other obligation:

(a) No person who is a producer or distributor shall sell, dispose, deliver, or ship anthracite from a mine at prices higher, f. o. b. mine, than the ceiling prices set forth in Appendix A, attached hereto, and made a part hereof.

(b) No person shall, in the course of trade or business, buy or receive anthracite so delivered or shipped at prices higher than the ceiling prices set forth in Appendix A, attached hereto, and made a part hereof.

(c) No person shall agree, offer, solicit, or attempt to do anything prohibited under this regulation.

**SEC. 4. Less than ceiling prices.** Lower prices than those set forth in this part and Appendix A attached hereto may be charged, demanded, paid, or offered.

**SEC. 5. Adjustment of prices.** The Director may by order grant an adjustment of the prices shown in Appendix A when the producers, individually or collectively, show to the satisfaction of the Director that (a) the sale of the entire production of the mine at ceiling prices would not return a realization equal to the representative cost of production; and (b) such costs of production are of a continuing nature; and (c) the production of the mine is necessary to supply the fuel needs of the economy. The adjustments to ceiling prices resulting from such cost increases may be allocated among the various sizes of anthracite after consultation with the Anthracite Industry Advisory Committee.

**SEC. 6. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950.

The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

**SEC. 7. Premium coals.** Where a producer historically has marketed anthracite, graded as premium coals, and has sold such coals at premium prices, such producer may, for such premium coals in the rice and larger sizes, and upon filing evidence in support thereof with the Director, add to the ceiling prices established in this part a sum, not in excess of 25 cents per net ton, equal to the amount by which the price at which such producer had theretofore marketed and sold such premium coals in excess of the standard prices.

**SEC. 8. Special services.** There may be added to the applicable ceiling prices set forth in this part the charges made for any special services and pocket charges including (specifically but not exclusively) calcium chloride treatment, oil treatment, specially prepared sizes, split cars (containing more than one size), partitions, box-car loading, truck loading from pockets at the mines, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant: *Provided, however,* That such charges shall not exceed the charges made for the same service during the month of January 1951 (or if no such charges were made in January 1951, the nearest month prior thereto).

**SEC. 9. Transportation.** Where anthracite is delivered from a mine, adjunct preparation plant, to or from any ground storage facility in any transportation facilities owned or subject to the control of the producer or a distributor or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or distributor, there may be added to the applicable ceiling prices established herein a sum not in excess of the actual transportation costs incurred by such producer or distributor, or subsidiary or affiliate thereof, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate, if any, for a haul between the same points: *Provided,* That there may also be added by a producer, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer incurred such tax and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

**SEC. 10. Taxes.** There may be added to applicable ceiling prices the amount of any sales, gross receipts, gross proceeds, or use tax levied by any statute or ordinance, under which the tax is

measured by gross proceeds on units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale, and only if the seller customarily added the amount of such tax to the ceiling price and separately stated the tax on his invoices in the month of January 1951.

**SEC. 11. Evasion.** The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to anthracite coal alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tie-in agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

**SEC. 12. Records and reports.** (a) Each producer and distributor shall preserve and keep available for inspection by the Director for a period of two years such records as the Director shall determine to be necessary under this part; and the Director may require such reports as he deems necessary in order to effectuate this regulation.

(b) The producer shall furnish to each retail coal dealer to whom he sells coal a statement showing the exact dollar-and-cents amount the producer has added to the price of his coal as authorized under this regulation.

**SEC. 13. Petitions for amendment.** Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with Price Procedural Regulation 1 issued by the Economic Stabilization Administrator.

**SEC. 14. Enforcement.** Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

**Effective date.** This regulation shall become effective on the first day of February, 1951.

**NOTE:** The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,  
Director of Price Stabilization.

FEBRUARY 1, 1951.

APPENDIX A

1. The following ceiling prices, subject to the exceptions set forth in this regulation, are established for anthracite f. o. b. mine:

	Per net ton		Per net ton
Broken	\$14.20	Rice	\$6.40
Egg coal	14.45	Barley	5.10
Stove	14.70	Buckwheat No.	
Chestnut	14.60	4 and small-	
Pea	11.40	er	4.10
Buckwheat	8.00		

2. No person subject to this regulation may sell or deliver anthracite produced and

prepared by him at ceiling prices established by paragraph 1 of this Appendix, unless such anthracite meets the quality standards and size specifications set forth in Appendix B hereof; otherwise, the ceiling prices shall be those set forth in paragraph 3 of this appendix.

3. The ceiling prices for anthracite (including anthracite for which a ceiling price has been established by any special order issued under this regulation, or otherwise), which does not meet the quality standards and price specifications set forth in Appendix B

hereof, shall be the applicable ceiling price set forth below:

	Per net ton		Per net ton
Broken	\$13.05	Rice	\$5.80
Egg	13.30	Barley	4.60
Stove	13.55	Buckwheat No. 4 and smaller	3.70
Chestnut	13.45		
Pea	10.40		
Buckwheat	7.30		

NOTE: Persons subject to the regulation shall continue to observe their customary and standard cash discount practices.

[Gen. Reg. 2]

INCREASES DETERMINED BUT NOT EFFECTIVE PRIOR TO JANUARY 25

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), General Wage Stabilization Regulation 1 (16 F. R. 816) and Economic Stabilization Agency General Order No. 3 (16 F. R. 739), this General Regulation No. 2 is hereby issued.

Statement of Considerations

This general regulation is issued by the Wage Stabilization Board in discharge of its responsibilities under the provisions of the Defense Production Act of 1950, Executive Order 10161, General Order No. 3 and General Wage Stabilization Regulation 1 of the Economic Stabilization Administrator. It is designed to stabilize wages, salaries and other compensation and to effectuate the purposes and intent of said statute, orders, and regulation.

For the purpose of preparing itself for the discharge of its responsibilities, the Wage Stabilization Board heretofore distributed to representative labor and industry groups a series of questions, the answers to which would provide the Board with essential information for the development of wage stabilization policies. Thereafter, the Board conducted conferences which were attended by representatives of labor and industry, who presented their views respecting the development of wage stabilization policies. In the formulation of the provisions hereof there has thus been consultation with industry and labor representatives, including trade association and labor union representatives, and consideration has been given to their recommendations.

Collective bargaining conferences, arbitration proceedings and other proceedings directed to the resolution of wage questions were in progress prior to January 25, 1951, the effective date of General Wage Stabilization Regulation 1. In some instances collective bargaining agreements were reached, wage determinations made and awards issued prior to the effective date of that regulation. In the interest of furthering and maintaining sound working relations including collective bargaining and avoiding the imposition of inequities and hardships it is necessary and desirable to recognize and give effect to such agreements, determinations and awards applicable to work performed within a relatively short period of time after January 25, 1951, without prior approval of the Wage Stabilization Board.

Sec.

1. Increases determined on or before January 25 and not applicable to work performed within 15 days thereafter.
2. Increases determined on or before January 25 and applicable to work performed within 15 days thereafter.
3. Awards or decisions issued before January 25 and applicable to work performed within 15 days thereafter.
4. Agreements for intra-plant adjustments effective prior to January 25.
5. Filing of copies required.

AUTHORITY: Sections 1 to 5 issued under sec. 704, Pub. Law 774, 81st Cong. Inter-

APPENDIX B—STANDARD ANTHRACITE SPECIFICATIONS APPROVED AND ADOPTED BY THE ANTHRACITE COMMITTEE EFFECTIVE JULY 23, 1947

	Round test mesh, inches	Percent					
		Oversize, maximum	Under-size, maximum	Minimum	Maximum, impurities <sup>1</sup>		
					Slate	Bone	Ash <sup>2</sup>
Broken	Through 4 $\frac{3}{4}$				1 $\frac{1}{2}$	2	11
	Over 3 $\frac{1}{4}$ to 3	5	15	7 $\frac{1}{2}$	1 $\frac{1}{2}$	2	11
Egg	Through 2 $\frac{3}{4}$						
	Over 2 $\frac{3}{4}$	7 $\frac{1}{2}$	15	7 $\frac{1}{2}$	2	3	11
Stove	Through 2 $\frac{1}{2}$						
	Over 1 $\frac{5}{8}$	7 $\frac{1}{2}$	15	7 $\frac{1}{2}$	3	4	11
Chestnut	Through 1 $\frac{3}{8}$						
	Over 1 $\frac{3}{8}$	10	15	7 $\frac{1}{2}$	4	5	12
Pea	Through 1 $\frac{1}{4}$						
	Over 1 $\frac{1}{4}$	10	15	7 $\frac{1}{2}$			13
Buckwheat No. 1	Through 1 $\frac{1}{8}$						
	Over 1 $\frac{1}{8}$	10	15	7 $\frac{1}{2}$			13
Buckwheat No. 2 (Rice)	Through 1 $\frac{1}{8}$						
	Over 1 $\frac{1}{8}$	10	17	7 $\frac{1}{2}$			15
Buckwheat No. 3 (Barley)	Through 1 $\frac{1}{8}$						
	Over 1 $\frac{1}{8}$	20	20	10			15
Buckwheat No. 4	Through 1 $\frac{1}{8}$						
	Over 1 $\frac{1}{8}$	20	30	10			16
Buckwheat No. 5	Through 1 $\frac{1}{8}$						
	Over 1 $\frac{1}{8}$	30	No limit				16

<sup>1</sup> When slate content in the sizes from broken to chestnut, inclusive, is less than above standards, bone content may be increased by 1 $\frac{1}{2}$  times the decrease in the slate content under the allowable limits, but slate content specified above shall not be exceeded in any event.

A tolerance of 1 percent is allowed on the maximum percentage of undersize and the maximum percentage of ash content. The maximum percentage of undersize is applicable only to anthracite as it is produced at the preparation plant. "Slate" is defined as any material which has less than 40 percent fixed carbon. "Bone" is defined as any material which has 40 percent or more, but less than 75 percent fixed carbon.

<sup>2</sup> Ash determinations are on a dry basis.

[F. R. Doc. 51-1888; Filed, Feb. 2, 1951; 12:01 p. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[Gen. Reg. 1]

DEFINITION OF WAGES, SALARIES OR OTHER COMPENSATION

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), General Wage Stabilization Regulation 1 (16 F. R. 816) and Economic Stabilization Agency General Order No. 3 (16 F. R. 739), this General Regulation No. 1 is hereby issued.

Statement of Considerations

This general regulation is issued by the Wage Stabilization Board in discharge of its responsibilities under the provisions of the Defense Production Act of 1950, Executive Order 10161, General Order No. 3 and General Wage Stabilization Regulation 1 of the Economic Stabilization Administrator. It is designed to stabilize wages, salaries and other compensation and to effectuate the purposes and intent of said statute, orders, and regulation.

SECTION 1. Definition of wages, salaries or other compensation. In accord-

ance with and pursuant to section 702 (e) of Title VII of the Defense Production Act of 1950, increases in wages, salaries or other compensation covered by General Wage Stabilization Regulation 1 of the Economic Stabilization Administrator, which require the prior approval or authorization of the Wage Stabilization Board, include increases in all forms of remuneration to employees by their employers for personal services, including, but not limited to, vacation and holiday payments, night shift and other bonuses, incentive payments, year-end bonuses, employer contributions to or payments of insurance or welfare benefits, employer contributions to a pension fund or annuity, payments in kind, and premium overtime practices and rates.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105)

Adopted unanimously by the Wage Stabilization Board.

Issued: February 1, 1951.

CYRUS S. CHING,  
Chairman.

[F. R. Doc. 51-1889; Filed, Feb. 2, 1951; 12:02 p. m.]

pret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

**SECTION 1. Increases determined on or before January 25 and not applicable to work performed within 15 days thereafter.** Increases in wages, salaries, and other compensation agreed to in writing or determined and communicated to the employees on or before January 25, 1951, but which, by the terms of such agreement or determination, are to become applicable only to work performed later than fifteen (15) calendar days after January 25, 1951, require the prior approval or authorization of the Wage Stabilization Board.

**SEC. 2. Increases determined on or before January 25 and applicable to work performed within 15 days thereafter.** The Wage Stabilization Board hereby authorizes the payment of increases in wages, salaries, and other compensation provided for by written agreement executed on or before January 25, 1951, or formally determined and communicated to the employees on or before said date, which increases, by the terms of said agreement or communications, are to take effect and to be applicable to work performed after January 25, 1951, but not later than fifteen (15) calendar days after said date.

**SEC. 3. Awards or decisions issued before January 25 and applicable to work performed within 15 days thereafter.** The Wage Stabilization Board hereby authorizes the increases in wages, salaries, and other compensation resulting from the award or decision of an arbitrator or referee issued on or before January 25, 1951, which increases, by the terms of said award or decision, are to take effect and to be applicable to work performed after January 25, 1951, but not later than fifteen (15) calendar days after said date.

**SEC. 4. Agreements for intra-plant adjustments effective prior to January 25.** Authorization is hereby granted also of payments pursuant to wage or salary increase agreements entered into and effective on or before January 25, 1951, calling for application of a fixed amount of payroll increase to accomplish intra-plant adjustments, but which adjustments were not actually reflected in wage or salary payments prior to that date because of the necessity for determining the allocation and method of application of such increases among different job classifications.

**SEC. 5. Filing of copies required.** In all instances in which increases in wages, salaries, and other compensation are placed in effect under the terms of sections 2 or 3 of this regulation, copies of the agreement, award, or decision providing for such increases, or, if no such agreement, award, or decision exists, a statement of the amounts and manner in which the determination was formally made and communicated to the employees, and the date or dates, and place or places, shall be filed with the Wage Stabilization Board on or before February 20, 1951.

Adopted by the Wage Stabilization Board. Dissenting: Industry Members

Henry B. Arthur, J. Ward Keener, Reuben Robertson, Jr.

Issued: February 1, 1951.

CYRUS S. CHING,  
Chairman.

[F. R. Doc. 51-1890; Filed, Feb. 2, 1951; 12:02 p. m.]

[Gen. Reg. 3]

#### INCREASES TO COMPLY WITH MINIMUM WAGE LAWS AUTHORIZED

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), General Wage Stabilization Regulation 1 (16 F. R. 816) and Economic Stabilization Agency General Order No. 3 (16 F. R. 739), this General Regulation No. 3 is hereby issued.

#### Statement of Considerations

This general regulation is issued by the Wage Stabilization Board in discharge of its responsibilities under the provisions of the Defense Production Act of 1950, Executive Order 10161, and General Order No. 3 and General Wage Stabilization Regulation 1 of the Economic Stabilization Agency. It is designed to stabilize wages, salaries and other compensation and to effectuate the purposes and intent of said statute, orders, and regulations.

For the purpose of preparing itself for the discharge of its responsibilities, the Wage Stabilization Board heretofore distributed to representative labor and industry groups a series of questions, the answers to which would provide the Board with essential information for the development of wage stabilization policies. Thereafter, the Board conducted conferences which were attended by representative groups of labor and industry, which presented their views respecting the development of wage stabilization policies. In the formulation of the provisions hereof there has thus been consultation with industry and labor representatives, including trade association and labor union representatives, and consideration has been given to their recommendations.

**SECTION 1. Increases to comply with minimum wage laws authorized.** Section 402, subdivision (d) (2) of the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) provides that "No action shall be taken under authority of this title with respect to wages, salaries, or other compensation which is inconsistent with the provisions of the Fair Labor Standards Act of 1938, as amended, or the Labor Management Relations Act, 1947, or any other law of the United States, or of any State, the District of Columbia, or any Territory or possession of the United States." Since statutes and orders of the duly constituted authorities acting under any Federal or State law fixing minimum rates for certain types of workers are consistent with the purposes and intent of the Fair Labor Standards Act of 1938, as amended, the Wage Stabilization

Board hereby authorizes increases in wages, salaries, and other compensation to bring such wages, salaries and other compensation into compliance with the Fair Labor Standards Act of 1938, as amended, and such other statutes and orders establishing minimum rates of compensation.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105).

Adopted unanimously by the Wage Stabilization Board.

Issued: February 1, 1951.

CYRUS S. CHING,  
Chairman.

[F. R. Doc. 51-1891; Filed, Feb. 2, 1951; 12:02 p. m.]

[Gen. Reg. 4]

#### NON-FEDERAL PUBLIC EMPLOYEES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), General Wage Stabilization Regulation 1 (16 F. R. 816) and Economic Stabilization Agency General Order 3 (16 F. R. 739), this General Regulation 4 is hereby issued.

#### Statement of Considerations

This general regulation is issued by the Wage Stabilization Board in discharge of its responsibilities under the provisions of the Defense Production Act of 1950, Executive Order 10161, General Order 3 and General Wage Stabilization Regulation 1 of the Economic Stabilization Agency. It is designed to stabilize wages, salaries, and other compensation and to effectuate the purposes and intent of said statute, orders, and regulation.

For the purpose of preparing itself for the discharge of its responsibilities, the Wage Stabilization Board heretofore distributed to representative labor and industry groups a series of questions, the answers to which would provide the Board with essential information for the development of wage stabilization policies. Thereafter, the Board conducted conferences which were attended by representative groups of labor and industry, which presented their views respecting the development of wage stabilization policies. In the formulation of the provisions hereof there has thus been consultation with industry and labor representatives, including trade association and labor union representatives, and consideration has been given to their recommendations.

Sec.

1. Increases in wages of non-federal public employees authorized.
2. Increases in wages of non-federal public employees subject to stabilization policies.
3. Increases in wages of non-federal public employees subject to Board review.

**AUTHORITY:** Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

**SECTION 1. Increases in wages of non-federal public employees authorized.** Increases in the wages, salaries, and other compensation of state, county, municipal and other non-federal governmental employees, whose wages, salaries and other compensation are fixed by statute, ordinance, or regulation of duly constituted authorities of such governmental bodies, may be made without the prior authorization of the Wage Stabilization Board, subject to the provisions of sections 2 and 3 of this regulation.

**SEC. 2. Increases in wages of non-federal public employees subject to stabilization policies.** State, county, municipal and other non-federal governments and agencies thereof, in making increases in wages, salaries, and other compensation of their employees, are expected to conform to the national wage stabilization policy as expressed in the Defense Production Act of 1950, Executive Order 10161, General Wage Stabilization Regulation 1 issued by the Economic Stabilization Administrator on January 26, 1951, the general regulations and statements of policy issued by the Wage Stabilization Board pursuant thereto, and such orders or regulations as may from time to time be issued thereunder or in connection therewith.

**SEC. 3. Increases in wages of non-federal public employees subject to Board review.** The Wage Stabilization Board reserves the right to review increases made under the terms of section 1 of this regulation, and to revoke or modify such increases when required in order to effectuate the policies of the Defense Production Act and the applicable orders or regulations issued thereunder or in connection therewith.

Adopted unanimously by the Wage Stabilization Board.

Issued: February 1, 1951.

CYRUS S. CHING,  
Chairman.

[F. R. Doc. 51-1892; Filed, Feb. 2, 1951;  
12:03 p. m.]

## Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-12, as amended December 30, 1950, Direction 1]

### USE OF COPPER AND COPPER-BASE ALLOYS BASE PERIOD—APPLICATIONS FOR ADJUSTMENT—USE DURING THE FIRST CALENDAR QUARTER OF 1951

The following Direction is issued under NPA Order M-12 as amended December 30, 1950. This Direction relates to the permitted use of the forms and products of copper which are specified in § 29.23 of the Order during the first calendar quarter of 1951.

**SECTION 1.** (a) Paragraph (b) of § 29.26 of the Order states that no person shall manufacture (as defined) or use in installation or construction "During the following months a total quantity by

weight of the forms and products of copper defined in paragraphs (a), (b), (c) and (d) of § 29.23 in excess of the percentages specified with respect to each month of his average monthly use of such material during the base period:

	Percent
January 1951.....	85
February 1951.....	85
March 1951.....	80

Paragraph (c) of § 29.26 states that no person shall manufacture or use in installation or construction "During the calendar quarter commencing on January 1, 1951, a total quantity by weight of foundry products in excess of 100 percent of his average quarterly use of such products during the base period."

(b) Section 29.28 of the order states: "Unless specifically directed by the National Production Authority, during the calendar quarter commencing on January 1, 1951, and each calendar quarter thereafter, no person shall use for maintenance, repair and operating supplies a quantity by weight of the forms and products of copper defined in paragraphs (a), (b), (c), (d) and (e) of § 29.23 in excess of 100 percent of his average quarterly use for such purposes during the base period."

(c) "Base period" is defined by § 29.22 (b) as the six months period ending June 30, 1950.

(d) Section 29.31 states, in part, that "any person affected by any provision of this subpart may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, or because any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry. \* \* \*"

(e) A number of requests for adjustment have been filed with the National Production Authority upon the ground that the application of the base period to the applicants' business operations caused undue hardship upon the applicants by reason of the fact that their business operations were substantially interrupted during the base period. This Direction will constitute a determination of adjustment with respect to the limitations stated in § 29.26 (b) and (c) and § 29.28 of the Order in such cases, whether or not applications for adjustment have been filed with the National Production Authority under § 29.31 thereof. This determination is subject, however, to the conditions hereinafter stated.

**Direction.** In any case in which manufacturing operations or construction was shut down or suspended for more than 15 consecutive calendar days, the applicant in determining its average monthly use during the base period may exclude from the base period specified in the Order the month or months in which the shutdown or suspension existed. In determining its average quarterly use during the base period, it may calculate the same to be three times its average monthly use during the base period as above determined.

**Illustration 1:** The A company was shut down from March 16 through April 5, 1950. Its base period will comprise the months of January, February, May and June 1950. Its average monthly use will be one-fourth of its total use during these months, and its average quarterly use will be three times this average monthly use.

**SEC. 2.** (a) The above determination of adjustment is subject to the following conditions: (1) That every person relying on this determination will promptly after the date of the issuance of this Direction prepare a detailed written record of the facts relating to the application of the determination to his operations which will be signed by such person or by an authorized officer or representative; and (2) that such record shall be retained for at least two years and will be made available at his usual place of business for inspection and audit by duly authorized representatives of the National Production Authority.

(b) The National Production Authority reserves the right to modify or revoke adjustments made pursuant to this Direction No. 1. Any person affected by such a modification or revocation will be notified in writing of the nature of the action taken and the reasons therefor. Such actions will be effective upon such date or dates subsequent to the date of the notification as are specified therein.

**NOTE:** All reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This direction shall take effect on February 1, 1951.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies sec. 101, Pub. Law 774, 81st Cong., sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105)

NATIONAL PRODUCTION  
AUTHORITY,  
MANLY FLEISCHMANN,  
Acting Administrator.

[SEAL]

[F. R. Doc. 51-1893; Filed, Feb. 2, 1951;  
12:31 p. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, Department of the Army

#### PART 207—NAVIGATION REGULATIONS

##### CHESAPEAKE BAY NEAR ANNAPOLIS, MD.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 3, 1917 (40 Stat. 266; 33 U. S. C. 1), § 207.115 is hereby prescribed establishing seaplane restricted areas in Chesapeake Bay near Annapolis, Maryland, to be used by the United States Navy for practice landings, and governing their use, as follows:

§ 207.115 *Chesapeake Bay near Annapolis, Md.; seaplane restricted areas—*  
(a) *The areas—*(1) *North area.* The waters of Chesapeake Bay bounded as

follows: Beginning at the southernmost tip of Greenbury Point; thence southerly to Greenbury Point Shoal Light; thence 90° true to longitude 76°25'; thence due north to an east-west line tangent to Hackett Point; thence 270° true along said east-west line to the shore at the Naval Radio Station; and thence southerly along the shore to the point of beginning.

(2) *South area.* The waters of Chesapeake Bay bounded as follows: Beginning at the easternmost tip of Tolly Point; thence southeasterly to Tolly Point Shoal Lighted Bell Buoy 33; thence 180° true to an east-west line passing through the southeasternmost tip of Thomas Point; thence 270° true along said east-west line to Thomas Point; and thence northeasterly to the point of beginning.

(b) *The regulations.* (1) Only one of the areas will be used for practice landings during any period. The north area will normally be used except when firing practice is being conducted at the Naval Academy Rifle Range. Such firing practice is generally conducted during the summer months, and at such times the south area will be used for practice landings.

(2) Within the area selected for practice landings, such operations will be confined during any period to a landing strip one mile long and one-fourth mile wide. This landing strip will be laid out, so far as the wind direction will permit, in such manner as to cause the least possible interference with commercial fishing and navigation, and will be patrolled during practice landings.

(3) Vessels will be permitted to pass through either area, including the landing strip, at any time, but they shall give seaplanes using the landing strip the right-of-way. Vessels shall not moor or anchor or otherwise delay their progress within the landing strip when informed by naval personnel assigned to patrol the landing strip that it is in use.

(4) Fixed fishing nets supported on stakes in accordance with Department of the Army regulations governing such structures may be placed in the areas without restriction. Unattended anchored or buoyed nets or other apparatus used for the purpose of taking sea food, except fixed fishing nets supported on stakes, may be placed in or permitted to enter the areas but only at the owners' risk, and the United States shall not be liable for any accidental damage thereto resulting from seaplane operations.

(5) The regulations in this section shall be enforced by the Commandant, Severn River Naval Command, United States Naval Academy, Annapolis, Maryland, and such agencies as he may designate.

[Regs. Jan. 17, 1951, 800.2121-ENGWO] (40 Stat. 266; 33 U. S. C. 1)

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

[F. R. Doc. 51-1730; Filed, Feb. 2, 1951; 8:48 a. m.]

No. 24—3

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration

#### PART 21—VOCATIONAL REHABILITATION AND EDUCATION

##### SUBPART A—REGISTRATION AND RESEARCH

1. Section 21.65 is amended to read as follows:

§ 21.65 *Leaves of absence (effective April 1, 1949).* (a) Leaves of absence for veterans enrolled in institutions of higher learning will be authorized in accordance with the following:

(1) When the period of enrollment as certified by the school is for an ordinary school year and the interval between consecutive terms or semesters is in no case greater than 15 calendar days duration, the authorization of subsistence allowance shall terminate as of the date 15 calendar days following the closing date of the school year as shown by the catalog of the institution. If the certification by the institution is for the ordinary school year plus a summer term of 5 weeks or more in length and no interval between 2 consecutive terms is in excess of 15 calendar days in duration, the authorization of subsistence allowance shall terminate as of the date 15 calendar days following the closing date of the summer term as shown by the school catalog. If the certification by the school is for 4 quarters and no interval between quarters exceeds 15 calendar days in duration, the authorization of subsistence allowance shall terminate as of the date 15 calendar days after termination of the fourth quarter as shown by the school catalog. If the certification by the school is for a single term, or a single quarter, or a single summer session, and such summer session is 5 weeks or more in length, the authorization of subsistence allowance shall terminate as of the date 15 calendar days following the closing date of such certified term as shown by the school catalog. The provisions of this subparagraph apply even though the closing of the term constitutes the completion of the course for which the veteran was enrolled.

(2) If any interval between terms (within a period of certified enrollment) is in excess of 15 calendar days, the authorization of subsistence allowance shall terminate as of the date 15 calendar days following the end of the term immediately preceding such interval, as shown by the school catalog, and shall recommence as of the date of the commencement of the term immediately following such interval as shown by the school catalog.

(3) In no event will the extension authorized in subparagraph (1) and (2) of this paragraph be applicable at the end of the school year or at the end of attendance at a single term or semester, if the veteran elects at the time of enrollment, or prior to the completion of the period of enrollment, not to be granted leave. Intervals between consecutively attended terms or semesters within the ordinary school year are regular holidays and the veteran has no choice or election as to such intervals.

(4) Where a veteran withdraws from training at any time prior to the end of the period of certified enrollment, there will be no extension of training status except as provided in § 21.102 (d).

(5) Except as to days of leave within terms as may be granted by the institution in accordance with its policy respecting leave to all students no other leave will be authorized for any period in addition to the extensions of training status provided in subparagraphs (1), (2), (3), and (4) of this paragraph.

(6) An institution of higher learning will not be expected to maintain for veteran-trainees records of attendance not normally maintained for other students provided, however, the institution must discharge its obligation to determine and notify the Veterans' Administration immediately when the veteran-trainee's conduct or progress is not satisfactory, i. e., such as to raise a question as to the desirability of his continuance as a student in the institution, or the veteran ceases to be in attendance or is permitted to modify his course so as to affect the charge against his period of entitlement, the payment of subsistence allowance or tuition. No other routine or grade reports will be required. The veteran will be carried in a training status so long as his conduct and progress continues to be satisfactory for continuation in training status according to the regularly prescribed standards and practices of the institution.

(b) *Veterans enrolled in institutional on-farm training.* A veteran enrolled in a course of institutional on-farm training shall be entitled to that leave which the approved institution grants to other students but not in excess of 30 days in a calendar year (or a pro-rata portion thereof where the course in which the veteran is enrolled is less than 12 months in duration) exclusive of Saturdays, Sundays, and holidays, provided such leave does not interfere with the progress of the trainee. No attendance reports need be made to the regional office.

(c) *Veterans enrolled in on-the-job training.* A veteran enrolled in on-the-job training will be granted such leave as is granted by the training establishment in accordance with its established policy, but not to exceed 30 days in a calendar year (or a pro-rata portion thereof where the course in which the veteran is enrolled is less than 12 months in duration) exclusive of Saturdays, Sundays, and holidays. The training establishment is not required to report any such leave to the Veterans' Administration. No other leave during the course will be granted by the Veterans' Administration. No records or accounting of leave accrued or used will be maintained by the Veterans' Administration. At the veteran's option and provided application is received by the Veterans' Administration prior to the completion of his enrollment, the veteran may be granted 15 calendar days of leave at the completion of the period of enrollment, subject to remaining entitlement.

(d) *Veterans enrolled for other school training.* A veteran enrolled for school training other than institutional on-farm or in institutions of higher learn-

ing will be granted leave in accordance with the provisions of the school's contract with the Veterans' Administration, or, in the absence of a specific contractual provision, in accordance with the school's established policy for granting leave to all students, but not to exceed 30 days in a calendar year (or a pro rata portion thereof where the course in which the veteran is enrolled is less than 12 months in duration) exclusive of Saturdays, Sundays, and holidays. The school is not required to report any such leave to the Veterans' Administration. No other leave during the course will be granted by the Veterans' Administration. No records or accounting of leave accrued or used will be maintained by the Veterans' Administration. At the veteran's option, and provided application is received by the Veterans' Administration prior to the completion of his enrollment, the veteran may be granted 15 calendar days of leave at the completion of the period of enrollment, subject to remaining entitlement, and provided further that the period of enrollment is 5 weeks or more in length. Two such optional leave periods may be granted in any cumulative 12 months of training in those instances where there exists an interval between the end of the spring semester and the beginning of the summer term and a further interval following the end of the summer term. Otherwise, there will be no more than one such optional leave period granted in any cumulative 12 months of training.

(e) *Definitions of holidays and charging of leave.* Regular holidays are those days within a period of training on which the school or training establishment grants total exemption from attendance to all students or enrollees in the same course, i. e., those days during a continuous period of enrollment in which the trainee holds himself available and ready to attend classes but classes are not in session because of the calendar of the training institution. For enrollees pursuing courses in schools, regular holidays are also defined as school holidays and short intermissions between terms or periods of instruction within the ordinary school year of two semesters or three quarters if such intervals are not more than 15 days in duration and provided that the veteran actually attends the succeeding term. Under this policy leave will not be charged against the trainee for any Saturday, Sunday, holiday, or intermissions between terms within the ordinary school year as defined in this paragraph on which the trainee has no scheduled classes or exercises and is not expected to be in attendance at the institution. Vacation periods between school years or the corresponding vacation periods in those schools which operate on a year round basis and in job training establishments are not holidays within the definitions in this paragraph and accordingly any periods for which subsistence allowance is paid during such vacation periods will be chargeable as leave. An approved absence covering a period of less than the standard school or work week of the training institution

or establishment should be charged against leave at the rate of 1 day for each school or working day of absence from the institution. An approved absence covering a period of 1 calendar week or more will be charged at the rate of 5 days for each 7 consecutive days of absence if the school or establishment furnishes instruction on a 5-day per week basis.

2. In § 21.66, paragraph (b) is amended to read as follows:

§ 21.66 *Conduct and progress.*

(b) *Unauthorized absences and absences in excess of 30 days in a calendar year (effective April 1, 1949).* (1) Applicable schools and training establishments will be responsible for reporting to the Veterans' Administration on VA Form 7-1963 all absences in excess of 30 days in a calendar year (or a pro rata portion thereof where the course in which the veteran is enrolled is less than 12 months in duration) and all absences which the school or establishment considers unauthorized. Schools will also be responsible for notifying the Veterans' Administration of interruption of training where the provision of the contract with the Veterans' Administration or the established policy of the school requires interruption for lack of progress due to excessive absenteeism. Schools will also be responsible upon interruption, discontinuance, or completion of the veteran's training for notifying the Veterans' Administration of any absences or leave (authorized or unauthorized) which exceed 30 days in a calendar year (or a pro rata portion thereof where the course in which the veteran is enrolled is less than 12 months in duration), and such absence has not previously been reported to the Veterans' Administration on VA Form 7-1963. Such reports may be made on VA Form 7-1908.

(2) Subsistence allowance will be reduced for unauthorized absences reported on VA Form 7-1963 in accordance with § 21.107 (i).

3. In § 21.102, the introductory paragraph and paragraphs (a) and (b) are amended; and a new paragraph (d) is added as follows:

§ 21.102 *Effective closing dates of an authorization of subsistence allowance.* The effective closing date of an authorization of subsistence allowance shall be determined in accordance with the criteria set forth below:

(a) *Schools, colleges, and universities.* The effective closing date shall be the closing date of the course, or the closing date of the period of enrollment as certified by the school (or as either may be extended by a period of leave granted in accordance with the provisions of § 21.65), or the expiration date of the veteran's entitlement, whichever is the earlier.

(b) *Apprenticeship or other on-the-job training.* The effective closing date shall be the ending date of the training as established by the training agreement (or as extended by a period of leave granted in accordance with the provi-

sions of § 21.65), or the expiration date of the veteran's entitlement, whichever is the earlier.

(d) *Where veteran withdraws from training without giving prior notice to the Veterans' Administration.* Notwithstanding the provisions of paragraphs (a), (b) or (c) of this section, when a veteran in receipt of regular monthly payments of subsistence allowance withdraws—without giving prior notice to the Veterans' Administration—from either institutional or on-the-job training prior to the end of the course or the end of the certified period of enrollment, the authorization action will terminate the training status and subsistence allowance as of the end of the month in which the withdrawal, interruption, or discontinuance occurred: *Provided, however,* That in any case where an ending date has been previously fixed within the month in which the withdrawal, interruption, or discontinuance occurred, there will be no extension beyond such ending date: *And provided further,* That in no case will such extension be granted if the school or training establishment reports that the veteran's course of training has been discontinued because of unsatisfactory conduct or progress. If a report showing that the veteran's course of training has been discontinued because of unsatisfactory conduct or progress is received from a school or training establishment after an extension to the end of the month has been effected a revised authorization action will be accomplished to cancel such extension. This extension will be initially made by the Veterans' Administration even though there is of record no affirmative election upon the part of the veteran. It is provided further that only one such extension of training status shall be made in any cumulative 12 months of training and that as to any veteran whose training status and subsistence allowance has been extended to the end of the month under these circumstances and who is subsequently restored to training status in the same course in the same institution or training establishment the action authorizing such extension will be amended to establish the ending date effective as of the date the withdrawal from training occurred since under these conditions the period of interruption actually constituted a period of absence. The extension in this paragraph will not be applicable to interruptions of training occurring prior to May 27, 1948, except in the cases of deceased veterans who had withdrawn from or interrupted training status prior to that date under the circumstances defined in this paragraph, and to whom subsistence allowance was paid to the end of the month in which such withdrawal or interruption occurred, thus eliminating overpayments which would otherwise stand against the estate of the decedent.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. and Sup. 11a, 701, 707, ch. 12 note. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500-1504, 1506, 1507, 58 Stat. 286, 300, as

amended; 38 U. S. C. and Supp. 693g, 697-697d, 697f, g, ch. 12 note)

This regulation effective February 3, 1951.

[SEAL]

O. W. CLARK,  
Deputy Administrator.

[F. R. Doc. 51-1859; Filed, Feb. 2, 1951;  
8:53 a. m.]

## TITLE 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 1—ESTABLISHMENT AND ORGANIZATION OF THE POST OFFICE DEPARTMENT

##### BUREAU OF FINANCE AND BUREAU OF FACILITIES

a. In § 1.12 *Bureau of Finance* (39 CFR 1.12; 15 F. R. 4639) amend paragraph (d) as follows:

1. Strike out the words "Division of Finance", wherever they appear therein, and insert, in lieu thereof, the words "Division of Postal Finance".

2. Strike out the words "Division of Postal Savings Banking Investments" and insert, in lieu thereof, the words "Division of Postal Savings Banking and Investments".

b. In § 1.13 *Bureau of Facilities* (39 CFR 1.13; 15 F. R. 4693) make the following changes:

1. Amend the first sentence of paragraph (a) by striking out "with the design and construction of buildings insofar as the operation of the post-office service is concerned; with the lay-out of post-office quarters in Federal buildings and leased buildings, including conveyor and other labor-saving equipment for same; with the general engineering problems affecting the activities of the Postal Service; in collaboration with the Administrative Assistant to the Postmaster General, with the consideration of the practicability of devices and inventions for use in the Postal Service" and by inserting, in lieu thereof, "with the planning and design of new Federal buildings housing postal activities; with determination of space and mechanical facilities for postal operational requirements; collaboration in site selection; with the planning of postal quarters in

leased buildings; with the planning of conveyor and other mechanical mail-handling facilities; with general engineering relating to buildings, equipment, devices and materials used in the postal service; with the providing of engineering and technical assistance to other Bureaus and offices in the planning and design of facilities to obtain maximum efficiency in postal operations; and with the analysis of technical reports and specifications".

2. Amend paragraph (d) by striking out "a Division of Engineering and Research" and by inserting, in lieu thereof, "a Division of Engineering".

(R. S. 161,396, secs. 304,309, 42 Stat. 24, 25, Reorg. Plan No. 3 of 1949; 14 F. R. 5225, 3 CFR, 1949 Supp., 63 Stat. 1066; 5 U. S. C. 22, 369, 5 U. S. C. Supp., 1332-15)

[SEAL]

J. M. DONALDSON,  
Postmaster General.

[F. R. Doc. 51-1711; Filed, Feb. 2, 1951;  
8:45 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

[Ex Parte No. 174]

#### PART 91—LOCOMOTIVE INSPECTION

##### RULES AND INSTRUCTIONS FOR INSPECTION AND TESTING OF LOCOMOTIVES OTHER THAN STEAM

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of January A. D. 1951.

It appearing, that on October 4, 1950, the Division issued in the above-entitled proceeding a notice of proposed rule making (15 F. R. 6892) pursuant to the provisions of the Locomotive Inspection Act of February 17, 1911, as amended, accompanied by a copy of special rules of practice applicable thereto, which notice set forth a rule, 205 (a), which was proposed to supersede Rule 205 (a) prescribed by the Commission's order of December 14, 1925;

It further appearing, that no evidence has been filed pursuant to said special rules of practice and no objection made to the proposed Rule 205 (a):

It is ordered, That the Commission's order of December 14, 1925, prescribing rules and instructions for the inspection and testing of locomotives other than steam be, and it is hereby, amended by substituting for § 91.205 (a) in said rules and instructions the following:

§ 91.205 *Main reservoir system*—(a) *Safety valve*. The main reservoir system of each unit shall be equipped with at least one safety valve, the capacity of which shall be sufficient to prevent an accumulation of pressure of more than 10 pounds per square inch above the maximum working air pressure fixed by the chief mechanical officer of the carrier operating the locomotive. Each unit that has a pneumatically actuated system of power controls shall be equipped with a separate reservoir of air under pressure to be used for operating such controls, other than brake controls, which reservoir shall be provided with means to automatically prevent loss of pressure in event of failure of main reservoir air pressure, shall have storage capacity to permit not less than 3 complete operating cycles of control equipment and shall be so located that it will not be readily susceptible to damage. Each unit built before January 1, 1951, that has a pneumatically actuated control system of power control shall be so equipped the first time said unit receives repairs of a general nature but not later than January 1, 1952.

A copy of this order will be served on each common carrier subject to the Interstate Commerce Act and on each National Organization of Railroad Employees and notice thereof shall be given to the general public by depositing a copy of said order in the office of the Secretary of the Commission at Washington and by filing it with the Director of the Division of the Federal Register.

(Sec. 5, 36 Stat. 914, as amended; 45 U. S. C. 28. Interprets or applies sec. 2, 36 Stat. 913, as amended; 45 U. S. C. 23)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-1717; Filed, Feb. 2, 1951;  
8:46 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Bureau of Animal Industry

[ 9 CFR, Part 151 ]

#### RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

##### CATTLE

Notice is hereby given that the Secretary of Agriculture, pursuant to the authority vested in him by section 201, Paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Supp. III, Sec. 1201, Par. 1606), proposes to recognize the book of record of purebred cattle entitled "The Dun and Belted Gal-

loway Herd Book," published under the auspices of the Dun and Belted Galloway Cattle Breeders' Association, 111 English Street, Dumfries, Scotland, of which John Kincaid is Secretary, and to amend the regulations governing the recognition of breeds and books of record of purebred animals by adding the name of the herd book to the list of books of record named in 9 CFR 151.10 (a), as amended, under the subheading "Cattle." The said regulations would further be amended to provide that the certification of cattle registered in the said herd book shall be restricted to animals for which pedigree certificates are furnished showing three complete genera-

tions of known and recorded purebred ancestry of the Dun and Belted Galloway breed.

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

(Sec. 201, Par. 1606, 46 Stat. 673 as amended by 62 Stat. 161; 19 U. S. C. and Supp. III, 1201, par. 1606)

Done at Washington, D. C., this 30th day of January 1951.

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

[F. R. Doc. 51-1726; Filed, Feb. 2, 1951;  
8:49 a. m.]

### Production and Marketing Administration

[P. & S. Docket No. 143]

#### MARKET AGENCIES AT OMAHA UNION STOCK YARDS

##### PETITION FOR MODIFICATION

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended, (7 U. S. C. 181 et seq.) an order was issued on May 3, 1950 (9 A. D. 571) authorizing the respondents to assess the charges currently in effect.

On January 25, 1951, respondents filed a petition requesting that a supplemental and temporary order be issued authorizing respondents to file a new tariff No. 12 attached to the petition providing for the following charges for market services:

##### SECTION A—SELLING CHARGES

(The selling charges apply only when animals offered for sale are sold)

	Cents per head
<b>Calves:</b>	
Consignments of 1 head and 1 head only	75
Consignments of more than 1 head:	
First 5 head in each consignment	60
Next 10 head in each consignment	55
Each head over 15 in each consignment	45
Cripples or subjects	75
<b>Cattle:</b>	Per head
Consignments of 1 head and 1 head only	\$1.30
Consignments of more than 1 head:	
First 5 head in each consignment	1.10
Next 10 head in each consignment	1.05
Each head over 15 in each consignment	.95
<b>Bulls</b>	1.75
<b>T. B.'s, Bangs, subjects, or cripples</b>	1.75

##### SECTION B—SELLING CHARGES

	Cents per head
<b>Hogs:</b>	
Consignments of 1 head and 1 head only	55
Consignments of more than 1 head:	
First 10 head in each consignment	40
Next 15 head in each consignment	35
Each head over 25 in each consignment	30
Cripples or subjects	75

##### SECTION C—SELLING CHARGES

	Cents per head
<b>Sheep or Goats:</b>	
Consignments of 1 head and 1 head only	50
Consignments of more than 1 head:	
First 10 head in each 225 head in each consignment	37
Next 20 head in each 225 head in each consignment	30
Next 30 head in each 225 head in each consignment	24
Next 40 head in each 225 head in each consignment	15
Next 125 head in each 225 head in each consignment	9
Cripples	65

The charge on a rail consignment of sheep shall not exceed an amount equal to \$30.00 × the number of double deck cars plus an amount equal to \$20.00 × the number of single deck cars in the consignment.

##### SECTION D—SELLING CHARGES

Resales:	Per head
Cattle	\$0.75
Calves	.35
Bulls	1.00
Hogs	.25
Boars	.50
Sheep	.20

##### SECTION E—EXTRA SERVICE CHARGES

In the case of those consignments where more than three weight drafts are necessary or requested, 25 cents per weight draft in excess of three, maximum \$3.00 on any one consignment, will be charged.

In the case of those cars where prorating is necessary or requested, the following additional charges will apply: 30 cents for each such proration minimum 60 cents and maximum \$3.00 on any one car.

When separate subsequent accountings are made to the consignor on account of delayed sales, a charge of 25 cents will be assessed for each additional account of sale rendered.

Extra Draft charges and Subsequent Report charges do not apply to Bangs, T. B.'s, Subjects, crippled or dead livestock.

##### SECTION F—BUYING CHARGES

Cattle and calves: The charges for buying cattle and calves shall be the same as the selling charges with the following exceptions:

1. There shall be no draft charge, but when it is necessary to purchase and pick up a purchase order from more than two market agencies and/or dealers, a charge of 50 cents shall be made for each market agency and/or dealer in excess of two, with a maximum of \$3.00 on any one purchase order.

2. On carloads the minimum charge shall be \$22.00 per car, and the maximum charge shall be \$28.00. Pick up charge as set out in paragraph 1 is in addition to the buying charge.

3. On trucked out cattle for immediate slaughter the unit of charge shall be 22,000 pounds. On purchase orders weighing less than 22,000 pounds the maximum charge shall be \$22.00. On purchase orders weighing 22,000 pounds or over the charge shall be \$22.00 for each unit of 22,000 pounds. In the case of those purchase orders which are of such weight that a fraction of a unit results, the charge on the fraction shall be computed by dividing the weight of the fraction by the average per head weight of the cattle in the purchase order. The number of animals so ascertained shall carry a charge of 90 cents per head.

Bulls: The charge for buying bulls shall be the same as the selling charge. There shall be no draft charge, but when it is necessary to purchase and pick up a purchase order from more than two market agencies and/or dealers, a charge of 50 cents shall be made for each market agency and/or dealer in excess of two, with a maximum of \$3.00 on any one purchase order.

Hogs: The charges for buying hogs shall be the same as the selling charges with the following exceptions:

1. There shall be no draft charge, but whenever it is necessary to purchase and pick up a purchase order from more than two market agencies and/or dealers, a charge of 50 cents shall be made for each agency and/or dealer over two, with a maximum charge of \$3.00 on any one purchase order.

2. The minimum charge on hogs for immediate slaughter shipped out by rail shall be \$21.00 per single deck and the maximum charge, \$25.00. The minimum charge on

double deck cars shall be \$28.00 and the maximum, \$35.00. Pick up charges as set out in paragraph 1 is in addition to the regular buying charges.

3. On trucked out hogs for immediate slaughter the unit of the charge shall be 17,000 pounds. On purchase orders of less than 17,000 pounds the maximum charge shall be \$21.00. On purchase orders weighing 17,000 pounds or over the charge shall be \$21.00 for each unit of 17,000 pounds. In the case of those purchase orders which are of such weight that a fraction of a unit results, the charge on the fraction shall be computed by dividing the weight of the fraction by the average per head weight of the hogs in the purchase order. The number of animals so ascertained shall carry a charge of 28 cents per head.

Sheep: The charges for buying sheep shall be the same as the selling charges with the following exceptions:

1. There shall be no draft charge, but whenever it is necessary to purchase and pick up a purchase order from more than two market agencies and/or dealers, a charge of 50 cents shall be made for each agency and/or dealer over two, with a maximum charge of \$3.00 on any one purchase order. The maximum charge shall be:

Single deck	\$20.00
Double deck	30.00
Each 250 head (other than by rail)	30.00

Pick up charge as set out in paragraph 1 is in addition to the maximum buying charge.

##### SECTION G—MISCELLANEOUS CHARGES

1. No account sale shall be rendered for less than 75 cents.

2. When a commission firm renders service to any purchaser of livestock by paying for and/or rendering service relative to tuberculosis or abortion tests, such service shall be deemed the same as a purchase of livestock and shall be charged for at the regular buying rates.

3. When a purchaser requests the agency to bill out the purchase order or deliver any cattle, calves and sheep for branding, dehorning, castrating, vaccinating, immunizing, spraying, etc., and/or to drive the animals to the truck pens, a charge of 50 cents per head shall be made on cattle, 25 cents per head on calves and 50 per cent of the buying charge on sheep.

To defray the expenses of the present system of ante mortem inspection of cattle and calves, provided by this Exchange, the following charges shall be made on all cattle and calves sold at these yards by members of this Exchange and others receiving said inspection:

Cattle or calves: 2 cents per head (with maximum charge of 40 cents up to each 25 head).

To defray the cost of inspection of the hogs at the scale:

Hogs: 1 cent per head, maximum 30 cents for each 100 head in a consignment.

Services of Chief Inspector	\$0.75
Services of Board of Arbitration	1.50

(Services of Chief Inspector and Board of Arbitration are to be paid by the owner of the consignment when services are requested by the selling agency and by the purchaser of the consignment when requested by him.)

If authorized, the increased charges will produce additional revenue for the respondents and increase the cost of marketing. It appears therefore that this notice of the petition should be given to the public.

All interested parties who wish to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25,

D. C., within the 15 days period following the publication of this notice.

Done at Washington, D. C., this 31st day of January 1951.

[SEAL] KATHERINE L. MASON,  
Hearing Clerk.

[F. R. Doc. 51-1735; Filed, Feb. 2, 1951;  
8:50 a. m.]

[P. & S. Docket No. 534]

MARKET AGENCIES AT NEW ORLEANS STOCK  
YARDS, ARABI, LA.

PETITION FOR MODIFICATION OF TEMPORARY  
RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on March 14, 1950, authorizing the current charges for respondents' services.

By petition filed on January 18, 1951, respondents have requested authority to file a new Tariff No. 8, copy of which is attached to the petition and put into effect the charges provided for in said Tariff No. 8 which charges are as follows:

ARTICLE II—SELLING CHARGES—ALL MODES  
OF ARRIVAL

ANIMALS OF THE BOVINE SPECIES

	Per head
Light weight bovines:	
0 pounds to 95 pounds.....	\$0.55
100 pounds to 295 pounds.....	.65
Medium weight bovines: 300 pounds to 695 pounds.....	1.00
Heavy weight bovines: 700 pounds and over.....	1.35
Bulls: 600 pounds and over.....	2.50
Dairy cattle: Milkers or springers (cows with calves at feet being con- sidered as one).....	5.00

SWINE

65 pounds and under.....	.40
70 pounds to 95 pounds.....	.55
100 pounds and up.....	.60

SHEEP AND GOATS

All weights.....	.35
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ARTICLE III—EXTRA SERVICE CHARGES

	Per head
For each additional draft over 3 in any 1 consignment.....	\$0.25
For each additional check, each addi- tional account sales, each additional proceeds deposit over 1 per con- signment.....	.10
For each additional day after arrival of milch cows, until sold, not to exceed a maximum charge of.....	2.50
Per head per day.....	.50
Tipping horns.....	.15
Branding.....	.20
When requested, or when necessary, for brand or identification tag, a charge will be made of.....	.25

ARTICLE IV—BUYING CHARGES

The charges for buying livestock of the various species shall not be in excess of those for selling like species and shall be as follows:

	Per car
Slaughter cattle and calves in carload lots, single deck, maximum of.....	\$15.00
Slaughter cattle and calves in carload lots, double deck, maximum of.....	22.50
Hogs and sheep in carload lots, 20 cents per head not to exceed:	
Maximum for single deck of.....	12.00
Maximum for double deck of.....	18.00

ARTICLE IV—BUYING CHARGES—Continued

Stocker cattle and calves in carload lots, single deck, maximum of.....	\$25.00
Stocker cattle and calves in carload lots, double deck, maximum of.....	37.50
Per head	
Slaughter cattle, less than carload lots:	
Cattle, 500 pounds and up.....	\$0.65
Calves, 495 pounds and under.....	.40
Stocker cattle, less than carload lots:	
Cattle, 500 pounds and up.....	1.00
Calves, 495 pounds and under.....	.65
Hogs and sheep, less than carload lots.....	.25

ARTICLE V—RESALE CHARGES

The rates for reselling livestock of the various species shall be the same as those for selling under the provisions of Article II.

ARTICLE VI—FEED CHARGES

Hay—all kinds: Current market prices, f. o. b. stockyards: plus \$0.50 per cwt.  
Cottonseed hulls: Current market prices, f. o. b. stockyards: plus \$0.50 per cwt.  
Cottonseed meal: Current market prices, f. o. b. stockyards: plus \$0.50 per cwt.  
Corn: Current market prices, f. o. b. stockyards: plus \$0.25 per bu.  
Special feeds: A reasonable handling charge not to exceed 50 cents per cwt. or fraction thereof.

The charge made for hay, hulls, meal, and corn shall be divisible by 5 and shall be amended when the margin between cost and sale price of the feeds named varies five cents from the margin specified above.

ARTICLE VII—INSURANCE

Livestock, all species, received by rail: \$0.10 per car.  
Livestock received other than by rail:  
Cattle, ½ cent per head.  
Calves, ½ cent per head.  
Hogs, ½ cent per head.  
Sheep, ½ cent per head.  
Minimum of 1 cent per single ownership.  
Maximum charge 10 cents on all consignments of single ownership received for the same market day up to:  
30 head of cattle.  
75 head of calves not over 300 pounds.  
75 head of hogs.  
300 head of sheep.

ARTICLE VIII—SHIPPING CHARGES

When shipments are forwarded by rail and where partitions are required a charge of \$4.50 for each partition furnished will be made.

When shipments are forwarded by rail a charge will be made of \$4.00 per car, for bedding single deck, and \$6.00 per car for double deck.

When required, a charge of \$1.50 per head will be made for tying bulls in cars.

If authorized, the proposed charges will produce additional revenue for the respondents and increase the cost of marketing by auction. It appears, therefore, that this notice of the filing of the petition should be given to the public.

All interested parties who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days following the publication of this notice.

Done at Washington, D. C., this 31st day of January 1951.

[SEAL] KATHERINE L. MASON,  
Hearing Clerk.

[F. R. Doc. 51-1736; Filed, Feb. 2, 1951;  
8:50 a. m.]

[7 CFR, Part 930]

[Docket No. AO 72 A15]

HANDLING OF MILK IN TOLEDO, OHIO,  
MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MAR-  
KETING AGREEMENT AND A PROPOSED  
AMENDMENT TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended (7 CFR Part 900), a public hearing was conducted at Toledo, Ohio, on June 1, 1950, reopened on November 30, 1950, pursuant to notices thereof which were issued on May 5, 1950 (15 F. R. 2804) and November 17, 1950 (15 F. R. 7980).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on January 9, 1951, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of filing such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on January 12, 1951 (16 F. R. 321; F. R. Doc. 51-570).

*Ruling on exceptions.* Within the period reserved for filing exceptions, to the recommended decision, exceptions were submitted on behalf of producers. These exceptions have been fully considered and to the extent to which the findings and conclusions of this decision are at variance with the exceptions, such exceptions are hereby overruled.

The material issues and the findings and conclusions of the recommended decision (16 F. R. 321; F. R. Doc. 51-570) are hereby approved and adopted as the material issues and the findings and conclusions of this decision as if set forth in full herein.

*Determination of representative period.* The month of December 1950 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an amendment to the order regulating the handling of milk in the Toledo, Ohio, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as hereby amended.

*Marketing agreement and order.* Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in the Toledo, Ohio, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Toledo, Ohio, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

## PROPOSED RULE MAKING

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C. this 30th day of January 1951.

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

*Order<sup>1</sup> Amending the Order, as Amended, Regulating the Handling of Milk in the Toledo, Ohio, Marketing Area*

§ 930.0 Findings and determinations. The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing

orders (7 CFR Part 900), a public hearing was held at Toledo, Ohio, on June 1, 1950, reopened on November 30, 1950, upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling.—It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Toledo, Ohio, marketing area shall be in conformity to and in

compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

Delete subparagraphs (a) (1) and (2) of § 930.5 and substitute therefor the following:

(1) Class I milk price. (i) Except as provided in subdivision (ii) of this subparagraph, add to the basic formula price the following amount for the delivery period indicated:

Delivery period:	Amount
May and June.....	\$0.75
March, April, July, August.....	1.00
All others.....	1.20

(ii) For the second delivery period following any period of 12 consecutive months in which the total receipts of milk from producers by all handlers exceed 135 percent of the total Class I utilization of all handlers, and continuing until the beginning of the second delivery period following any period of 12 consecutive months in which such milk receipts are less than 125 percent of such utilization, add to the basic formula price the following amount for the delivery period indicated:

Delivery period:	Amount
May and June.....	\$0.75
March, April, July, August.....	.95
All others.....	1.05

(2) Class II milk price. The Class II milk price for each delivery period shall be the Class I milk price for such delivery period less 30 cents.

[F. R. Doc. 51-1737; Filed, Feb. 2, 1951; 8:50 a. m.]

## NOTICES

## DEPARTMENT OF COMMERCE

## Federal Maritime Board

[No. M-14]

## LUCKENBACH STEAMSHIP CO.

## NOTICE OF FURTHER HEARING ON APPLICATION TO BAREBOAT CHARTER DRY-CARGO VESSELS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that a further hearing will be held at Washington, D. C., on February 8, 1951, at 10 o'clock a. m., in Room 4823 Department of Commerce Building, before Examiner A. L. Jordan, upon the application of Luckenbach Steamship Company to bareboat charter Government-owned war-built dry-cargo vessels.

In its report herein, issued January 24, 1951, the Board determined that the record adduced at the original hearing on December 6, 1950, [held pursuant to notice of November 21, 1950, (15 F. R.

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

7956)] was insufficient to enable it to make necessary findings under Public Law 591, with respect to the application of Luckenbach Steamship Company for the charter of vessels for use in its Gulf Intercoastal service, and the matter was remanded to the examiner for the receipt of additional evidence in connection therewith.

The purpose of the hearing is to receive further evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days within which to file exceptions to or memoranda in support of the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on

exceptions will be granted or whether briefs in connection therewith will be received.

Dated: January 24, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,  
Secretary.

[F. R. Dec. 51-1821, Filed, Feb. 2, 1951; 9:01 a. m.]

## DEPARTMENT OF THE TREASURY

## Fiscal Service, Bureau of Accounts

[Dept. Circ. 882]

NEW ENGLAND CASUALTY INSURANCE CO.  
SURETY COMPANY ACCEPTABLE ON FEDERAL BONDS

JANUARY 30, 1951.

The Certificate of Authority issued by the Secretary of the Treasury to the New England Casualty Insurance Company of Springfield, Massachusetts, under the provisions of the act of Congress approved July 30, 1947 (6 U. S. C. 6-13), to qualify as sole surety on recognizances, stipulations, bonds and all other undertakings permitted or required by the

laws of the United States has been revoked effective as of midnight on December 31, 1950.

The New England Insurance Company, Springfield, Massachusetts, holds a Certificate of Authority from the Secretary of the Treasury as an acceptable surety on bonds in favor of the United States, and as the continuing corporation under an agreement of merger dated October 16, 1950, effective as of midnight, December 31, 1950, and approved by the Commonwealth of Massachusetts Insurance Department under date of November 14, 1950, acquired all of the assets and assumed all of the debts, obligations and liabilities of the New England Insurance Company, the New England Casualty Insurance Company and the Sentinel Fire Insurance Company. Further details as to the agreement of merger may be obtained from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington 25, D. C.

[SEAL] E. H. FOLEY,  
Acting Secretary of the Treasury.

[F. R. Doc. 51-1734; Filed, Feb. 2, 1951;  
8:50 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-1292]

HOPE NATURAL GAS CO.

### ORDER FIXING DATE FOR ORAL ARGUMENT

The decision of the presiding examiner in this matter was entered on December 29, 1950. In due course thereafter, exceptions thereto were filed by applicant, Hope Natural Gas Company, by the intervenor Public Service Commission of the State of New York, and by Commission staff counsel; and opportunity to present oral argument upon the exceptions was requested.

The Commission finds: It is appropriate that oral argument in the proceeding be had before the Commission respecting all issues raised by the respective exceptions.

The Commission orders: This matter be and the same is hereby set down for oral argument before the Commission commencing at 10:00 a. m., e. s. t., on February 14, 1951, in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: January 30, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-1728; Filed, Feb. 2, 1951;  
8:50 a. m.]

[Docket No. G-1486]

WABASH NATURAL GAS CO.

### ORDER FIXING DATE OF HEARING

On September 20, 1950, Wabash Natural Gas Company filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity to construct and operate approximately 1/2 mile of 4-inch natural gas transmission line from the

transmission line of Texas Eastern Transmission Corporation to the City of Carmi, Illinois, and for an order under section 7 (a) of the Natural Gas Act directing Texas Eastern to establish physical connection with the proposed facilities and to deliver and sell gas to Applicant for resale to Consumers Gas Company for distribution in the City of Carmi, all as more fully described in its application on file with the Commission and open for public inspection.

Due notice of filing such application has been given, including publication in the FEDERAL REGISTER on October 5, 1950 (15 F. R. 6730).

The Commission finds: Good cause exists to set this application for hearing with less than the normal 15 days notice.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on February 13, 1951, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of Issuance: January 30, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-1727; Filed, Feb. 2, 1951;  
8:49 a. m.]

[Docket Nos. G-1551, G-1552]

INDIANA GAS AND WATER CO., INC., AND  
TEXAS GAS TRANSMISSION CORP.

### ORDER FIXING DATE OF HEARING AND DENYING REQUEST FOR DISMISSAL OF PETITIONS OR FOR CONSOLIDATION WITH OTHER PROCEEDINGS

JANUARY 30, 1951.

Indiana Gas and Water Company, Inc. (Indiana Gas) and Texas Gas Transmission Corporation (Texas Gas) on December 8, 1950, filed petitions, Docket Nos. G-1551 and G-1552, respectively, for an order directing Panhandle Eastern Pipe Line Corporation (Panhandle) to deliver up to 12,000 Mcf per day to Texas Gas at its connection with Panhandle near Danville, Indiana, during the 1950-1951 heating season and such additional quantities in the future at this delivery point as Texas Gas may request from time to time up to the full contractual obligation of Panhandle to Texas Gas of 18,000 Mcf per day.

Panhandle on December 29, 1950, filed responses to both petitions and requested that the petitions be dismissed, or, in the alternative, that they be consolidated with Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1152, G-1415,

and G-1379, and heard at the time that evidence is taken in regard to Issue No. 6 as defined in the Commission's orders issued July 13, July 31 and November 30, 1950, in said dockets.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 5, 7, and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held on February 19, 1951, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the above-mentioned petitions and responses.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

(C) Panhandle's request that the petitions be dismissed or, in the alternative, that they be consolidated with Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1152, G-1415, and G-1379 be and the same is hereby denied.

Date of issuance: January 31, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 51-1729; Filed, Feb. 2, 1951;  
8:48 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25790]

PIG IRON FROM NORTH ATLANTIC PORTS TO  
CANTON AND MANSFIELD, OHIO

### APPLICATION FOR RELIEF

JANUARY 31, 1951.

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: C. W. Boin and I. N. Doe, Agents, for carriers parties to fourth-section application No. 25550.

Commodities involved: Pig iron, in carloads (import).

From: North Atlantic ports.

To: Canton and Mansfield, Ohio.

Grounds for relief: Circuitous routes. To maintain grouping. To maintain port rate relations.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-914, Supp. 12. I. N. Doe's tariff I. C. C. No. 591, Supp. 24. R. B. LeGrande's tariff I. C. C. No. 238, Supp. 81.

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. 51-1718; Filed, Feb. 2, 1951;  
8:46 a. m.]

[4th Sec. Application 25791]

SCRAP IRON OR STEEL FROM PENSACOLA,  
FLA. TO BIRMINGHAM, ALA.

APPLICATION FOR RELIEF

JANUARY 31, 1951.

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 St. Louis-San Francisco Railway Company and other carriers named in the application.

Commodities involved: Scrap iron or steel, in carloads.

From: Pensacola, Fla.

To: Birmingham, Ala., and points grouped therewith.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 950, Supp. 135.

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. 51-1719; Filed, Feb. 2, 1951;  
8:46 a. m.]

[4th Sec. Application 25792]

WATER-RAIL RATES, IRON AND STEEL ARTICLES FROM BALTIMORE, MD., TO THE SOUTHEAST

APPLICATION FOR RELIEF

JANUARY 31, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion 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 carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 920.

Commodities involved: Iron and steel articles, in carloads.

From: Baltimore, Md.

To: Points in Georgia, North Carolina, South Carolina and Virginia (on traffic over water-rail routes).

Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 920, Supp. 207.

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. 51-1720; Filed, Feb. 2, 1951;  
8:46 a. m.]

[4th Sec. Application 25793]

CHARCOAL BRIQUETTES FROM MICHIGAN AND WISCONSIN TO POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JANUARY 31, 1951.

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: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3763.

Commodities involved: Charcoal briquettes, in carloads.

From: Goodman, Wis., Iron Mountain, Marquette and Newberry, Mich.

To: Points in official territory.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3763, Supp. 2.

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. 51-1721; Filed, Feb. 2, 1951;  
8:47 a. m.]

[4th Sec. Application 25794]

SODA AND SODA PRODUCTS BETWEEN POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JANUARY 31, 1951.

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: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-848.

Commodities involved: Soda and soda products, in carloads.

Between: Points on the Chicago, Milwaukee, St. Paul and Pacific Railroad Company in Illinois, Wisconsin and eastern Iowa, on the one hand, and points in central, trunk-line and New England territories, on the other.

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

Schedules filed containing proposed rates:

	Tariff I. C. C. No.	Supp. No.
C. W. Boin, Agent.....	A-848	192
	3779	106
	2445	283
	2446	286
	2447	289
B. T. Jones, Agent.....	2448	283
	3685	117
	3365	172
	2451	291
	3425	152
	3068	178
	3042	167

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 hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 51-1722; Filed, Feb. 2, 1951;  
8:47 a. m.]

[4th Sec. Application 25795]

CAUSTIC SODA FROM NEW JERSEY, VIRGINIA,  
AND NEW YORK, TO CINCINNATI, OHIO

APPLICATION FOR RELIEF

JANUARY 31, 1951.

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: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-323.

Commodities involved: Sodium (soda), caustic (sodium hydroxide), in tank-car loads.

From: Carteret and Newark, N. J., Saltville, Va., Solvay and Syracuse, N. Y.  
To: Cincinnati, Ohio.

Grounds for relief: Competition with rail carriers. Market competition.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-323, Supp. 232. N&W. Ry. tariff I. C. C. No. 9335, Supp. 5.

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. Dec. 51-1723; Filed, Feb. 2, 1951;  
8:47 a. m.]

[4th Sec. Application 25796]

STEEL OR WROUGHT PIPE AND FITTINGS  
FROM ST. LOUIS, MO., AND EAST ST.  
LOUIS, ILL., TO POINTS IN TEXAS

APPLICATION FOR RELIEF

JANUARY 31, 1951.

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 Wabash Railroad Company and other carriers named in the application.

No. 24—4

Commodities involved: Pipe, steel or wrought iron, pipe fittings, and related articles, in carloads.

From: St. Louis, Mo., and East St. Louis, Ill.

To: Points in Texas.

Grounds for relief: Competition with rail carriers. Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3748, Supp. 71.

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. 51-1724; Filed, Feb. 2, 1951;  
8:48 a. m.]

### SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-111, 59-12]

AMERICAN & FOREIGN POWER CO., INC.,  
ET AL.

NOTICE OF FILING OF PLAN AND NOTICE OF  
AND ORDER FOR HEARING

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

office in the city of Washington, D. C., on the 29th day of January A. D. 1951.

In the matter of American & Foreign Power Company, Inc., Electric Bond and Share Company; File No. 54-111. In the matter of Electric Bond and Share Company, et al., respondents; File No. 59-12.

I. Notice is hereby given that American & Foreign Power Company, Inc. ("Foreign Power"), a registered holding company, and its parent company, Electric Bond and Share Company ("Bond and Share"), also a registered holding company, have filed a joint application with this Commission, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan proposed by Foreign Power and joined in by Bond and Share for the reorganization of Foreign Power.

The stated purposes of said plan are the simplification of the capital structure of Foreign Power, the fair and equitable distribution of voting power among the security holders of Foreign Power in conformity with the provisions of the act, and the settlement and discharge of various claims and counterclaims among Bond and Share, Foreign Power, and their respective security holders. The proposed plan is filed in substitution for and supersedes a previous plan proposed for the reorganization of Foreign Power dated October 25, 1944, as amended, and applicants request permission to withdraw such previous plan.

Foreign Power is a corporation organized under the laws of the State of Maine for the purpose of acting as a holding company of foreign properties or securities of corporations owning foreign properties. Foreign Power's subsidiaries operate in Argentina, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, India, Mexico, Panama, and Venezuela. Bond and Share is a corporation organized under the laws of the State of New York and is the parent of Foreign Power.

At December 31, 1950, the capitalization of Foreign Power was as follows:

	Total outstanding	Owned by—	
		Bond and Share	Others
3½ percent bank loans, due serially 1951-54.....	\$10,000,000		\$10,000,000
3.75-4.267 percent loan from Bond and Share due 1955.....	49,500,000	49,500,000	
Gold debentures, 5 percent series due 2030.....	50,000,000		50,000,000
	<i>Shares</i>	<i>Shares</i>	<i>Shares</i>
Preferred stock (\$7)—no par value—cumulative.....	478,992	13,800	465,192
\$6 preferred stock—no par value—cumulative.....	387,025.65	65,809.10	321,216.55
Second preferred stock, series A (\$7)—no par value—cumulative.....	2,547,761	2,158,235	389,525
Common stock—no par value.....	2,281,130	881,500	1,399,630
Option warrants to purchase common stock.....	6,444,594.8	5,812,884	631,710.8

The Preferred Stock (\$7), the \$6 Preferred Stock, and the Second Preferred Stock have no normal voting rights. The existing common stock is entitled to one vote per share. All the preferred stocks bear cumulative dividends and are entitled to \$100 per share on liquidation plus accumulated dividends. The Preferred Stock (\$7) and the \$6 Preferred Stock rank equally. The redemption prices with respect to the preferred stocks are \$110 per share for the Preferred Stock (\$7) and the \$6 Preferred Stock, and \$105 per share for the Second Preferred Stock, plus accumulated dividends in each instance. As of Septem-

ber 30, 1950, accumulated dividends on the preferred stocks amounted to \$41,995,887 (\$37.675 per share) on the Preferred Stock (\$7), \$29,084,929 (\$75.15 per share) on the \$6 Preferred Stock, and \$356,684,404 (\$140 per share) on the Second Preferred Stock.

The existing Option Warrants entitle the holders, without limitation as to time, to purchase 6,444,594.8 shares of common stock of Foreign Power at \$25 per share and, in lieu of cash, a share of Second Preferred Stock may be surrendered with four Option Warrants in payment of four shares of existing common stock.

All interested persons are referred to said joint plan which is on file in the offices of this Commission for a full statement of the transactions therein proposed which may be summarized as follows:

II. 1. *Allocation of new securities proposed under the plan*—(a) *Bank loans and gold debentures, 5 percent series due 2030.* The existing notes held by banks in the aggregate principal amount of \$10,000,000 (which, in accordance with the terms of the loan agreement, may be increased to an aggregate principal amount of \$15,000,000 on or before July 1, 1951), and the existing gold debentures in the aggregate principal amount of \$50,000,000 will remain outstanding.

(b) *Preferred stock (\$7).* The public holders of the Preferred Stock (\$7) will receive for each share, \$90 principal amount of 4½ percent debentures and 3¼ shares of new common stock. Upon consummation of the plan such stockholders will also receive for the period from October 1, 1950, to the effective date of the plan, interest at the rate of 4½ percent per annum on the debentures to which they are entitled and additional new common stock at the annual rate of ¼ of a share for each share of preferred stock.

(c) *\$6 Preferred stock.* The public holders of the \$6 Preferred Stock will receive for each share, \$80 principal amount of 4½ percent debentures and 2¼ shares of new common stock. Upon consummation of the plan such stockholders will also receive for the period from October 1, 1950, to the effective date of the plan, interest at the rate of 4½ percent per annum on the debentures to which they are entitled and additional new common stock at the annual rate of ¼ of a share for each share of preferred stock.

(d) *Second preferred stock, series A (\$7).* The public holders of the Second Preferred Stock will receive for each share 65/100 of a share of new common stock.

(e) *Common stock.* The public holders of the common stock will receive for each share 1/50 of a share of new common stock.

(f) *Option warrants.* The holders of option warrants will be accorded no participation in the new securities to be issued under the plan and such option warrants will be cancelled.

(g) *Allocation to bond and share.* For all of its security holdings in Foreign Power, Bond and Share will receive 3,750,098 shares (approximately 56 percent) of the new common stock. Upon consummation of the plan Bond and Share will also receive additional new common stock at the rate of 2,730.3 shares per month from October 1, 1950, to the effective date. Until the effective date Bond and Share will be paid interest on the \$49,500,000 of indebtedness now owing to it by Foreign Power.

2. *Capitalization of Foreign Power after consummation of the plan.* Upon consummation of the plan the capitalization of Foreign Power will consist of debt and common stock in the following amounts:

	Total to be outstanding
3½ percent bank loans, due serially 1951-54	\$10,000,000
Gold debentures, 5 percent series due 2030	50,000,000
4½ debentures	67,564,600
New common stock—no par value	6,637,500

<sup>1</sup> Excludes any shares of new common stock to be issued in respect of the period between October 1, 1950, and the effective date.

The 4½ percent Debentures will be dated October 1, 1950, will mature not later than 35 years from the effective date of the plan, will bear interest at the rate of 4½ percent per annum payable semi-annually, and will be subordinate as to principal and interest on default to the Bank Loans and the Gold Debentures and to certain other debt which may be issued. The debenture agreement will, among other things, provide for a sinking fund and an improvement fund, both funds conditioned on earnings of Foreign Power and on the availability to it of dollar exchange and will also provide that other debt may be issued subordinate to the 4½ percent Debentures.

3. *Fractional interests.* No certificates for fractional securities will be issued in respect of fractional interests. Upon surrender of securities to be exchanged for new securities, holders will be requested whether additional fractional interests sufficient to constitute one whole new security should be purchased. If no such instructions are given the fractional interest will be sold for the holder's account.

4. *Time limitations.* Upon expiration of six years following the effective date, any securities or cash which shall not by that time have been claimed shall, in the case of securities, be cancelled or be sold for cash and the proceeds therefrom, together with any other cash so held, will become part of Foreign Power's general corporate funds.

5. *Amendment of Foreign Power's certificate of organization and bylaws.* The certificate of Organization and the By-Laws of Foreign Power will be amended to conform to the plan and will provide for limited preemptive rights to the holders of Foreign Power's capital stock, provided that the provisions with regard to such preemptive rights shall not be required to be printed on Foreign Power's stock certificates.

6. *Claim settlement.* The plan provides that its approval by the Commission, its confirmation by the Court, and its consummation by the parties, shall have the effect of a complete compromise, settlement and discharge of all claims and counter-claims of the parties or their various security holders as such, against the parties and wholly owned subsidiaries.

7. *Fees and expenses.* The Commission is petitioned if it approves the plan to approve the amount of the payments which Foreign Power agrees to make to the plaintiffs or their attorneys or accountants in the Court actions enumerated in the plan and to any other persons by way of reimbursement of the disbursements or allowances for legal, accounting or other services. Foreign Power undertakes to make such other payments

as may be determined or allowed by the Commission without prejudice, however, to its right to seek judicial review of any such determination.

8. *Effective date.* The effective date of the plan will be a date as soon as practicable following the entry by a United States District Court of an order approving and enforcing the plan and will be specifically fixed in a written notice delivered by Foreign Power to this Commission.

9. *Miscellaneous.* The Commission is requested in the event it approves the plan to apply to an appropriate District Court of the United States for its enforcement.

The plan states that its consummation is subject to the receipt from the United States Treasury Department of a closing agreement or ruling as to the tax consequences to Foreign Power and to the holders of its stocks of the transactions necessary to carry out the plan and such agreement or ruling shall be satisfactory to Foreign Power and Bond and Share. It is requested that any order of the Commission approving the plan recite that the relevant transactions of the plan are necessary or appropriate to the integration or simplification of the holding company system of which Foreign Power is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act within the meaning and requirements of the Internal Revenue Code, as amended, including section 1308 (f) and Supplement R thereof.

While application for approval of the plan is pending or while the plan is being carried out Foreign Power reserves the right to dispose of any securities or other assets or take any other action in a manner consistent with the provisions of the plan and of the act and other applicable provisions of law.

III. The Commission being required by the provisions of section 11 (e) of the act before approving any plan thereunder to find, after notice and opportunity for hearing, that such plan, as amended or as modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby, and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan filed by Foreign Power and Bond and Share to afford all interested persons an opportunity to be heard with respect thereto; and

It further appearing to the Commission that the record with respect to Foreign Power's previous plan dated October 25, 1944, as amended (File Nos. 54-111 and 59-12) contains facts and data pertinent to the present proceeding and should be incorporated in and deemed a part of the record in these proceedings subject, however, to the qualifications hereinafter set forth:

It is ordered, That all evidence adduced in the proceedings contained in File Nos. 54-111 and 59-12 shall be incorporated in and be deemed a part of the record in the proceedings with respect to the present plan without prejudice, however, to the right of the Commission upon its own motion or upon

the motion of any interested party to strike such portions of the record in the prior proceedings as may be deemed irrelevant to the issues raised with respect to the proposed plan, and to the right of any interested person upon proper showing, to supplement the evidence therein and to recall witnesses therein for further examination.

*It is further ordered.* That a hearing with respect to the proposed plan be held on March 6, 1951, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D. C., in such room as may be designated on that date by the Hearing Room Clerk in Room 193.

A petition having been filed on December 21, 1950, by C. Shelby Carter, et al., as a committee for the holders of the \$7 and \$6 First Preferred Stocks of Foreign Power requesting that the Commission issue an order requiring (1) that Foreign Power make no further payment of principal or interest on the \$49,500,000 principal amount of its notes held by Bond and Share pending determination of such motion and until the December 1948, and all subsequent dividends of Foreign Power's First Preferred Stocks shall have been fully paid and (2) that an order be issued enjoining Bond and Share from taking any steps to collect any such principal or interest and (3) that an order be issued directing an immediate redistribution of voting power on a fair and equitable basis among the holders of the First and Second Preferred Stocks of Foreign Power.

*It is further ordered.* That the petition of the said C. Shelby Carter, et al., be considered at the hearings commencing March 6, 1951, hereinbefore ordered.

*It is further ordered.* That Harold B. Teegarden or any other officer or officers of the Commission designated by it for that purpose shall preside at said hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

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

(1) Whether the plan as submitted or as hereafter modified is necessary to effectuate the provisions of section 11 (b) of the act, is fair and equitable to the persons affected thereby and is in conformity with the requirements of the Commission's order of May 2, 1949.

(2) Whether the securities to be issued in connection with the proposed plan are appropriate and reasonably adapted to the security structure and earning power of Foreign Power and its holding company system and whether any terms or conditions should be imposed in connection therewith.

(3) Whether the allocation of securities proposed in the plan to the present security holders of Foreign Power is fair and equitable.

(4) Whether the Commission shall, in accordance with the petition of the parties to the plan, take and exercise jurisdiction to fix and determine the amounts of the payments, if any, to be made by Foreign Power to the plaintiffs or their attorneys or accountants in the legal proceedings specifically enumerated in the plan, by way of reimbursement for disbursements or allowances for legal, accounting or other services, and if so, what action it should take in the exercise of such jurisdiction.

(5) Whether the fees and expenses to be paid in connection with the plan and all proceedings with respect to the reorganization of Foreign Power are reasonable and appropriate.

(6) Whether the accounting entries in connection with the plan are in accordance with sound accounting principles.

(7) Whether the plan as submitted, or any modification thereof, approved or required by the Commission should be approved pursuant to the provisions of section 11 (d) of the act, so as to permit the Commission on its own motion and irrespective of any request therefor on the part of Foreign Power and Bond and Share to apply to a court for the enforcement of such plan pursuant to the provisions of section 11 (d).

(8) Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors or consumers and consistent with the applicable requirements of the act and the rules thereunder, and whether any modification should be required to be made therein and, whether any terms and conditions should be imposed to satisfy the applicable statutory standards.

(9) Whether the petition of C. Shelby Carter, et al. shall be granted in whole or in part.

*It is ordered.* That particular attention be directed at such hearing to the foregoing matters and questions.

*It is further ordered.* That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take other action as may appear conducive to an orderly, prompt and expeditious disposition of the matters involved in accordance with the standards of the Act.

*It is further ordered.* That notice of this hearing shall be given by registered mail to Foreign Power, Bond and Share and to all persons previously granted participation in the proceedings herein and to the attorneys of record in the court proceedings specifically enumerated in the plan involving claims of the kind sought to be compromised, settled and discharged by said plan; 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 persons on the mailing list for releases under the act; and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings or proposing to intervene or participate herein, shall file with the Secretary of this Commission on or before March 1, 1951, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered.* That the application of Bond and Share and Foreign Power to withdraw the plan of reorganization of Foreign Power dated October 25, 1944, as amended, be, and is hereby granted, and such plan, as amended, be, and hereby is, deemed withdrawn.

*It is further ordered.* That Foreign Power shall give notice of this hearing to all of its security holders insofar as the identity of such security holders is known or available to it by mailing to each of said persons a copy of this notice and order for hearing and a copy of the proposed plan of reorganization, at least 15 days prior to the date set for the hearing.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 51-1714; Filed, Feb. 2, 1951;  
8:46 a. m.]

[File No. 70-2547]

MALDEN AND MELROSE GAS LIGHT CO. ET AL.

ORDER PERMITTING DECLARATIONS TO  
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of January A. D. 1951.

In the matter of Malden and Melrose Gas Light Company, New England Power Company, Southern Berkshire Power & Electric Company, File No. 70-2547.

Malden and Melrose Gas Light Company ("Malden and Melrose"), New England Power Company ("NEPCO") and Southern Berkshire Power & Electric Company ("Southern Berkshire"), all subsidiaries of New England Electric System ("NEES"), a registered holding company, having filed with this Commission separate declarations under section 7 of the Public Utility Holding Company Act of 1935 with respect to the following transactions:

The three declarant companies propose during the three months ending March 31, 1951, to issue to certain banks, pursuant to bank letter agreements, notes in the aggregate amounts shown in the following table. The table also shows, among other things, the maximum amounts of notes which may be outstanding at any one time under the bank letter agreements and the amounts of such notes outstanding at January 1, 1951.

	Amounts proposed to be issued up to Mar 31, 1951	Outstanding Jan. 1, 1951	Maximum amounts which may be outstanding at any one time	Estimated amounts	
				To be retired by Mar. 31, 1951	To be outstanding Mar. 31, 1951
NEPCO	\$ 5,500,000	\$7,500,000	\$10,500,000	\$10,500,000	\$2,500,000
Malden and Melrose	100,000	850,000	1,000,000		950,000
Southern Berkshire	50,000	350,000	500,000		400,000

<sup>1</sup> NEPCO states that borrowings by that company would be reduced by \$1,500,000 in the event of a bond issue of \$12,000,000 principal amount, and the balance at Mar. 31, 1951, of notes payable would thereby be reduced to \$1,000,000.

Under the bank letter agreements (see Holding Company Act Releases Nos. 8253, 9527, and 10182), the notes proposed to be issued by NEPCO, like its notes presently outstanding, would bear interest at a rate of 2¼ percent and mature May 31, 1951, and the notes proposed to be issued by Malden and Melrose and by Southern Berkshire, like the notes of these two companies presently outstanding, would bear interest at a rate of 2½ percent and mature May 31, 1951. NEPCO states that it has entered into a supplemental agreement extending its prior bank letter agreement from December 31, 1950, to March 31, 1951. The existing agreements of Malden and Melrose and of Southern Berkshire extend to May 31, 1951. Under each of the three agreements the commitment fee is ½ of 1 percent per annum of the average daily unborrowed balance of the commitment.

Each of the declarant companies proposes that if any permanent financing is done before the maturity of the notes issued under bank letter agreements, exclusive of permanent financing which replaces indebtedness to NEES, it will apply the proceeds therefrom in reduction of, or in total payment of, notes then outstanding, and the balance of such notes then unissued, if any, pursuant to the declarations herein, or to any order of this Commission with reference thereto, will be reduced by the amount, if any, by which such permanent financing exceeds the notes at the outstanding. NEPCO states that it plans to issue \$12,000,000 of bonds, the proceeds of which it assumes will be realized early in March 1951, and it estimates that \$10,500,000 of such proceeds will be used to pay off its total bank debt then outstanding. NEPCO states that the balance of the proceeds, \$1,500,000 will be used to pay construction costs in March 1951 but, as it is estimated that a total of \$2,500,000 will be needed in that month, it will be necessary to borrow the balance of \$1,000,000.

The three declarant companies state that the proposed transactions have as their purpose the temporary financing of construction through March 31, 1951, or until such earlier time as permanent financing is arranged, and to replenish any depletion of working capital occasioned by construction of property already in progress. In connection with the system program for financing the construction requirements of the subsidiaries of NEES, including, among other things, the maintenance by NEES of a reasonable equity base for the required senior financing, the declaration contains the same statement quoted in the order of this Commission dated October 27, 1950, in Beverly Gas and Electric

Company, et al., Holding Company Act Release No. 10182.

Expenses in connection with the proposed transactions, consisting of payments to be made to New England Power Service Company, an affiliated service company, for services to be performed at cost, are estimated by declarants as \$600 for NEPCO and \$200 each for Malden and Melrose and for Southern Berkshire. In addition NEPCO proposes to reimburse The First National Bank of Boston, as agent under the bank letter agreement for out-of-pocket expenses, including counsel fees, incurred in connection with the supplemental agreement, estimated to be \$200 and miscellaneous expenses, including printing, estimated to be \$100.

It is stated that no state commission has jurisdiction over the proposed transactions.

Notice of such filing having duly been given in the form and manner prescribed by Rule U-23 under the act and the Commission not having received a request for hearing with respect thereto within the period specified in said notice, or otherwise, and not having ordered a hearing thereon;

Declarants having requested that the Commission's order become effective upon issuance; and

The Commission finding with respect to said declarations, as amended, that the requirements of the applicable provisions of the act and the rules thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declarations, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to the applicable provisions of the act and the rules thereunder, and subject to the terms and conditions of Rule U-24, that said declarations, as amended, be, and hereby are, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 51-1713; Filed, Feb. 2, 1951;  
8:45 a. m.]

[File No. 812-711]

UNITED STATES & FOREIGN SECURITIES  
CORP. ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of January A. D. 1951.

In the matter of United States & Foreign Securities Corporation, United States & International Securities Corporation, and Keswick Corporation; File No. 812-711.

Notice is hereby given that United States & Foreign Securities Corporation, a registered investment company, having its office at 33 Rector Street, New York, N. Y. (hereinafter sometimes referred to as "Foreign"), United States & International Securities Corporation, also a registered investment company and having its office at 33 Rector Street, New York, N. Y. (hereinafter sometimes referred to as "International") and Keswick Corporation, having its office at 40 Wall Street, New York, N. Y. (hereinafter sometimes referred to as "Keswick") have filed an application pursuant to Rule N-17D-1 of the general rules and regulations under the Investment Company Act of 1940 for an order of the Commission permitting them to participate in the pension plan hereinafter described, as proposed to be modified.

Rule N-17D-1 of the general rules and regulations was promulgated by the Commission pursuant to section 17 (d) of the act. The rule among other things provides, in effect, that no registered investment company shall participate in or effect any transaction in connection with a pension plan or arrangement, unless an application regarding such plan or arrangement has been filed with the Commission and has been granted by an order entered prior to the submission of such plan or arrangement to security holders for approval of prior to the adoption thereof if not so submitted.

Foreign owns approximately 99 percent of the Second Preferred Stock and approximately 80 percent of the Common Stock of International. Keswick which is owned equally by Foreign and International is a non-profit service company performing research and statistical work for both companies. All expenses of Keswick are prorated between Foreign and International in approximately equal proportion.

On February 5, 1947, Foreign, International and Keswick (hereinafter sometimes referred to collectively as "Applicants") filed an application pursuant to Rule N-17D-1 relating to a pension plan in which all three companies proposed to participate. Under the rule as then in effect, an application became effective on the tenth day after filing unless on or before such tenth day the Commission ordered a hearing thereon for the purpose of determining whether or not the plan or arrangement met the standards prescribed in the rule. The Commission permitted the application to become effective without ordering a hearing thereon.<sup>1</sup> The stockholders of both Foreign and International adopted the plan at their annual meetings held on March 19, 1947, and the Treasury Department subsequently approved the plan as meeting

<sup>1</sup>Subsequently the rule was revised to require affirmative action by the Commission in the form of an order authorizing a registered investment company to participate in or effect a transaction in connection with a pension plan.

the requirements of section 165 (a) of the Internal Revenue Code.

The plan provides among other things that any employee, including officers, in the service of any of the three companies on April 1, 1947, or on any April 1st thereafter who has completed at least two years of continuous service, has attained the age of twenty-five, and has not attained his sixty-second birthday, shall be eligible to become a participant in the plan. Contributions are required from participants and the benefits under the plan are provided through annuity contracts issued by an insurance company. The plan provides that the standard pension payable annually shall be one-half of the average of a participant's annual salary for each of the ten years commencing with the calendar year in which he has reached the age of 50 years less his annual primary Social Security benefits. Averages of shorter periods are provided for in the computation of pensions of employees who are employed after they have reached the age of 50. The plan also provides that the maximum pension payable under the plan shall be an amount equal to \$10,000 a year, less the participant's annual primary Social Security benefits.

The application states that legislation has recently been enacted increasing the amount of primary Social Security benefits and also increasing the amounts deducted from salaries pursuant to the Social Security Law. In addition, the cost of living has increased considerably since the adoption of the plan in 1947. If the plan is not amended, the recently enacted increase in primary Social Security benefits will not increase the aggregate amount which a participant in the plan will receive upon his retirement, although the amounts deducted from the salaries of participants will in nearly all cases be increased. In addition, Applicants believe that consideration should be given to the increase in the cost of living since the plan was adopted. Applicants therefore desire to amend the plan in the following respects:

(a) To provide that instead of subtracting 100 percent of the annual primary Social Security benefits from one-half of a participant's average annual salary in order to determine the amount of his pension, there shall be subtracted 50 percent of such annual primary Social Security benefits; and

(b) To provide that the maximum annual pension shall be an amount equal to \$12,500 per annum less 50 percent of a participant's primary Social Security benefits rather than \$10,000 per annum less 100 percent of his primary Social Security benefits.

The current service costs of Applicants in the year 1951 without giving effect to the proposed amendments are estimated to be approximately:

Foreign.....	\$9,400
International.....	10,500
Keswick.....	18,000
	<hr/>
	37,900

The increased cost to Applicants in 1951 if only amendment (a) were to be adopted is estimated to be approximately:

Foreign.....	\$500
International.....	600
Keswick.....	1,500
	<hr/>
	2,600

The increased cost to Applicants in 1951 if only amendment (b) were to be adopted is estimated to be approximately:

Foreign.....	\$1,200
International.....	1,200
Keswick.....	1,800
	<hr/>
	4,200

Applicants desire to obtain from the U. S. Treasury Department an approval, under section 165 (a) of the Internal Revenue Code, of the plan as amended by the proposed amendments. Applicants have discussed this matter with the United States Treasury Department and have been assured that there will be no difficulty in obtaining such approval. The proposed amendments to the plan will not be put into effect if for any reason such approval should not be obtained. If the order of the Commission requested by Applicants is granted, Foreign and International propose to submit the proposed amendments for approval of their respective stockholders at their annual meetings to be held on March 21, 1951.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time on or after February 19, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than February 16, 1951 at 5:30 p. m., his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issue of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, N.W., Washington, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 51-1712; Filed, Feb. 2, 1951; 8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567,

June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 16926, Amdt.]

HELEN MARIE THEUNER

In re: Rights of Helen Marie Theuner under insurance contract. File No. D-28-10906-H-1. Vesting Order No. 16926, dated January 4, 1951, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That Helen Marie Theuner, 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 Helen Marie Theuner, 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 Group Life Certificate No. 2940A-LP-238, issued by the Equitable Life Assurance Society of the United States, New York, New York, to George F. Theuner, 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, Helen Marie Theuner or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Helen Marie Theuner, 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 Helen Marie Theuner, 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 January 26, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1695; Filed, Feb. 1, 1951; 8:49 a. m.]

[Vesting Order 16938]

ELLEN SIEMSSSEN ET AL.

In re: Cash and Securities owned by Ellen Siemssen and others. F-28-1852-A-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 Ellen Siemssen and Werner Siemssen, each of whose last known address is Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Mary Mecke, Annemarie Mecke and Elizabeth Walliser, each of whose last known address is Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

3. That Hermann Siemssen, Oswald Siemssen and Marianne Siemssen, each of whose last known address is Reinbek/Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

4. That Wilhelm Siemssen, Edith Courvoisier Siemssen and their children, names unknown, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

5. That Nicolaus Siemssen and Marie Lukas Siemssen, each of whose last known address is Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

6. That Jenny Lueders, Albert Lueders, Irene Lueders, Gisela Lueders and Gudrun Lueders, each of whose last known address is Ludwigsburg, Wurttemberg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

7. That the property described as follows:

a. An undivided three-fifths ( $\frac{3}{5}$ ) interest in one hundred (100) shares of \$50.00 par value common capital stock of Anaconda Copper Mining Company, a corporation organized under the laws of the State of Montana, evidenced by certificate number 640521, registered in the name of L. D. Pickering and Company, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

b. An undivided three-fifths ( $\frac{3}{5}$ ) interest in two hundred (200) shares of \$10.00 par value common capital stock of General Motors Corporation, a corporation organized under the laws of the State of Delaware, evidenced in part by certificates numbered D613-339 for one hundred (100) shares of \$10.00 par value common capital stock of said corporation registered in the name of L. D. Pickering and Company, issued prior to the 2 for 1 stock split effective October 3, 1950 of said corporation, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

c. An undivided three-fifths ( $\frac{3}{5}$ ) interest in two hundred (200) shares of

par value common capital stock of National Dairy Products Corporation, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered C312975/76 for one hundred (100) shares each, registered in the name of L. D. Pickering and Company, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon.

d. An undivided three-fifths ( $\frac{3}{5}$ ) interest in one hundred (100) shares of Class B, \$10.00 par value common capital stock of R. J. Reynolds Tobacco Company, a corporation organized under the laws of the State of New Jersey, evidenced by certificate number B247977, registered in the name of L. D. Pickering and Company, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

e. An undivided three-fifths ( $\frac{3}{5}$ ) interest in one hundred (100) shares of \$15.00 par value common capital stock of Chase National Bank of the City of New York, evidenced by certificate number 94596, registered in the name of L. D. Pickering and Company, and presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

f. An undivided three-fifths ( $\frac{3}{5}$ ) interest in eight (8) Western Union Telegraph Company 5 percent Bonds, due March 1, 1960, each of \$1000.00 face value, in bearer form, bearing the numbers 14299/303 inclusive, 15037, 22646 and 34181, presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto,

g. An undivided three-fifths ( $\frac{3}{5}$ ) interest in two (2) certificates for two hundred (200) rights to subscribe to shares of preferred stock R. J. Reynolds Tobacco Company, presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto,

h. An undivided three-fifths ( $\frac{3}{5}$ ) interest in ten (10) warrants to subscribe to shares of stock of Royal Dutch Company, in bearer form, numbers 027815/18 inclusive and 027927/32 inclusive, presently in the custody of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto, and

i. An undivided three-fifths ( $\frac{3}{5}$ ) interest in that certain debt or other obligation of Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, arising out of a cash balance held by the aforesaid company, in the name of Dorothy Siemssen, 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

Ellen Siemssen, Werner Siemssen, Mary Mecke, Annemarie Mecke, Elizabeth Walliser, Hermarie Siemssen, Oswald Siemssen, Marieanne Siemssen, Wilhelm Siemssen, Edith Courvoisier Siemssen and their children, names unknown, Nicolaus Siemssen, Mary Lukas Siemssen, Jenny Lueders, Albert Lueders, Irene Lueders, Gisela Lueders and Gudrun Lueders, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. That to the extent that the persons named in subparagraphs 1, 2, 3, 4, 5, and 6 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 January 4, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1739; Filed, Feb. 2, 1951;  
8:51 a. m.]

[Vesting Order 16944]

JULIUS AND WALLY KNEIFEL

In re: A debt owed to and securities owned by Julius Kneifel and Wally Kneifel. F-28-19290-A-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 Julius Kneifel and Wally Kneifel, whose last known address is Amfortasweg, 31, Berlin, Steglitz, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligations owing to Julius Kneifel and Wally Kneifel by the Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a cash custodian account, together with any and all accruals thereto, and all rights to demand, enforce and collect the same,

b. One (1) Finland Residential Mortgage Bank 1st Collateral Sinking Fund 5 Percent Gold Bond, due September 1, 1961 of \$1,000 face value, in bearer form, and bearing the number M6405, presently

in the custody of the Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account numbered S88218, together with any and all rights thereunder and thereto.

c. One (1) State of Rio Grande do Sul External Sinking Fund 6 Percent Gold Bond, due June 1, 1963, of \$1,000 face value, in bearer form, and bearing the number M17856, presently in the custody of the Chase National Bank of the City of New York, in an account numbered S88218, together with any and all rights thereunder and thereto.

d. One (1) Savoy-Plaza, Inc., 3 percent Income Bond, due October 1, 1956, of \$500 face value, bearing the number D1411, registered in the name of Julius Kneifel, and presently in the custody of the Chase National Bank of the City of New York, in an account numbered S88218, together with any and all rights thereunder and thereto.

e. Two certificates of deposit for two (2) Seaboard Airline Railway Company 1st. and Consolidated Mortgage 6 percent Bonds, Series A, due September 1, 1945, of \$1,000 face value each, in bearer form, bearing the numbers 8609/10, presently in the custody of the Chase National Bank of the City of New York, in an account numbered S88218, together with any and all rights thereunder and thereto.

f. Six (6) shares of common Class A capital stock of the Savoy-Plaza, Inc., a corporation organized under the laws of the State of New York, evidenced by a certificate numbered AF9439, registered in the name of Julius Kneifel, and presently in the custody of the Chase National Bank of the City of New York, in an account numbered S88218, together with all declared and unpaid dividends thereon, and

g. Eighteen (18) coupons detached from the State of Rio Grande do Sul External Sinking Fund 6 percent Gold Bond, bearing the number M17856, said coupons of \$30 face value each, presently in the custody of the Chase National Bank of the City of New York, in an account numbered S88218, 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 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, ad-

ministered, 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 January 5, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1740; Filed, Feb. 2, 1951;  
8:51 a. m.]

[Vesting Order 16932]

VINCENT JOSEF HERMAN ANTON  
KAMERBEEK

In re: Stock owned by Vincent Josef Herman Anton Kamerbeek, also known as V. J. H. A. Kamerbeek. F-28-31124.

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 Vincent Josef Herman Anton Kamerbeek, also known as V. J. H. A. Kamerbeek, whose last known address is Cleverstrasse 31, Dusseldorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Ten (10) shares of no par value common capital stock of Kennecott Copper Corporation, 120 Broadway, New York 5, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered B25508 registered in the name of Broekmans Administratiekantoor N. V., Amsterdam, together with all declared and unpaid dividends thereon.

b. Ten (10) shares of no par value common capital stock of International Nickel Company of Canada, Ltd., a corporation organized under the laws of the Dominion of Canada, evidenced by a certificate numbered N.J.72875, registered in the name of Broekmans Administratiekantoor N. V., Amsterdam together with all declared and unpaid dividends thereon.

c. Ten (10) shares of \$10.00 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered V.H.392411 for one hundred (100) shares of no par value, common stock of the aforesaid Company, registered in the name of Broekmans Administratiekantoor N. V., Amsterdam together with all declared and unpaid dividends thereon, and any and all rights to receive a new certificate for \$10.00 par value stock of the aforesaid Company.

d. Ten (10) shares of \$5.00 par value common capital stock of General Motors Corporation, 3044 West Grand Boulevard, Detroit, Michigan, a corporation organized under the laws of the State of

Delaware, five (5) shares being part of those shares evidenced by a certificate numbered D164-313 for one hundred (100) shares of \$10.00 par value common capital stock of the aforesaid corporation, registered in the name of N. V. Amsterdamsch Administratiekantoor van Amerikaansche Waarden, Amsterdam, issued prior to the two-for-one stock split of said corporation, effective October 3, 1950, together with all declared and unpaid dividends thereon.

e. Twenty (20) shares of no par value common capital stock of Radio Corporation of America, R. C. A. Building, 30 Rockefeller Plaza, New York 20, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered FN/0143580 and 143582 for ten (10) shares each, registered in the name of Nieuw Amsterdamsch Administratiekantoor N. V., Amsterdam, together with all declared and unpaid dividends thereon, and

f. Ten (10) shares of \$10.00 par value common capital stock of North American Company, 60 Broadway, New York 4, New York, a corporation organized under the laws of the State of New Jersey, being part of those shares evidenced by a certificate numbered B99721 for one hundred (100) shares of \$10.00 par value common stock of the aforesaid Company, registered in the name of N. V. Maatschappij tot Beheer van het Administratiekantoor van Amerikaansche Fondsen, opgericht door Broes & Gosman, Ten Have & Van Essen en Jarman & Zoonen te Amsterdam, Amsterdam, 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 January 8, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1741; Filed, Feb. 2, 1951;  
8:52 a. m.]

[Vesting Order 17026]

KATHI HARLANDER ET AL.

In re: Rights of Kathi Harlander, et al., under insurance contract. File No. D-28-11634-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 Kathi Harlander, Fanny Voggenreiter and Marie Hauman, 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 to Kathi Harlander, Fanny Voggenreiter and Marie Hauman, under a contract of insurance evidenced by Policy No. 8,204,674, issued by the New York Life Insurance Company, New York, New York, to Louis V. Ritter, except those of Elizabeth Ritter, a resident of the United States, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1745; Filed, Feb. 2, 1951; 8:53 a. m.]

[Vesting Order 17024]

KARL ENGLEHARD ET AL.

In re: Rights of Karl Englehard et al., under insurance contract. File No. F-28-31102-H-1.

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

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

1. That Karl Englehard, 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 Karl Englehard, 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. 122,290,103, issued by the Metropolitan Life Insurance Company, New York, New York, to Karl Englehard, 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, Karl Englehard or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Karl Englehard, 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 Karl Englehard, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1744; Filed, Feb. 2, 1951; 8:53 a. m.]

[Vesting Order 16984]

DORA SCHMIDT

In re: Securities owned by and debt owing to Dora Schmidt. F-28-257-E-1, G-1.

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

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

1. That Dora Schmidt, whose last known address is c/o Hotel Goldener Stern, Ansbach, Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Sixteen (16) shares of \$.25 par value common stock of Susquehanna Mills Inc., a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 3825 registered in the name of Hurley & Co., 55 Wall Street, New York, New York, and presently in the custody of The National City Bank of New York, New York, in account number B26287, together with any and all declared and unpaid dividends thereon,

b. Four hundred (400) shares of no par value common stock of Hiram Walker Gooderham & Worts Ltd., a corporation organized under the laws of the Dominion of Canada, evidenced by certificates numbered 1834/37, for 100 shares, each, registered in the name of Richard & Co., presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with all declared and unpaid dividends thereon,

c. One hundred (100) shares of no par value common stock of Hudson Bay Mining and Smelting Company, Limited, a corporation organized under the laws of the Dominion of Canada, evidenced by a certificate numbered N16827, registered in the name of C. B. Richard & Company, 60 Beaver Street, New York, New York, presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with all declared and unpaid dividends thereon,

d. Two hundred (200) shares of no par value common stock of International Petroleum Company Limited, a corporation organized under the laws of the Dominion of Canada, evidenced by certificates numbered K05023 and K07348, registered in the name of C. B. Richard & Co., 60 Beaver Street, New York, New York, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with all declared and unpaid dividends thereon,

e. One hundred twenty-nine (129) shares of \$5.00 par value common stock of General Public Utilities Corporation, a corporation organized under the laws of the State of New York, evidenced by certificates numbered 9617 and 30804, for one hundred (100) shares and twenty-nine (29) shares respectively, registered in the name of Hurley & Co., presently in the custody of the National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with all declared and unpaid dividends thereon,

f. Twelve and nine hundred eighty one thousandths (12 980/1000ths) shares of \$4.50 par value Common stock of South Carolina Electric & Gas Company, a corporation organized under the

laws of the State of South Carolina, evidenced by certificate numbered 16437 for twelve (12) shares, registered in the name of Hurley & Co., and fractional certificate for 980/1000ths of a share, in bearer form, presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with all declared and unpaid dividends thereon.

g. Seven (7) 2½ percent United States Treasury Bonds, 1956-1958, each of \$1,000 face value, bearing the numbers 64613/19 presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with any and all rights thereunder and thereto.

h. Six (6) Republic of Peru External Secured Sinking Fund 7 percent Bonds due September 1, 1959, each of \$1,000 face value, bearing the numbers 264, 2767, 3527, 3673, 10126 and 12938, presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in account number B26287, together with any and all rights thereunder and thereto, and

1. That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a Provisional deposit account, entitled "Mr. Hugo Schmidt in Trust for Dora Schmidt", maintained with 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, 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 January 8, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1742; Filed, Feb. 2, 1951; 8:52 a. m.]

No. 24—5

[Vesting Order 17027]

GUENTHER HESSINGER (HEISINGER)

In re: Rights of Guenther Hessinger (Heisinger) under insurance contract. File No. F-28-22642-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 Guenther Hessinger (Heisinger), 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. 734266, issued by the New York Life Insurance Company, New York, New York, to Carl F. Hessinger, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1746; Filed, Feb. 2, 1951; 8:53 a. m.]

[Vesting Order 16985]

M. TADEMOTO

In re: Safe deposit box lease and contents owned by personal representatives, heirs, next of kin, legatees and distributees of M. Tademoto, deceased. D-39-16919-F-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 the personal representatives, heirs, next of kin, legatees and distributees of M. Tademoto, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. All rights and interests created under and by virtue of a safe deposit box lease agreement by and between M. Tademoto and N. Nakatani and the California Bank, Los Angeles, California, relating to safe deposit box 1595, located in the vaults of the City Market Office branch of the aforesaid bank, 863 South San Pedro Street, Los Angeles 14, California, including particularly but not limited to the right of access to said safe deposit box, and

b. All property of any nature whatsoever in the safe deposit box referred to in subparagraph 2a hereof and any and all rights evidenced or represented thereby,

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 personal representatives, heirs, next of kin, legatees and distributees of M. Tademoto, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of M. Tademoto, 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 January 8, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1743; Filed, Feb. 2, 1951; 8:52 a. m.]

[Vesting Order 17033]

LEE INOUYE

In re: Rights of Lee Inouye under insurance contracts. Files Nos. D-39-17218-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 Lee Inouye, 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 contracts of insurance evidenced by policies Nos. 0 451 960 SC and 0 452 744 SC, issued by the Metropolitan Life Insurance Company, New York, New York, to Lee Inouye, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1747; Filed, Feb. 2, 1951;  
8:53 a. m.]

[Vesting Order 17036]

HANNS KOOPMANN ET AL.

In re: Rights of Hanns Koopmann et al., under insurance contract. File No. F-28-31109-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 Hanns Koopmann, 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

Hanns Koopmann, 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. 91,952,767, issued by the Metropolitan Life Insurance Company, New York, New York, to Hanns Koopmann, 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, Hanns Koopmann, or the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Hanns Koopmann, 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 Hanns Koopmann, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1748; Filed, Feb. 2, 1951;  
8:53 a. m.]

[Vesting Order 17037]

URSULA KRANOLD AND BARBARA LINDENBERG

In re: Rights of Ursula Kranold and Barbara Lindenberg under contract of insurance. File No. D-28-10677-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 Ursula Kranold and Barbara Lindenberg, 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. 3758G,

Serial 945 issued by the Metropolitan Life Insurance Company, New York, New York, to Herman Kranold, 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 Ursula Kranold and Barbara Lindenberg, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1749; Filed, Feb. 2, 1951;  
8:53 a. m.]

[Vesting Order 17042]

KOSUKE NAKANO

In re: Rights of Kosuke Nakano under annuity contract. File D-39-2000-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 Kosuke Nakano, 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 an annuity contract evidenced by Policy No. 1312191 issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Kosuke Nakano, 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 Kosuke Nakano, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1750; Filed, Feb. 2, 1951;  
8:54 a. m.]

[Vesting Order 17044]

CHISA NIINO

In re: Rights of Chisa Niino under insurance contract. File No. F-39-4464-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 Chisa Niino, 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 to Chisa Niino under a contract of insurance evidenced by policy No. 7594466, issued by the New York Life Insurance Company, New York, New York, to Chisa Niino, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1751; Filed, Feb. 2, 1951;  
8:54 a. m.]

[Vesting Order 17045]

ERNA OPP ET AL.

In re: Rights of Erna Opp et al., under insurance contract. File No. F-28-24470-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 Erna Opp, Eugen Richard Schwarz, Elisabetha C. Wirth, Karl Wirth, Wilhelm Emil Wirth, Amalia Elfrieda Wuerz, Emma Wirth, Berta Wirth and Emil Wirth, 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 to Erna Opp, Eugen Richard Schwarz Elisabetha C. Wirth, Karl Wirth, Wilhelm Emil Wirth, Amalia Elfrieda Wuerz, Emma Wirth, Berta Wirth and Emil Wirth under a contract of insurance evidenced by Policy No. 1810791-C, issued by the Metropolitan Life Insurance Company, New York, New York, to Lottie Schwartz, together with the right to demand, receive and collect said net proceeds,

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

and it is hereby determined:

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 other-

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

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

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1752; Filed, Feb. 2, 1951;  
8:54 a. m.]

[Vesting Order 17046]

OLICA ORTUTAY

In re: Rights of Olica Ortutay under contract of insurance. File No. F-28-29026-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 Olica Ortutay, 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 to Olica Ortutay under a contract of insurance evidenced by Policy No. 10120086, issued by the New York Life Insurance Company, New York, New York, to Olica Ortutay, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1753; Filed, Feb. 2, 1951;  
8:54 a. m.]

[Vesting Order 17048]

ALMA REDMANN

In re: Rights of Alma Redmann under an insurance contract. File No. F-28-30581-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 Alma Redmann, 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 to Alma Redmann under a contract of insurance evidenced by Policy No. 5787887 C issued by the Metropolitan Life Insurance Company, New York, New York, to Alma Redmann, 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1754; Filed, Feb. 2, 1951;  
8:54 a. m.]

[Vesting Order 17050]

CLARINDA ROBINSON

In re: Trust under will of Clarinda Robinson, deceased. File No. F-28-9247.

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 Waldtraut von Biedenfeld, Ruprecht von Biedenfeld and Hans Claus

Miketta (von Biedenfeld), 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 Clara von Biedenfeld, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under item Second of the Will of Clarinda Robinson, deceased, and presently being administered by The Northern Trust Company, Fifty South La Salle Street, Chicago 90, Illinois, as Successor Trustee,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the children, names unknown, of Clara von Biedenfeld 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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1755; Filed, Feb. 2, 1951;  
8:55 a. m.]

[Vesting Order 17052]

FRANCES SAMSON

In re: Estate of Frances Samson, deceased. File No. D-28-12928, E. T. 17080.

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. Joseph A. Deufel, whose last known address was on December 11, 1950, Germany, was on such date a resident of Germany and a national of designated enemy country (Germany);

2. That the sum of \$188.07 was paid to the Attorney General of the United

States by Mrs. Edith Stier, Executrix of the Estate of Frances Samson, deceased;

3. That the said sum of \$188.07 was accepted by the Attorney General of the United States on December 11, 1950, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$188.07 is presently in the possession of the Attorney General of the United States and was 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 was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof was not within a designated enemy country on December 11, 1950, the national interest of the United States required that such person be treated as a national of a designated enemy country (Germany) on such date.

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

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

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

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

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1756; Filed, Feb. 2, 1951;  
8:55 a. m.]

[Vesting Order 17056]

JOHN SCHMAUSS

In re: Trust under the will of John Schmauss, deceased. File No. D-28-12141; E. T. sec. 16344.

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 George Schmauss, Jr., George Falkner, Babette Falkner-Kampfer, Elise Pemsel-Wölfel, Martin Ruder, Maria Mausner-Hubmann, Maria Wölfel Gramm, Josef Hosemann, George Hosemann, August Berchtold, Ludwig Berchtold, Anna Loehr-Herz, Elizabeth Zimmerer-Kalb, Margarete Zimmerer, Kunigunde Zimmerer, Michael Zimmerer, Elise Pemsel-Wölfel, Engelbert Froehlich, Barbara Froehlich, Maria Froehlich Brunner, Josephine Froehlich Wedl, Josef Wolfgang Froehlich, Max

Froehlich, Mela Froehlich Schrenk, Herman Froehlich, Annelise Froehlich, Otto Froelich, Elizabeth Haderer, Maria Haderer-Antweiler, and Friedrich Haderer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of George Schmauss, deceased; of Anna Falkner, deceased; of Elizabeth Ruder Pemsel, deceased; of George Ruder, deceased; of Elizabeth Loehr, also known as Laher, deceased; of George Zimmerer, deceased; of Kunigunda Ruder Pemsel, deceased; of Joseph Froehlich, deceased, except Raymond Frölich, Ralph Frölich, Dorothy Frölich Armour and Joseph Frederick Frölich, also known as Fred Grill, residents of the United States, and of Kunigunda Dirnernot (Durner), deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, except Raymond Frölich, Ralph Frölich, Dorothy Frölich Armour and Joseph Frederick Frölich, also known as Fred Grill, residents of the United States, in and to the Trust under the Will of John Schmauss, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by The Third National Bank, Rockford, Illinois, as Successor Trustee, acting under the judicial supervision of The Circuit Court of Winnebago County, Rockford, Illinois;

and it is hereby determined:

5. 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 George Schmauss, deceased; of Anna Falkner, deceased; of Elizabeth Ruder Pemsel, deceased; of George Ruder, deceased; of Elizabeth Loehr, also known as Laher, deceased; of George Zimmerer, deceased; of Kunigunda Ruder Pemsel, deceased; of Joseph Froehlich, deceased, except Raymond Frölich, Ralph Frölich, Dorothy Frölich Armour, and Joseph Frederick Frölich, also known as Fred Grill, residents of the United States, and of Kunigunda Dirnernot (Durner), 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 (Germany).

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

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

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

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

Executed at Washington, D. C., on January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1757; Filed, Feb. 2, 1951;  
8:55 a. m.]

[Vesting Order 17063]

RUDOLPH STRAUSS

In re: Estate of Rudolph Strauss, deceased. File No. D-28-11999; E. T. sec. 16179.

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

1. That Luise Rissmann, Karoline Bahrens (Baehren) and Christel Bahrens (Baehren), whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees, and distributees, names unknown, of Wilhelm Bahrens (Baehren) deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof and each of them, in and to the Estate of Rudolph Strauss, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Kenneth C. Cole, Public Administrator of Westchester County, New York, as administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, Westchester County, New York;

and it is hereby determined:

5. 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 Wilhelm Bahrens (Baehren) 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 (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 January 16, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1758; Filed, Feb. 2, 1951;  
8:55 a. m.]

[Vesting Order 17087]

COMMERZBANK AKTIENGESELLSCHAFT

In re: Securities owned by and debts owing to Commerzbank Aktiengesellschaft, also known as Commerz Bank Aktiengesellschaft, Commerzbank Aktie., Commerce Bank Aktiengesellschaft, and as Commerz and Privatbank A. G. F-28-170-A-2; C-5.

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 Commerzbank Aktiengesellschaft, also known as Commerz Bank Aktiengesellschaft, Commerzbank Aktie., Commerce Bank Aktiengesellschaft, and as Commerz and Privatbank A. G., is a corporation, partnership, association or other business organization organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) Louisville and Nashville Railroad Co., St. Louis Division, Second Mortgage 3 Percent Bearer Bond, of \$1,000.00 face value, bearing the number 1821, presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, in a customers account for Commerzbank Aktiengesellschaft, together with any and all rights thereunder and thereto,

b. Certificates of Deposit for three (3) St. Louis and San Francisco Railway Co. Prior Lien Mortgage Series A 4 Percent Bonds, bearing the numbers AD2539, of \$500.00 face value, and AY1212/13, of \$250.00 face value each, presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, in a customers account for Commerzbank Aktiengesellschaft, together with any and all rights thereunder and thereto,

c. One (1) National Railways of Mexico 6 Percent note, of RM9 face value, presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, in a customers

account for Commerzbank Aktiengesellschaft, together with any and all rights thereunder and thereto.

d. One (1) National Railway of Mexico Seed 6 Percent Note, of RM10,000 face value, bearing the number C14, presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, in a customers account for Commerzbank Aktiengesellschaft, together with any and all rights thereunder and thereto.

c. Three (3) Kingdom of the Serba Croats and Slovans 40 yr. Seed Extl 8 Percent Bonds, of \$1,000.00 face value each, bearing the numbers 6620, 3441, and 6419, presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, in a customers account for Commerzbank Aktiengesellschaft, together with any and all rights thereunder and thereto.

f. Five (5) Consolidated Hydro Electric Works of Upper Wuerttemberg First Mortgage S/F 7 Percent Bonds, bearing the numbers 3048, of \$1,000.00 face value, and 334, 368, 523 and 610, of \$500.00 face value each, presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, in a customers account for Commerzbank Aktiengesellschaft, together with any and all rights thereunder and thereto.

g. Four (4) shares of no par value common capital stock of Western Pacific Railroad Co., 526 Mission Street, San Francisco 5, California, a corporation organized under the laws of the State of California, evidenced by certificate numbered N/CO 184, registered in the name of Hurley & Co., 55 Wall Street, New York, New York, presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in an account entitled Commerce Bank Aktiengesellschaft Sub Depot B General Ruling No. 6 account, together with all declared and unpaid dividends thereon.

h. Six (6) shares of \$100.00 par value 5 percent Cumulative Preferred Series A capital stock of Western Pacific Railroad Co., 526 Mission Street, San Francisco 5, California, a corporation organized under the laws of the State of California, evidenced by certificate numbered N/PO 206, registered in the name of Hurley & Co., 55 Wall Street, New York, New York, presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, in an account entitled Commerce Bank Aktiengesellschaft Sub Depot B General Ruling No. 6 account, together with all declared and unpaid dividends thereon.

i. That certain debt or other obligation of the Canal Bank and Trust Company in liquidation, New Orleans, Louisiana, arising out of liquidating dividends and interest distributions on account of a deposit account, maintained by Commerzbank Aktiengesellschaft, also known as Commerz und Privat Bank, with the aforesaid bank and trust company, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with those certain checks drawn for payment of the aforesaid debt or other obligation, said

checks drawn by W. J. Begnaud, payable to Commerzbank Aktiengesellschaft and drawn on The National Bank of Commerce in New Orleans, New Orleans, Louisiana, numbered, dated and in the amounts as follows:

Number	Date	Amount
14406	Oct. 18, 1941	\$73.72
11604	Apr. 30, 1948	73.72
10746	.....do.....	132.70
10784	Aug. 1, 1945	88.47
A10784	Aug. 4, 1947	26.97
B10820	Dec. 26, 1947	13.49
C10820	Apr. 26, 1948	13.49
14408	Oct. 18, 1941	248.24
11606	Apr. 30, 1948	248.24
10747	.....do.....	446.83
10785	Aug. 1, 1945	297.89
A10785	Aug. 4, 1947	90.83
B10821	Dec. 26, 1947	45.42
C10821	Apr. 26, 1948	45.42

and presently in the custody of J. Edgar Monroe, George E. Burgess, and John F. Finke, Commissioners, 1206 Canal Bank Building, New Orleans 12, Louisiana, together with all rights in, to and under, including particularly, but not limited to, the right to possession and presentation for collection and payment of, the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1759; Filed, Feb. 2, 1951;  
8:55 a. m.]

[Vesting Order 17090]

CERTAIN GERMAN NATIONALS

In re: Stock owned by German nationals whose names are unknown. F-28-20169-A-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 the property described in subparagraph 3 hereof is being held by J. P. Morgan & Company, Inc., 23 Wall Street, New York 8, New York, for the account of Credit Suisse, Zurich, Switzerland;

2. That although the names of the owners of the property described in subparagraph 3 hereof are not available, such persons, who, if individuals, there is reasonable cause to believe are residents of Germany and, if partnerships, corporations, associations, or other organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: Eleven (11) shares of 100 florins each par value capital stock of the Royal Dutch Company, evidenced by certificates numbered 287343J, 385240J, 287343I, 287343H, 287343G, 286768F, 427571E, 286768E, 140021B, 425018A, and 232907A, in bearer form, and presently in the custody of J. P. Morgan & Company, Inc., 23 Wall Street, New York 8, New York, 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 persons referred to in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 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 section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1760; Filed, Feb. 2, 1951;  
8:56 a. m.]

[Vesting Order 17093]

## HANDELSTRUST WEST N. V. ET AL.

In re: Bank accounts owned by Handelstrust West N. V., and/or others. F-49-1302 E-1 to E-6; A-1 to A-5, A-7.

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 Dresdner Bank, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That Handelstrust West N. V., the last known address of which is Keizersgracht 569-571, Amsterdam, Holland, is a corporation, partnership, association or other business organization, organized under the laws of Holland, whose principal place of business is located in Amsterdam, Holland, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by the aforesaid Dresdner Bank, and is a national of a designated enemy country (Germany);

3. That the clients of Handelstrust West N. V., names unknown, referred to in subparagraph 4 hereof, who there is reasonable cause to believe are residents in Germany, are nationals of a designated enemy country (Germany);

4. That the property described as follows:

a. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a dollar account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a custody cash account, entitled Handelstrust West N. V., Custody Cash Account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of J. Henry Schroder Banking Corporation, 46 William Street, New York, New York, arising out of a current account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation of J. Henry Schroder Banking Corporation, 46 William Street, New York, New York, arising out of a customers' account for custody, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

e. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an account, entitled Handelstrust West N. V., Special Income Account, maintained at

the aforesaid bank, and any and all rights to demand, enforce and collect the same,

f. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an account, entitled Handelstrust West N. V. Clients Account Special Income Account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

g. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a checking account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

h. That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Handelstrust West N. V. Sub-Account Clients Securities, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

i. That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

j. That certain debt or other obligation of Irving Trust Company, One Wall Street, New York, New York, arising out of a regular blocked account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

k. That certain debt or other obligation of Irving Trust Company, One Wall Street, New York, New York, arising out of a blocked clients account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

l. That certain debt or other obligation of Hallgarten & Co., 44 Wall Street, New York, New York, arising out of a regular blocked account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

m. That certain debt or other obligation of Hallgarten & Co., 44 Wall Street, New York, New York, arising out of a blocked G. R. No. 6 account, entitled Handelstrust West N. V., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

n. That certain debt or other obligation of Swiss American Corporation, 30 Pine Street, New York, New York, arising out of a blocked cash account, entitled Handelstrust West N. V., Client's Depot, 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 Handelstrust West N. V. and/or clients of Handelstrust West N. V., the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That Handelstrust West 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); and

6. That to the extent that the persons named in subparagraphs 1 and 2 hereof and the persons referred to in subparagraph 3 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1762; Filed, Feb. 2, 1951;  
8:56 a. m.]

[Vesting Order 17098]

## TORAICHI IJUIN

In re: Bonds owned by Toraichi Ijuin. F-39-2326-A-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 Toraichi Ijuin, whose last known address is 2537-5 Kamimeguro, Maguroku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: a. Seven (7) Taiwan Electric Power Company, Ltd., 5½ percent 1971 bonds, of \$1,000 face value each, bearing the numbers 17784, 17785, 20934, 20935, 20936, 20937 and 2330, issued in the name of bearer, presently in the custody of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Yokohama Specie Bank, Ltd., 80 Spring Street, New York, New York, together with any and all rights thereunder and thereto, and

b. Four (4) Imperial Japanese Government 6½ percent 1954 bonds, of \$100 face value each, bearing the numbers

813, 814, 1950 and 9908, issued in the name of bearer, presently in the custody of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Yokohama Specie Bank, Ltd., 80 Spring Street, New York, New York, 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1761; Filed, Feb. 2, 1951;  
8:56 a. m.]

[Vesting Order 17094]

JOHANNA MARGARETHA HANSEN

In re: Bank account owned by Johanna Margaretha Hansen. F-28-23822.

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 Johanna Margaretha Hansen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, account number 632, entitled California Holding Company, as Trustee for Johanna Margaretha Hansen, maintained at the branch office of the aforesaid bank located at 1019 Fillmore Street, San Fran-

cisco, California, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Johanna Margaretha Hansen, 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1763; Filed, Feb. 2, 1951;  
8:57 a. m.]

[Vesting Order 17095]

HISAYOSHI HIDAKATA

In re: Debt owing to Hisayoshi Hidakata, also known as Hisayoshi Hijikata and as Hisayoshi Hidikata. F-39-6548-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 Hisayoshi Hidakata, also known as Hisayoshi Hijikata and as Hisayoshi Hidikata, whose last known address is Tochigi, 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 American Express Company, Inc., 65 Broadway, New York 6, New York, arising out of a deposit account, in the sum of \$2,060 as of June 28, 1949, maintained on behalf of the branch office of the aforesaid company located at 11 Rue Scribe, Paris, France, 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, Hisayoshi Hidakata, also known as Hisayoshi Hijikata and as Hisayoshi Hidikata, 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1764; Filed, Feb. 2, 1951;  
8:57 a. m.]

[Vesting Order 17096]

JOSEF HOFMEISTER

In re: Bank account owned by Josef Hofmeister. F-28-10263-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 Josef Hofmeister, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Josef Hofmeister, by The Market Street National Bank of Philadelphia, Philadelphia 1, Pennsylvania, arising out of a savings account, account number 985, entitled Josef Hofmeister, 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, 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1765; Filed, Feb. 2, 1951;  
8:58 a. m.]

[Vesting Order 17100]

AUGUSTA HANSEN JURGENSEN

In re: Bank accounts owned by Augusta Hansen Jurgensen. F-28-23824.

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 Augusta Hansen Jurgensen, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, account number 631, entitled California Holding Company, Trustee for Augusta Hansen Jurgensen, maintained at the branch office of the aforesaid bank located at 1019 Fillmore Street, San Francisco, California, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Bank of America National Savings and Trust Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, account number 638, entitled California Holding Company as Trustee for Augusta Hansen Jurgensen, maintained at the branch office of the aforesaid bank located at 1019 Fillmore Street, San Francisco, California, and any and all rights to demand, enforce and collect the same,

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

No. 24—6

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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1766; Filed, Feb. 2, 1951;  
8:58 a. m.]

[Vesting Order 17103]

RENITA KRAMER

In re: Bank account owned by Renita Kramer. F-28-29761.

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 Renita Kramer, whose last known address is Heidelberg, 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 owing to Renita Kramer, by The National City Bank of New York, 55 Wall Street, New York 5, New York, arising out of a Compound Interest Account, account number E 15351, maintained at the branch office of the aforesaid bank located at Park Avenue at 57th Street, New York, New York, 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, 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1767; Filed, Feb. 2, 1951;  
8:58 a. m.]

[Vesting Order 17118]

RICHARD SEEGER

In re: Interest in bonds owned by the personal representatives, heirs, next of kin, legatees and distributees of Richard Seeger, deceased. F-28-26104-A-1; 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 the personal representatives, heirs, next of kin, legatees and distributees of Richard Seeger, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: Two (2) Baltimore and Ohio Railroad Company, 5 percent Convertible Refunding and General Mortgage Bonds, Series K, \$1,000 face value each, due March 1, 2000, bearing Certificate Numbers 18702/3 presently in the custody of The Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account designated Banque Cantonale de Zurich, Zurich, Switzerland, General Ruling #6 account, 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 personal representatives, heirs, next of kin, legatees and distributees of Richard Seeger, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Richard Seeger, 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 (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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1788; Filed, Feb. 2, 1951;  
8:58 a. m.]

[Vesting Order 17119]

SABURO SONODA

In re: Bonds owned by Saburo Sonoda. F-39-876-A-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 Saburo Sonoda, whose last known address is Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Ten (10) Taiwan Electric Power Company, Ltd., 5½ percent 1970 bonds, of \$1,000 face value each, bearing the numbers 8005 through 8014 inclusive, issued in the name of bearer, presently in the custody of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Bank of Taiwan, Ltd., 80 Spring Street, New York, New York, held in a safekeeping account entitled "Bank of Taiwan Ltd., Tokyo, Japan, Sub-Account, Saburo Sonoda", together with any and all rights thereunder and thereto,

b. Ten (10) City of Yokohama 6 percent 1961 bonds, of \$1,000 face value each, bearing the numbers 12069, 12070, 12071, 12072, 10819, 13597, 5794, 5795, 5929 and 6517, issued in the name of bearer, presently in the custody of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Bank of Taiwan, Ltd., 80 Spring Street, New York, New York, held in a safekeeping account entitled "Bank of Taiwan Ltd., Tokyo, Japan, Sub-Account, Saburo Sonoda", together with any and all rights thereunder and thereto, and

c. Thirty (30) Oriental Development Company, Ltd., 6 percent 1953 bonds, of \$1,000 face value each, bearing the numbers 532, 533, 534, 535, 872, 873, 874, 875,

876, 877, 878, 879, 880, 881, 1498, 1499, 2650, 4401, 5582, 5757, 2080, 6777, 7352, 8267, 8268, 10111, 14048, 14492, 10834 and 8627, issued in the name of bearer, presently in the custody of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Bank of Taiwan, Ltd., 80 Spring Street, New York, New York, held in a safekeeping account entitled "Bank of Taiwan, Tokyo, Japan, Sub-Account, Saburo Sonoda", 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1769; Filed, Feb. 2, 1951;  
8:58 a. m.]

[Vesting Order 17122]

MATAKICHI TANAKA

In re: Bonds owned by Matakichi Tanaka. F-39-940-A-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 Matakichi Tanaka, whose last known address is c/o Mitsubishi Shoji Kaisha, 10 Marunouchi, 2 Chome-Kajumachi Ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Three (3) Tokyo Electric Light Company 6 percent 1953 bonds, of \$1,000 face value each, bearing the numbers 13892, 13893, and 13894, issued in the name of bearer, presently in the custody

of the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of Yokohama Specie Bank, Ltd., 80 Spring Street, New York, New York, 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 January 17, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1770; Filed, Feb. 2, 1951;  
8:59 a. m.]

[Vesting Order 17156]

ADOLPH HEISER

In re: Estate of Adolph Heiser, deceased. File No. D-28-12887; E. T. sec. 17046.

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 Emilia (Emilie) Kratzke, also known as Amilia Kratzke, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

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

3. That such property is in the process of administration by Julia DeCair, as administratrix, acting under the judicial supervision of the Probate Court for the County of Eaton, Michigan;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1771; Filed, Feb. 2, 1951; 8:59 a. m.]

[Vesting Order 17168]

AUGUST L. MOHR ET AL.

In re: August L. Mohr vs. Fritz Mohr, et al. File D-28-3545.

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 Fritz Mohr, Anna Doell, Ernst Moschkowitz and Anna Pollert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$732.57 held by the Clerk of the Circuit Court of Cook County, Illinois, for the account of the persons named in subparagraph 1 hereof in the matter of August L. Mohr vs. Fritz Mohr, et al., a partition suit filed in the Circuit Court of Cook County, Illinois, No. 41 C 5017, together with any additions thereto, subject to all lawful fees and disbursements of the aforesaid Clerk of the Circuit Court of Cook County, Illinois, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Clerk of the Circuit Court of Cook County, Illinois, acting under the judicial supervision of the Circuit Court of Cook County, Illinois,

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on January 19, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1772; Filed, Feb. 2, 1951; 8:59 a. m.]

[Vesting Order 17169]

WILLIAM ALEXANDER MCKEE

In re: Estate of William Alexander McKee, deceased. File No. F-28-27402; E. T. sec. 17090.

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 Lucie Frieda Christine McKee also known as Fridel McKee 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 all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the Estate of William Alexander McKee, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Ralph W. Noe, as ancillary administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

4. That the national interest of the United States requires that the said Lucie Frieda Christine McKee also known as Fridel McKee 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 January 19, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1773; Filed, Feb. 2, 1951; 8:59 a. m.]

[Vesting Order 17177]

CARL EMIL SCHUMACHER

In re: Trust under will of Carl Emil Schumacher, deceased. File No. D-28-10643-G-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 Hugo Schumacher, Paula Kuhn, Else Juhling, Karl Schumacher, Walter Schumacher and Hedwig Regenbogen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the descendants, names unknown, of Hugo Schumacher, of Paula Kuhn, of Else Juhling, of Karl Schumacher, of Walter Schumacher, and of Hedwig Regenbogen and the heirs-at-law, names unknown, of Carl Emil Schumacher, deceased, except Emily Wenk Schumacher, a resident of the United States, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, except Emily Wenk Schumacher, a resident of the United States, in and to the trust created under the will of Carl Emil Schumacher, deceased, presently being administered by the Mercantile-Commerce Bank and Trust Company, 721 Locust Street, St. Louis, Missouri, as trustee,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by the aforesaid 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 descendants, names unknown, of Hugo Schumacher, of Paula Kuhn, of Else Juhling, of Karl Schumacher, of Walter Schumacher, and of Hedwig Regenbogen, and the heirs-at-law, names unknown, of Carl Emil Schumacher, deceased, except Emily Wenk Schumacher, a resident of the United States, 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 January 19, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1774; Filed, Feb. 2, 1951;  
8:59 a. m.]

[Vesting Order 17183]

MARIE TAXIS

In re: Trust under the will of Marie Taxis, deceased. File No. D-28-9333; E. T. sec. 12335.

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 Emma Caroline Richter nee Taxis, Ludwig Mack, Kurt Walter Mack, Else Mack, Anna Taxis nee Bauder, Gisela Lieber nee Taxis, Eva Haug nee Taxis, Heinrich Friedrich Herbert Taxis, Viola Taxis, Barbara (Baerbel) Taxis, Charlotte Becker nee Suess, Katharina (Katie) Suess, Elisabeth (Elisa) Clara Schick nee Suess, Albert Weckauf, Karl Heinrich Weckauf, Wilhelmine Klara Weckauf and Wilhelmine (Mina) Schuster nee Suess, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the heirs, names unknown, of Emma Caroline Richter nee Taxis, of Anna Taxis nee Bauder, of Charlotte Becker, of Katharina (Katie) Suess, of Elisabeth (Elisa) Clara Schick, of Barbara (Babette) Weckauf and of Wilhelmine Klara Weckauf, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. All right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof not heretofore vested by Vesting Order No. 5271 in and to the trust created under the will of Marie Taxis, deceased, and

b. All property in the possession, custody or control of Hugo A. Koelle and of Lux H. Bock, as trustees of the trust created under the will of Marie Taxis, deceased,

is property payable or deliverable to, or claimed by, the aforesaid nationals of a

designated enemy country (Germany);

4. That such property is in the process of administration by Hugo A. Koelle and Lux H. Bock, as trustees, acting under the judicial supervision of the Probate Court of St. Louis County, Missouri;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the heirs, names unknown, of Emma Caroline Richter nee Taxis, of Anna Taxis nee Bauder, of Charlotte Becker, of Katharina (Katie) Suess, of Elisabeth (Elisa) Clara Schick, of Barbara (Babette) Weckauf and of Wilhelmine Klara Weckauf, 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 in subparagraph 3-a hereof, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3-b hereof, subject to all lawful fees and disbursements of Hugo A. Koelle and of Lux H. Bock, as trustees of the trust created under the will of Marie Taxis, deceased.

All such property so vested shall 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 January 19, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1775; Filed, Feb. 2, 1951;  
8:59 a. m.]

[Vesting Order 17217]

HERMAN C. FLEITMANN

In re: Trust under will of Herman C. Fleitmann, deceased. File No. D-28-7485.

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 Katherine F. Watjen, Eduard Watjen, Katherine Marie Watjen, Elena Watjen, Maria Watjen, and Dotty Watjen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Eduard Watjen, of Katherine F. Watjen,

and of Dotty Watjen, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the Will of Herman C. Fleitmann, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Thomas Crimmins and the Fifth Avenue Bank of New York, as trustees, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof, and the issue, names unknown, of Eduard Watjen, of Katherine F. Watjen, and of Dotty Watjen, 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1777; Filed, Feb. 2, 1951;  
9:00 a. m.]

[Vesting Order 17218]

RUDOLF FRITZE

In re: Rights of Rudolf Fritze under insurance contract. File No. D-28-12845-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 Rudolf Fritze, 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 net proceeds due or to become due to Rudolf Fritze under a contract of insurance evidenced by Policy No. 615320, issued by the Phoenix Mutual Life Insurance Company, Hartford, Connecticut, to Rudolf Fritze, 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 William Toerber, a resident of the United States, of Walter Fritze, and of the aforesaid Phoenix Mutual 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, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the said Rudolf Fritze 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1778; Filed, Feb. 2, 1951;  
9:00 a. m.]

[Vesting Order 17214]

STEENKOLEN HANDELSVEREENIGING N. V.

In re: Stock, cash and promissory note owned by Steenkolen Handelsvereniging N. V. F-49-498, D-49-299.

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 Rheinisch-Westfaelisches Kohlensyndikat, the last known address of which is Essen, Germany, is a corporation, partnership, association or other business organization organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the enterprises whose names and last known addresses are listed on Exhibit A, attached hereto and by reference made a part hereof, are corporations, partnerships, associations or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have

had their principal places of business in Germany and are nationals of a designated enemy country (Germany);

3. That Paula Balthazar, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That N. V. Maatschappij Algemeen Beheer is a corporation organized under the laws of The Netherlands, whose principal place of business is located at Utrecht, The Netherlands, and all of whose outstanding capital stock is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by, directly or indirectly, the aforesaid Rheinisch-Westfaelisches Kohlensyndikat and the enterprises whose names are listed in Exhibit A, and is a national of a designated enemy country (Germany);

5. That Steenkolen Handelsvereniging N. V. is a corporation organized under the laws of The Netherlands, whose principal place of business is located at Utrecht, The Netherlands, and a substantial part of whose outstanding capital stock is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by, directly or indirectly, the aforesaid Rheinisch-Westfaelisches Kohlensyndikat, Paula Balthazar and N. V. Maatschappij Algemeen Beheer and is a national of a designated enemy country (Germany);

6. That the property described as follows:

a. Those certain shares of stock described in Exhibit B, attached hereto and by reference made a part hereof, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in a Blocked General Ruling 11-A Account in the name of Vlaer & Kol, Utrecht, Holland, together with all declared and unpaid dividends thereon,

b. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of the receipt by said Bank of dividends on the shares of stock described in subparagraph 6-a hereof, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of Combined Investment Corporation, c/o Cadwalader, Wickersham & Taft, 14 Wall Street, New York 5, New York, evidenced by a promissory note in the principal amount of \$3,000,000 issued by said Combined Investment Corporation on or about October 20, 1939, to The Chase National Bank of the City of New York, as payee, which said promissory note is presently in the custody of The Chase National Bank of the City of New York in an account entitled Administratiekantoor Unitas N. V. Special A/C # PS-87005, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and all accrued and unpaid interest thereon, to gether with any and all rights in, to and under including particularly the right to possession of, the aforesaid promissory note, and

d. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of the re-

ceipt by said Bank for the account of Administratiekantoor Unitas N. V. of interest payments made by Combined Investment Corporation with respect to the promissory note described in subparagraph 6-c hereof, 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 Steenkolen Handelsvereniging N. V., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

7. That N. V. Maatschappij Algemeen Beheer and Steenkolen Handelsvereniging N. V. are controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany);

8. That to the extent that the persons named in Exhibit A and subparagraphs 1, 3, 4 and 5 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 January 24, 1951.

For the Attorney General.

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

EXHIBIT A

Name of Enterprise and Last Known Address

Gewerkschaft Alte Haase, Sprockhoevel, Germany.  
Gewerkschaft Caroline, Sprockhoevel, Germany.  
Concordia Bergbau-Aktien-Gesellschaft, Oberhausen, Germany.  
Gewerkschaft ver. Constantin der Grosse, Bochum, Germany.  
Bergwerks-Gesellschaft Dahlbusch, Gelsenkirchen, Germany.  
Gewerkschaften Diergardt-Mevissen, Rheinl.-Hochemmerich, Germany.  
Deutsche Erdol-Aktiengesellschaft, Gelsenkirchen, Germany.  
Gewerkschaft Emscher-Lippe, Datteln, Germany.  
Essener Steinkohlen A. G., Essen, Germany.  
Gewerkschaft Ewald-Koenig Ludwig, Herten, Germany.  
Gewerkschaft Auguste Victoria, Huels, Germany.  
Gewerkschaft des Steinkohlenbergwerks "Friedrich der Grosse", Herne, Germany.  
Steinkohlenbergwerk Friedrich Heinrich A. G., Kamp-Lintfort, Germany.

Gewerkschaft Gottessegen, Sprockhoevel, Germany.  
 Gutehoffnungshuette A. G., Oberhausen, Germany.  
 Harpener Bergbau-Aktien-Gesellschaft, Dortmund, Germany.  
 Steinkohlenzeche de Wendel (Heinrich, Robert), Hamm, Germany.  
 Reichswerke Hermann Goering A. G., Hamm, Germany.  
 Bergwerksgesellschaft Hibernia, Herne, Germany.  
 Hoesch-Koeln-Neuessen, Aktiengesellschaft fur Bergbau und Huttenbetrieb, Dortmund, Germany.  
 Klockner-Werke A. G., Duisburg, Germany.  
 Fried. Krupp Aktiengesellschaft, Essen, Germany.  
 Bergbau - Aktiengesellschaft Lothringen, Bochum, Germany.  
 Mannesmannrohrenwerke A. G., Dusseldorf, Germany.  
 Mansfeld Aktiengesellschaft fur Bergbau und Huttenbetrieb, Bochum-Langendreer, Germany.  
 Gewerkschaft Neumuehl, Homberg, Germany.  
 Niederrheinische Berkwerks-Aktien-Gesellschaft, Duesseldorf, Germany.  
 Gewerkschaft Rheinstahl, Essen, Germany.  
 Steinkohlen-Bergwerks "Rheinpreussen", Homberg, Germany.  
 Gewerkschaft der Zeche Siebenplaneten, Dortmund, Germany.  
 Gewerkschaft Sophia Jacoba, Hueckelhoven, Germany.  
 Gebruder Stumm G. m. b. H., Essen, Germany.  
 OBAG/Ver. Stahlwerke, Essen, Germany.  
 Gewerkschaft des Steinkohlen-Bergwerks Victoria Mathias, Essen, Germany.  
 Gewerkschaften Friedrich Ernestine, Essen, Germany.  
 Gewerkschaften Graff Beust, Essen, Germany.  
 Gewerkschaft der Zeche Heinrich, Essen-Kupferdreh, Germany.

EXHIBIT B

Name of issuing corporation	Type of stock	Number of shares
Underwood Corp.	Common	1,500
American Telephone & Telegraph Co.	Capital	520
Western Auto Supply Co.	Common	750
Abbott Laboratories Co.	do	880
American Airlines Inc.	do	3,700
Eastern Air Lines Inc.	Capital	3,000
International Business Machine Corp.	do	643 1/4
Bayuk Cigars Inc.	Common	2,260
Beech Nut Packing Co.	do	770
American Can Co.	do	750
Corn Products Refining Co.	do	750
Continental Can Co.	do	450
Commonwealth Edison Co.	Capital	750
The Coca Cola Co.	Common	150
American Chiclet Co.	do	900
Chesapeake & Ohio Ry. Co.	do	1,270
Chicago & St. Louis R. R. Co.	do	313 1/4
Dow Chemical Co.	do	902
Southern California Edison Co.	do	1,500
Consolidated Edison Co. of New York.	do	750
The Detroit Edison Co.	do	2,035
Ex-Cell-O Corp.	Capital	750
Fairbanks Morse & Co.	Common	750
Holland Furnace Co.	do	1,500
The Kroger Co.	do	1,870
S. S. Kresge Co.	do	1,500
Liggett & Myers Tobacco Co.	do	370
P. Lorillard Co.	do	1,500
Monsanto Chemical Co.	do	900
General Mills Inc.	do	1,110
Niles-Bement-Pond Co.	Capital	600
Norfolk & Western R. R. Co.	Common	1,480
Owens Illinois Glass Co.	do	750
Procter & Gamble Co.	do	750
J. C. Penney Co.	do	1,110
Phillip Morris & Co.	do	740
Pittsburgh Plate Glass Co.	Capital	2,080
R. J. Reynolds Tobacco Co.	Common	313 1/4
Safeway Stores Inc.	do	2,250
First National Stores Inc.	do	6,750
American Tobacco Co.	do	370

[F. R. Doc. 51-1776; Filed, Feb. 2, 1951; 9:00 a. m.]

[Vesting Order 17222]

KURT (CURT) HELMHOLZ

In re: Rights of Kurt (Curt) Helmholz under insurance contracts. F-28-24490-H-2, H-3, H-4, H-5.

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 Kurt (Curt) Helmholz, 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 to Kurt (Curt) Helmholz under contracts of insurance evidenced by policies numbered 74716987, 74716988, 75021535 and 91776432, issued by the Metropolitan Life Insurance Company, New York, New York, to Kurt (Curt) Helmholz, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of Irene Helmholz, a resident of the United States, and the aforesaid Metropolitan 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, 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1779; Filed, Feb. 2, 1951; 9:00 a. m.]

[Vesting Order 17227]

WARO NAKAHARA

In re: Rights of Waro Nakahara under contract of insurance. File No. F-39-5463-H-1.

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

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

1. That Waro Nakahara, 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 to Waro Nakahara under a contract of insurance evidenced by Policy No. 2,332,958 A, issued by the Metropolitan Life Insurance Company, New York, New York, to Waro Nakahara, 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 Berenice D. Nakahara, a resident of the United States and those of the aforesaid Metropolitan 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 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1781; Filed, Feb. 2, 1951; 9:01 a. m.]

[Vesting Order 17229]

HENRY ROESE

In re: Rights of Henry Roese under insurance contract. File No. F-28-27946-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 Henry Roese, 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 to Henry Roese under a contract of insurance evidenced by Policy No. 5316665 issued by The Prudential Insurance Company of America, Newark, New Jersey, to Henry Roese, 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 Ida F. Roese, a resident of Switzerland, and 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, 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1782; Filed, Feb. 2, 1951;  
9:01 a. m.]

[Vesting Order 17223]

DR. W. H. LEONHARD KOEPPE AND SECURITY TRUST CO. OF ROCHESTER

In re: Indenture of trust dated October 11, 1926, between Dr. W. H. Leonhard Koeppe, Grantor, and Security Trust Company of Rochester, Trustee. File No. D-28-2553; E. T. sec. 4990.

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. W. H. Leonhard Koeppe, Gertrud Margarete Koeppe, Hans-Werner Koeppe and Horst Koeppe, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Dr. W. H. Leonhard Koeppe, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to and arising out of or under that certain indenture of trust dated October 11, 1926, by and between Dr. W. H. Leonhard Koeppe, Grantor, and Security Trust Company of Rochester, Trustee, including particularly but not limited to the right of Gertrud Margarete Koeppe to withdraw, after the death of Dr. W. H. Leonhard Koeppe, any or all of the principal of the said trust and the rights reserved to the grantor by paragraphs 4 (a) and 4 (b) of said trust indenture, presently being administered by Security Trust Company of Rochester, Trustee, 103 East Main Street, Rochester, New York,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Dr. W. H. Leonhard Koeppe 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1780; Filed, Feb. 2, 1951;  
9:01 a. m.]

[Vesting Order 17231]

TSUNEGORO TOGIOKA

In re: Rights of Tsunegoro Togioka under contract of insurance. File No. D-39-19156-H-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 Tsunegoro Togioka, who on or since the effective date of Executive Order 8389, as amended, and on or since December 8, 1941, has been a resident of Japan, is 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. 1405434, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Miss Hagime Togioka, 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, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That the national interest of the United States requires that the said Tsunegoro Togioka 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1783; Filed, Feb. 2, 1951;  
9:01 a. m.]

[Vesting Order 17233]

LILLI WETZEL ET AL.

In re: Rights of Lilli Wetzel, also known as Elisabeth Wetzel et al. under insurance contracts. Files No. F-28-28132-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 Lilli Wetzel, also known as Elisabeth Wetzel, 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 domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Lilli Wetzel, also known as Elisabeth Wetzel, except Kurt George Wetzel, a resident of the United States, 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 to Lilli Wetzel, also known as Elisabeth Wetzel, and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Lilli Wetzel, also known as Elisabeth Wetzel, except Kurt George Wetzel, a resident of the United States, under contracts of insurance evidenced by policies numbered 1105439-M and 8898404-A, issued by the Metropolitan Life Insurance Company, New York, New York, to Lilli Wetzel, and any and all other benefits and rights of any kind or character whatsoever under or arising

out of said contracts of insurance except those of Kurt George Wetzel, a resident of the United States, and of the aforesaid Metropolitan 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, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that the said Lilli Wetzel, also known as Elisabeth Wetzel, be treated as a national of a designated enemy country (Germany);

5. That to the extent that the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Lilli Wetzel, also known as Elisabeth Wetzel, except Kurt George Wetzel, a resident of the United States, 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 January 24, 1951.

For the Attorney General.

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

[F. R. Doc. 51-1784; Filed, Feb. 2, 1951;  
9:01 a. m.]