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TITLE 3—THE PRESIDENT PROCLAMATION 2961

ADDITION OF DEVIL'S HOLE, NEVADA, TO
DEATH VALLEY NATIONAL MONUMENT—
CALIFORNIA AND NEVADA

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS by Proclamation No. 2028 of February 11, 1933 (47 Stat. 2554), certain lands in California known as Death Valley were set aside and reserved as the Death Valley National Monument for the preservation of the unusual features of scenic, scientific, and educational interest therein contained; and by Proclamation No. 2228 of March 26, 1937 (50 Stat. 1823), the said monument was enlarged by adding thereto certain contiguous lands in California and Nevada; and

WHEREAS there is located outside the boundaries of the said monument but in the vicinity thereof a forty-acre tract of public land in Nevada containing a remarkable underground pool known as Devil's Hole; and

WHEREAS the said pool is a unique subsurface remnant of the prehistoric chain of lakes which in Pleistocene times formed the Death Valley Lake System, and is unusual among caverns in that it is a solution area in distinctly striated limestone, while also owing its formation in part to fault action; and

WHEREAS the geologic evidence that this subterranean pool is an integral part of the hydrographic history of the Death Valley region is further confirmed by the presence in this pool of a peculiar race of desert fish, and zoologists have demonstrated that this race of fish, which is found nowhere else in the world, evolved only after the gradual drying up of the Death Valley Lake System isolated this fish population from the original ancestral stock that in Pleistocene times was common to the entire region; and

WHEREAS the said pool is of such outstanding scientific importance that it should be given special protection, and such protection can be best afforded by making the said forty-acre tract con-

taining the pool a part of the said monument;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the act of June 8, 1906, 34 Stat. 225 (16 U. S. C. 431), do proclaim that, subject to the provisions of the act of Congress approved June 13, 1933, 48 Stat. 139 (16 U. S. C. 447), and to all valid existing rights, the following-described tract of land in Nevada is hereby added to and reserved as a part of the Death Valley National Monument, as a detached unit thereof:

MOUNT DIABLO MERIDIAN, NEVADA
T. 17 S., R. 50 E.,
Sec. 36, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this addition to the said monument and not to locate or settle on any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the lands hereby added to the said monument as provided in the act of Congress entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U. S. C. 1-3), and acts supplementary thereto or amendatory thereof.

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

DONE at the City of Washington this 17th day of January in the year of our Lord nineteen hundred and [SEAL] fifty-two, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 52-933; Filed, Jan. 22, 1952;
10:06 a. m.]

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EXECUTIVE ORDER 10320

FURTHER EXEMPTION OF LAWRENCE M. LAWSON FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS, in my judgment, the public interest requires that Lawrence M. Lawson, Commissioner of the United States on the International Boundary and Water Commission, United States

and Mexico, who was exempted from compulsory retirement for age for a period of three years by Executive Order No. 10002 of September 17, 1948, be further exempted from such compulsory retirement as provided below:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715a), I hereby

further exempt the said Lawrence M. Lawson from compulsory retirement for age for a period of one year ending January 31, 1953.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 21, 1952.

[F. R. Doc. 52-930; Filed, Jan. 21, 1952; 2:11 p. m.]

RULES AND REGULATIONS

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 11]

PART 608—DANGER AREAS

DANGER AREA ALTERATION

The danger area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army,

the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and is adopted when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with section 4 of the Administrative Procedure Act is not required. Part 608 is amended as follows:

In § 608.40, a Pine Camp, New York (Exercise Snow Fall), temporary area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
PINE CAMP (EXERCISE SNOW FALL) (Albany and Burlington Charts).	Beginning at lat. 44°20'00" N, long. 75°55'00" W; northeasterly along the S slope of the St. Lawrence River to lat. 44°42'00" N, long. 75°30'00" W; easterly following the railroad to Norwood, N. Y., at lat. 44°45'00" N, long. 75°00'00" W; E to lat. 44°40'00" N, long. 74°16'00" W; SW to lat. 43°48'00" N, long. 75°00'00" W; due W to long. 75°55'00" W; due N to lat. 44°20'00" N, long. 75°55'00" W, point of beginning.	Surface to 30,000 feet above terrain.	Continuous, Jan. 22, 1952, through Feb. 20, 1952.	Air Maneuver Control Center, Wheeler-Sack AAF, Pine Camp, N. Y.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on January 22, 1952.

[SEAL]

F. B. LEE,

Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-853; Filed, Jan. 22, 1952; 8:45 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—International Claims Commission, Department of State

PART 300—GENERAL RULES OF PRACTICE AND PROCEDURE

Section 300.6, Part 300, Chapter III, Title 22, Code of Federal Regulations, is amended by the addition of the following sentence: "For the rules of procedure to be followed in cases arising under this section, see Part 303 of this chapter."

This amendment shall become effective as of the date of filing with the FEDERAL REGISTER.

Dated at Washington, D. C., January 17, 1952.

JOSIAH MARVEL, JR.,
Chairman.
RAYMOND S. McKEOUGH,
Commissioner.
ROY G. BAKER,
Commissioner.

[F. R. Doc. 52-898; Filed, Jan. 22, 1952; 8:50 a. m.]

PART 303—RULES OF PROCEDURES

PROCEEDING TO CENSURE, SUSPEND OR REVOKE THE RIGHT OF ANY ATTORNEY TO APPEAR BEFORE THE INTERNATIONAL CLAIMS COMMISSION OF THE UNITED STATES

Part 303, Chapter III, Title 22, Code of Federal Regulations is established to read as follows:

- Sec.
- 303.1 Rules of procedure.
- 303.2 Service.
- 303.3 Filing of papers.
- 303.4 Extension of time.
- 303.5 Negotiation.
- 303.6 Statement of charges.
- 303.7 Bill of particulars.
- 303.8 Answer.
- 303.9 Content of answer.
- 303.10 Affirmative defense.
- 303.11 Complaining witness.
- 303.12 Reply to answer.
- 303.13 Supplemental charges.
- 303.14 Sufficiency of the pleadings.
- 303.15 Immaterial mistakes.
- 303.16 Hearings.
- 303.17 Testimony.
- 303.18 Depositions.
- 303.19 Documents.

- Sec.
- 303.20 Proof; partial.
- 303.21 Proof; variance.
- 303.22 Submittals.
- 303.23 Exceptions to proposed findings.
- 303.24 Decision.
- 303.25 Effect of decision.
- 303.26 Appeal.
- 303.27 Decision by Secretary of State.
- 303.28 Notice of decisions.
- 303.29 Notice of censure, suspension or revocation of right to practice.
- 303.30 Reopening.
- 303.31 Intermediate proceedings.

AUTHORITY: §§ 303.1 to 303.31 issued under sec. 3, 64 Stat. 13; 22 U. S. C. Sup. 1622.

§ 303.1 *Rules of procedure.* The Commission may, where it has cause to believe that any attorney has violated any provision of the law or of §300.6 of this Chapter of the Commission rules, institute proceedings to censure, suspend or revoke the right of such attorney, hereinafter called the respondent, to appear before the International Claims Commission of the United States. Such proceedings shall be governed by the rules in this part.

§ 303.2 *Service—(a) Service of notice and statement of charges.* Notice of a proceeding to censure, suspend or revoke the right of respondent to practice before the Commission, signed by the Commission, shall be served upon the respondent in the following manner:

- (1) By delivery to the respondent personally, or
- (2) By registered mail, with demand for a return card signed by the respondent: *Provided*, That, if an attorney shall have signed and filed with the Commission his written consent to be served in some other manner it shall be sufficient if service is made in that manner. Where the service is by registered mail, the receipt of the return card duly signed shall be satisfactory evidence of service. The notice shall give the place and time within which the respondent shall file his answer, which time shall be not less than 20 days from the date of service of the notice, and shall contain or be accompanied by a statement of charges, which statement shall be signed by the Commission.

(b) *Service of papers other than notice and statement of charges.* Papers other than the original notice and statement of charges shall be served on the respondent as follows:

- (1) By delivering the same to the respondent personally, or by registered mail; or

(2) By leaving them at his office with his clerk or with a person in charge thereof; or

(3) By depositing them in a United States post office or post office box, enclosed in a sealed envelope, plainly addressed to such respondent at the address under which he is enrolled or at his last address known to the Commission.

(4) When the respondent is represented by attorney, by service upon the attorney in the same manner as provided in subparagraphs (1), (2) and (3) of this paragraph for service on the respondent.

§ 303.3 *Filing of papers.* Whenever under this part the filing of a paper in a proceeding is required or permitted, and the place of filing is not specified by rule of the Commission in the particular proceeding or pursuant to this part, the paper shall be filed with the Commission at its office in Washington, D. C.

§ 303.4 *Extension of time.* In any case in which the time for filing, pleading, or making an appeal, shall have expired, or shall be about to expire, to the prejudice of a party, the Commission shall have the power in its discretion and upon appropriate application and showing by the party prejudiced, to extend the time, as justice may be deemed to require.

§ 303.5 *Negotiation.* At any time prior to hearing the Commission is authorized, in its sound discretion, to negotiate with the respondent for the purpose of submission and consideration of facts, arguments, offers of settlement, or proposals of adjustments. The parties may at any time prior to or during the hearing limit the issues by stipulation. Any stipulations resulting from such negotiation shall be entered in the record.

§ 303.6 *Statement of charges.* The statement of charges shall contain a plain and concise statement of the facts which it is claimed constitute grounds for censure, suspension or revocation of the right of the respondent to appear before the Commission. A statement of charges which fairly informs the respondent of the charges against him so that he is able to prepare his defense shall be deemed sufficient. Different means by which a purpose may have been accomplished or different intents with which acts may have been committed may be alleged in the statement of charges in a single count in the alternative.

§ 303.7 *Bill of particulars.* If, in order to prepare his defense, the respondent desires additional information as to the time and place of the alleged misconduct, or the means by which it was committed, or any other more specific information concerning the alleged misconduct, he may present a motion in writing to the Commission asking that the statement of charges be made more specific, setting forth in such motion in specific manner in what respect the statement of charges leaves him in doubt and describing the particular language of the statement of charges as to which

additional information is needed. If in the opinion of the Commission such information is reasonably necessary to enable the respondent to prepare his defense, the Commission shall furnish the respondent with a bill of particulars.

§ 303.8 *Answer.* The respondent's answer shall be filed in writing within the time specified in the original notice unless on application the time is extended pursuant to § 303.4. The answer shall be made under oath before a notary public or other officer authorized to administer oaths and shall be filed in duplicate with the Commission.

§ 303.9 *Content of answer.* In his answer the respondent should specifically admit or deny every material allegation of fact in the statement of charges. Every allegation in the statement of charges not denied shall be deemed admitted, unless the respondent shall state in his answer that he has no knowledge thereof sufficient to form a belief, which statement shall be considered a denial. In answer to a statement of charges, the respondent shall not deny a material allegation of fact which he knows to be true, or state in such answer that he is without sufficient information to form a belief when in fact he possesses such information.

§ 303.10 *Affirmative defense.* In his answer the respondent may also state affirmatively special matters of defense, and shall not give in evidence any matters in avoidance or of defense, consistent with the truth of the allegations of the statement of charges, unless in his answer he states such matters specifically.

§ 303.11 *Complaining witness.* The Commission may in its discretion furnish a complaining witness with a copy of the answer if in its opinion such action will aid in ascertaining the truth or falsity of the charges. The term "complaining witness" for the purposes of this provision shall include any officer or employee of the Commission or any attorney who may have reported the alleged misconduct to the Commission, or any other person upon whose information the Commission has instituted the proceeding.

§ 303.12 *Reply to answer.* If the answer contains affirmative matter in avoidance, consistent with the truth of the material allegations in the statement of charges, a reply by the Commission admitting or denying the new matter set forth in the answer shall be served upon the respondent.

§ 303.13 *Supplemental charges.* If it appears that a denial of a material allegation of fact in the statement of charges, or a statement that the respondent has no knowledge sufficient to form a belief, was made in bad faith in the answer; or that the respondent has knowingly introduced false testimony during proceedings against him pursuant to the provisions of this part, the Commission may thereupon file supplemental charges, which charges may be tried with the other charges in the case, provided the respondent shall be given due notice

thereof and afforded an opportunity for preparing a defense.

§ 303.14 *Sufficiency of the pleadings.* The Commission shall have authority to pass upon the sufficiency of the statement of charges, the answer, and all other pleadings. The parties may be heard upon the sufficiency of any pleadings whenever in the opinion of the Commission a hearing thereon is necessary or desirable.

§ 303.15 *Immaterial mistakes.* The Commission shall disregard an immaterial misnomer of a third person, an immaterial mistake in the description of any person, thing, or place or the ownership of any property, a failure to prove immaterial allegations in the description of the respondent's conduct, or any other immaterial mistake in the pleadings.

§ 303.16 *Hearings.* The Commission shall preside at the reception of the evidence, and its action shall be taken by majority vote. Subject to this part the Commission may determine the time, place, and manner in which hearings shall be conducted; the form in which evidence shall be received; and may adopt rules of procedure and modify the same from time to time as occasion requires for the orderly disposition of disciplinary cases. Written notice of the time and place of all hearings shall be given the respondent in the manner provided in this part for the service of papers. No hearing shall be held without reasonable notice thereof to the respondent, except that the Commission may postpone or adjourn hearings when necessary or desirable, on notice to the parties.

§ 303.17 *Testimony.* Unless the Commission shall otherwise direct, the testimony of witnesses at all hearings will be taken under oath and stenographically recorded and transcribed.

§ 303.18 *Depositions.* Depositions for use at a hearing may, with the written approval of the Commission, be taken by either party, or their duly authorized representatives, upon oral or written interrogatories, before any officer duly authorized to administer an oath for general purposes, upon not less than 10 days' written notice to the other party. Such notice shall state the names of the witnesses, and the time and place where such depositions are to be taken: *Provided*, That when depositions are taken as aforesaid, if both parties are present or represented at the time and place specified for the taking of the depositions, either party may, after the examination of the witnesses produced under the order of the Commission, be entitled to produce and examine other witnesses; but in such case one day's notice must be given to the other party or his duly authorized representative there present, unless such notice is waived: *And provided further*, That the parties or their duly authorized representatives may agree in writing upon a time when and place at which such depositions are to be taken, without formal notice. When a deposition is taken upon written interrogatories, any cross-examination shall be upon written interrogatories. Copies

of such written interrogatories shall be served with the notice, and copies of any written cross-interrogatories shall be mailed or delivered to the opposing party or his duly authorized representative at least 5 days before the time of taking the depositions.

§ 303.19 *Documents.* Whenever any book, document or paper is introduced as an exhibit in a proceeding, the Commission may authorize, upon such conditions as it may deem proper, the withdrawal of such exhibit upon the request of either party.

§ 303.20 *Proof; partial.* If the Commission finds that a part of the charges in the statement of charges is not sufficiently proved but that the residue thereof is so proved, it may base its findings on any facts established by the evidence which are substantially charged by the said residue of the statement of charges.

§ 303.21 *Proof; variance.* In the case of a variance between the allegations in the statement of charges and the evidence, the Commission shall have power to base its findings on any facts established by the evidence which are grounds for censure, suspension or revocation, and to order the amendment of the statement of charges to conform to the evidence; *Provided,* That the respondent has had or is given reasonable opportunity to present his defense to such amended charges, with such postponements of the hearing as may be reasonably necessary to permit the respondent to present such defense.

§ 303.22 *Submittals.* After the reception of evidence has been concluded, the Commission may by order require the parties within a reasonable time to submit proposed findings and conclusions.

§ 303.23 *Exceptions to proposed findings.* Upon receipt of proposed findings and conclusions submitted by a party pursuant to § 303.22, the Commission shall forward to the other parties in the case or their attorneys a copy thereof. Such parties shall have not less than 10 days after receipt of such findings and conclusions in which to submit in writing to the Commission their exceptions, if any, to such proposed findings and conclusions. Neither such parties nor their attorneys shall have the right to receive any copies of exhibits introduced at the hearing or at the taking of the depositions. Such parties or their attorneys, however, shall have the right to examine all exhibits. Upon receipt of such exceptions, or after the time for filing such exceptions has expired if no such exceptions are filed the Commission shall make its findings and conclusions as required by § 303.24.

§ 303.24 *Decision.* After the parties rest, the Commission shall make its decision in the case, which decision shall include (a) findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record and (b) an order to censure, suspend or revoke the right of the respondent to appear before the Commission or order to dismiss the charges as the case

may require. In making its findings and conclusions as to the truth of any charges which are duly put in issue by the papers in any case and upon which a hearing is had, the Commission shall be guided by the preponderance of reliable, probative, and substantial evidence. If at any hearing upon issues of fact raised by the papers in the case the respondent fails to put in any evidence, the Commission may base its findings upon the evidence submitted by the attorney for the Commission.

§ 303.25 *Effect of decision.* The decision of the Commission, in the absence of an appeal pursuant to § 303.26, shall without further proceedings become the final decision of the agency.

§ 303.26 *Appeal.* Any party adversely affected or aggrieved, within 30 days after the decision is entered, has the right to appeal from such decision by filing notice of appeal and to submit exceptions to the decision and supporting reasons therefor, which submittals shall be included in the record of the case. Upon the expiration of said period, if an appeal has been taken, the entire record shall be transmitted to the Secretary of State.

§ 303.27 *Decision by Secretary of State.* The Secretary of State will make the agency decision in each case in which an appeal has been taken from the decision of the Commission as provided in § 303.26. In making such decision, the Secretary of State will review the whole record or such portions thereof as may be cited by any party to permit limiting of the issues.

§ 303.28 *Notice of decisions.* Each decision shall promptly be filed in the record, and the Commission shall thereupon give notice thereof to the parties in the manner prescribed for the service of papers.

§ 303.29 *Notice of censure, suspension, or revocation of right to practice.* Upon issuance of an order censuring, suspending, or revoking the right of an attorney to appear before the Commission, notice thereof shall be given by the Commission to the heads of other interested departments and agencies of the Government in such manner as the Commission may determine. After the right of an attorney to appear before the Commission has been suspended or revoked, such person will not thereafter be recognized during the period of suspension or revocation as an attorney in any matter before the Commission.

§ 303.30 *Reopening.* Any attorney who has been censured or suspended or whose right to appear has been revoked may make written application to the Commission to have the order of suspension or revocation vacated or modified upon the ground (a) of newly discovered evidence, or (b) that important evidence is now available which the applicant was unable to produce at the original hearing by the exercise of due diligence. Every application for reinstatement shall be filed with the Commission in duplicate. Such application must set forth specifically the precise character of the evidence to be relied

upon in its support and shall state the reasons why the applicant was unable to produce it when the original charges were heard. If the Commission after due consideration of the application shall deem it sufficiently meritorious to warrant a hearing, the Commission shall set a time and place for such hearing and give due notice thereof to the applicant. Upon the conclusion of the hearing, in the event that the Commission shall issue an order vacating or modifying the prior order to censure, suspend or revoke the right of an attorney to appear before the Commission, notice thereof shall be given by the Commission to all those to whom notice of the original order to censure, suspend or revoke the right to appear before the Commission was sent.

§ 303.31 *Intermediate proceedings.* In proceedings pending at the time of publication of the rules in this part if in the judgment of the Commission the procedure followed prior to publication of this part has been in substantial compliance with the applicable rules as set forth in this part, the Commission shall continue the proceedings in accordance with the rules in this part.

This part shall become effective as of the date of filing with the FEDERAL REGISTER.

Dated at Washington, D. C., January 17, 1952.

JOSIAH MARVEL JR.,
Chairman.
RAYMOND S. McKEOUGH,
Commissioner.
ROY G. BAKER,
Commissioner.

[F. R. Doc. 52-899; Filed, Jan. 22, 1952; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Subtitle A—Office of the Secretary of Defense

PART 20—SOLICITATION OF COMMERCIAL LIFE INSURANCE ON MILITARY INSTALLATIONS

Sec.
20.1 General.
20.2 Life insurance.
20.3 Reports.

AUTHORITY: §§ 20.1 to 20.3 issued under sec. 202, 61 Stat. 500, as amended; 5 U. S. C. Sup. 171a.

§ 20.1 *General.* The control of the activities of dealers or tradesmen or their agents on a military installation is a responsibility of the commander of that installation.

§ 20.2 *Life insurance.* The minimum control which will be exercised over solicitation by life insurance agents is as follows:

(a) Although commanders of installations over which exclusive jurisdiction has been ceded to the United States may permit solicitation of commercial life insurance on their installations if both the company and its agents are licensed in any state or the District of Columbia, in those cases where the state has retained exclusive or concurrent jurisdiction over the installation, the company and the agents must qualify under the

laws of that state prior to soliciting business on the installation.

(b) There will be no solicitation of recruits or of basic trainees.

(c) There will be no solicitation of personnel being processed at ports of embarkation except by written appointment.

(d) There will be no mass solicitation at formations or captive audiences.

(e) There will be no solicitation which will interfere with military duty.

(f) No emoluments will be offered to or accepted by military or civilian personnel employed by a military department to facilitate transactions.

(g) Commanders will regulate solicitation within their commands avoiding discriminatory practices.

(h) The official use of allotment authorization forms reproduced by a non-federal agency or any official form bearing an unauthorized overprint is prohibited. Personnel officers and disbursing officers will not certify any such forms.

§ 20.3 Reports. A commanding officer may ban any agent from his command because of violation of his regulations. When such action is taken, the commanding officer will cooperate with state officials where the state has exclusive or concurrent jurisdiction over the installation. When the United States has exclusive jurisdiction, the commanding officer will make a report to the military department concerned setting forth all of the factors upon which his decision to ban the agent was based. The department concerned will insure that a complete investigation has been made. In the event that the department finally determines that the agent in question was involved in fraudulent, unethical or other conduct harmful to the best interests of the military personnel, the department may determine to ban such agent from all installations within its control. When the department concerned determines that an agent should be banned from soliciting on all of its installations, it will furnish the facts and a statement of its intended action to the other military departments. Final action banning an agent from a military installation by a department should not be taken until an opportunity is afforded the agent involved to be heard whenever possible. Each military department which determines that an agent will be so banned will notify the insurance commissioner of the state of domicile of the company involved.

ANNA M. ROSENBERG,
Assistant Secretary of Defense
(Manpower and Personnel).

DECEMBER 19, 1951.

[P. R. Doc. 52-851; Filed, Jan. 22, 1952,
8:45 a. m.]

**PART 50—RELEASE OF INFORMATION FROM
MEDICAL RECORDS OF MEMBERS AND
FORMER MEMBERS OF THE ARMED FORCES**

Sec.

50.1 General.

50.2 Release of complete transcripts.

50.3 Release of partial transcripts.

AUTHORITY: §§ 50.1 to 50.3 issued under sec. 202, 61 Stat. 500, as amended; 5 U. S. C. Sup. 171a.

§ 50.1 General. This policy governs the release of medical information, only under confidential classification, by those bureaus and offices which may be designated by the Secretaries of the Army, Navy, and Air Force, respectively.

§ 50.2 Releases of complete transcripts. Complete transcript of medical records will be released on request of:

- (a) Department of the Army.
- (b) Department of the Navy.
- (c) Department of the Air Force.
- (d) Department of the Treasury (Coast Guard).
- (e) Department of Commerce (Coast and Geodetic Survey).
- (f) Federal Security Agency (Public Health Service).
- (g) The Veterans Administration.
- (h) Selective Service.

(i) Federal or State hospitals or penal institutions when the member or former member is a patient or inmate therein.

(j) Registered civilian physicians, upon request of the individual or his legal representative, when required in connection with the treatment of the member or former member of the above services.

(k) The member or former member himself upon request, except information contained in the medical record which would prove injurious to his physical or mental health. (See Public Law 681, 77th Cong., approved July 28, 1942.)

(l) The next of kin on request of the individual, or legal representative, when under the provisions of Public Law 681, the information may not be disclosed to the veteran himself; and directly to the next of kin, or legal representative, when the member or former member has been adjudged insane or is dead.

(m) Duly accredited representatives of the National Academy of Sciences-National Research Council, when engaged in cooperative studies undertaken at the specific request or with the consent of the Surgeon General, U. S. Army, the Surgeon General, U. S. Navy, or the Surgeon General, U. S. Air Force.

§ 50.3 Release of partial transcripts. Partial transcript of pertinent information from medical records will be released on request of:

- (a) Department of Justice.
- (b) Department of the Treasury (except Coast Guard).
- (c) The Post Office Department.
- (d) Department of Labor (Bureau of Employees' Compensation).

(Each request will be made in connection either (1) with the investigations conducted by the above-named Departments, or (2) adjudication of claims in accordance with law, and will be considered on its merits. The information released will be the minimum necessary.)

Nothing in this statement of policy is intended to preclude the release of appropriate information concerning the current health and welfare of the individuals in the armed services, or vital statistical data, including proof of death, concerning such personnel, nor to preclude compliance with court orders call-

ing for the production of medical records in connection with litigation or criminal prosecutions.

ANNA M. ROSENBERG,
Assistant Secretary of Defense,
(Manpower and Personnel).

[P. R. Doc. 52-852; Filed, Jan. 22, 1952;
8:45 a. m.]

**TITLE 32A—NATIONAL DEFENSE,
APPENDIX**

**Chapter III—Office of Price Stabiliza-
tion, Economic Stabilization Agency**

[Ceiling Price Regulation 113, Revision 1]

CPR 113—WHITE FLESH POTATOES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 P. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 P. R. 738), this Revision 1 to Ceiling Price Regulation 113 is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the date Ceiling Price Regulation 113 was issued, a great amount of new information has been received from the white potato industry. The Statement of Considerations to CPR 113 pointed out that the regulation would be changed in the light of more adequate information. Accordingly, OPS considers it appropriate to make a number of corrections and clarifications. OPS is issuing the accompanying revision of CPR 113 rather than a lengthy amendment for the convenience of the industry.

F. o. b. country shipping point base prices are now provided through June, 1952. Seasonal increases for storage are incorporated in these prices. Tables II and III of section 2 which set forth grade, size, and packaging differentials have been revised upwards in some instances and downward in others in accordance with more adequate information. Special provision is made for Idaho standard grade potatoes, an established Idaho grade. Potatoes packed in 50-pound paper sacks now have a ceiling price 10 cents per hundredweight below potatoes packed in 100-pound burlap sacks. This will bring smaller sized packages into a more appropriate relationship with other sizes. Somewhat higher differentials are now provided for potatoes packed in window-type paper bags.

The markups in section 3 for intermediate sellers have been adjusted and broken down into more limited functional categories so as to conform with industry practice. Dollar-and-cent markups are provided for carlot distributors, primary receivers, secondary jobbers, and purveyors. These markups are added to a "primary price" which is the country shipping point ceiling price plus the cost of rail transportation, plus 6 cents transit risk. These markups also vary depending upon whether the sale is on a delivered basis or not. A special transportation allowance is provided for long distance sales.

Flat dollar-and-cent ceiling prices are provided for Maine potato futures traded on the New York Mercantile Exchange. This will enable trade to be continued at or under these flat ceiling prices for each month.

Section 6 now makes it clear that sales of potatoes for export are governed by the provisions of the export regulation, Ceiling Price Regulation 61.

Other miscellaneous changes include special treatment for delivered sales by country shippers through brokers in section 2 (g) and intermediate sellers' markups for country shippers who ship directly to retail warehouses.

If any further changes are justified by later information, prompt corrective action will be taken. Meanwhile, this revision is being made effective on January 21, 1952, in order to permit more normal marketing of potatoes.

CONCLUSION

On the basis of the information presently available, it is the judgment of the Director of Price Stabilization that the provisions of this revised regulation are generally fair and equitable and necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all applicable provisions of that act. In formulating this revised regulation the Director has consulted with industry representatives and has given consideration to their recommendations.

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

REGULATORY PROVISIONS

- Sec.
1. What this revised regulation does.
 2. Ceiling prices for country shippers.
 3. Ceiling prices for intermediate sellers.
 4. Grade, size, and packaging differentials.
 5. Maine potato futures.
 6. Imports and exports of potatoes.
 7. Sales slips and receipts.
 8. Treatment of excise taxes.
 9. Compliance with this revised regulation.
 10. Definitions.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this revised regulation does—(a) Coverage of this revised regulation. This revised regulation establishes ceiling prices for all sales (except by retailers) of white flesh potatoes except certified and foundation stock seed potatoes. All definitions of major terms used in this revised regulation are in section 10. As used in this revised regulation, "potatoes" means white flesh potatoes.

(b) Pricing provisions to be used. F. o. b. country shipping point ceiling prices for potatoes are established under section 2 of this revised regulation. Ceiling prices for sales by intermediate sellers

are established under section 3 of this revised regulation.

(c) What this revised regulation supersedes. For the produce and sellers covered, this revised regulation supersedes the General Ceiling Price Regulation. (16 F. R. 808.)

(d) Where this revised regulation applies. This revised regulation applies in the 48 States of the United States and in the District of Columbia.

SEC. 2. Ceiling prices for country shippers. You shall calculate your f. o. b. shipping point ceiling price for potatoes by first determining a "base price". You

shall then determine your "adjusted base price" by adding to or subtracting from your base price as indicated, certain grade and size differentials. Finally, you shall adjust the "adjusted base price" for consumer size packaging differentials. Your final result is your f. o. b. country shipping point ceiling price per hundredweight for potatoes prepared for shipment and loaded on a carrier.

(a) Base price. You first determine your base price for the producing area and month during which the potatoes being priced are sold as set forth in Table I below:

TABLE I—BASE PRICES FOR WHITE FLESH POTATOES

Producing States	Dollars per hundredweight					
	January	February	March	April	May	June
Iowa, Minnesota, North Dakota, South Dakota.....	3.35	3.45	3.55	3.60	3.65	3.65
Wisconsin.....	3.40	3.50	3.60	3.65	3.70	3.70
Colorado, Kansas, Missouri.....	3.45	3.55	3.65	3.70	3.75	3.75
Montana, Utah.....	3.45	3.55	3.65	3.70	3.75	3.75
Maine.....	3.50	3.60	3.70	3.75	3.80	3.80
Illinois, Indiana.....	3.55	3.65	3.75	3.80	3.85	3.85
Michigan.....	3.55	3.65	3.75	3.80	3.85	3.85
Oregon (Malheur, Baker, Union, and Wallowa Counties only).....	3.65	3.75	3.85	3.90	3.95	3.95
Alabama, Georgia, Louisiana, South Carolina.....	3.65	3.75	3.85	3.95	3.60	3.55
Arizona.....	3.65	3.75	3.85	3.90	3.90	3.95
Arkansas, Tennessee, Oklahoma.....	3.65	3.75	3.85	3.90	3.60	3.55
Mississippi.....	3.65	3.75	3.85	3.90	3.60	3.55
California (Modoc and Siskiyou Counties only), Nebraska, Nevada, New Hampshire, Oregon (other than Malheur, Baker, Union, and Wallowa Counties), Vermont, Wyoming.....	3.65	3.75	3.85	3.90	3.95	3.95
California (other than Modoc and Siskiyou Counties).....	3.65	3.75	3.85	3.90	3.90	3.95
Delaware, Kentucky, Maryland, New Mexico.....	3.65	3.75	3.85	3.90	3.95	3.95
North Carolina, Virginia.....	3.65	3.75	3.85	3.90	3.95	3.95
Washington.....	3.65	3.75	3.85	3.90	3.95	3.90
New York (other than Long Island), Pennsylvania.....	3.70	3.80	3.90	3.95	4.00	4.00
Ohio.....	3.70	3.80	3.90	3.95	4.00	3.90
Connecticut, Massachusetts, New Jersey, New York (Long Island only), Rhode Island.....	3.75	3.85	3.95	4.00	4.05	3.45
West Virginia.....	3.75	3.85	3.95	4.00	4.05	4.05
Idaho.....	3.85	3.95	4.05	4.10	4.15	3.15
Florida, Texas.....	3.60	4.75	4.45	3.95	3.60	3.35

¹ Indicates start of "new crop" marketing season. Earlier prices cover the nominal quantities that may be marketed from the "old crop."

(b) Adjusted base price. To find your adjusted base price, you adjust your base price as determined under paragraph (a) of this section by the grade and size adjustments set forth in Table II below:

TABLE II—GRADE AND SIZE ADJUSTMENTS

Grade and size	Amount to be applied per cwt.
(a) Grade:	
1. U. S. No. 1 or better.....	None.
2. Below U. S. No. 1 but U. S. Commercial or better or 85 percent U. S. No. 1.....	Subtract 25 cents.
3. Idaho Standard Grade (under Idaho State Law as of Jan. 1, 1952).....	Subtract 50 cents.
4. All other grades (including ungraded).....	Subtract \$1.00.
(b) Size (applies only to U. S. No. 1 grade or better):	
1. Size A, 2-inch minimum diameter, or 4-ounce minimum weight.....	Add 10 cents.
2. Round or intermediate varieties:	
(a) 2 1/4-inch minimum diameter.....	Add 25 cents.
(b) 2 1/2-inch minimum diameter.....	Add 40 cents.
(c) 3-inch minimum diameter.....	Add 50 cents.
3. Long varieties:	
(a) 6-ounce minimum weight.....	Add 25 cents.
(b) 8-ounce minimum weight.....	Add 40 cents.
(c) 10-ounce minimum weight.....	Add 50 cents.
4. Size B, new crop harvested between Dec. 15 and June 15.....	Subtract 35 cents.
5. All other sizes.....	Subtract \$1.00.

NOTE: An additional premium of 15 cents per hundredweight may be added if a maximum not in excess of 1 inch in diameter or 6 ounces in weight over the minimum for the same potatoes is specified. This added premium only applies when such minimum is 2 1/4 inches in diameter or 6 ounces in weight or more. In order to qualify for the "minimum" adjustment, not more than 5 percent of the potatoes may be smaller than the amount indicated. In order to qualify for the "maximum" adjustment, not more

than 15 percent of the potatoes may be larger than the amount indicated. No more than one premium may be added. For example, if you sell long variety potatoes, U. S. No. 1, 6-ounce minimum, you may add only 25 cents per hundredweight. If you sell potatoes which are U. S. No. 1, 6-ounce minimum—10-ounce maximum, you may add only 40 cents per hundredweight. If you sell potatoes which are U. S. No. 1, size A, 2-inch minimum to 2 1/2-inch maximum, you may add only 10 cents per hundredweight.

(c) *Your ceiling price.* (1) Finally, you adjust your adjusted base price, as determined under paragraph (b) of this section, by the packaging adjustments set forth in Table III below:

TABLE III—PACKAGING ADJUSTMENTS

Type of pack	Amount to be applied per-cwt.
a. Bulk or in containers furnished by purchaser.	Subtract 30 cents.
b. Paper bags:	
50 pounds.....	Subtract 10 cents.
15 pounds.....	Add 20 cents.
10 pounds.....	Add 30 cents.
5 pounds.....	Add 70 cents.
c. Paper bags (window type):	
15 pounds.....	Add 30 cents.
10 pounds.....	Add 40 cents.
5 pounds.....	Add 90 cents.
d. Cotton, mesh, or burlap bags:	
15 pounds.....	Add 50 cents.
10 pounds.....	Add 70 cents.
5 pounds.....	Add \$1.40.
e. Packed in master containers.	Add 20 cents.
f. Packed in 24-J crates (for sale to the Armed Forces only).	Add 70 cents.

(2) Your base price as adjusted under paragraphs (b) and (c) of this section is your ceiling price per cwt. of white flesh potatoes f. o. b. country shipping point at least graded, sized, packed and loaded on the carrier.

For example: If you are a country shipper and sell during the month of February ungraded potatoes in bulk produced in Maine and packed in used burlap sacks furnished by the purchaser, your ceiling price is \$2.30 per hundredweight. (Maine February price of \$3.60 minus \$1.00 for ungraded potatoes, minus 30 cents for sales in sacks furnished by purchaser).

(d) *Delivered ceiling prices.* If you are a country shipper, your ceiling prices for potatoes delivered to a wholesale receiving point shall be your f. o. b. country shipping point ceiling price for the potatoes being priced plus the cost of rail transportation from the country shipping point to the wholesale receiving point plus 6 cents per hundredweight. "Cost of rail transportation" is defined in section 10 of this regulation.

(e) *Sales to retailers or commercial users—(1) Retailer's warehouse.* If you are a country shipper, your ceiling price for sales to a retailer of potatoes delivered to such retailer's warehouse or delivered to a commercial user at such commercial user's factory or delivered to an institution shall be your f. o. b. country shipping point ceiling price for the potatoes being priced plus the cost of rail transportation from the country shipping point to the wholesale receiving point plus 16 cents per hundredweight.

(2) *Retailer's retail store.* If you are a country shipper, your ceiling price for sales to a retailer of potatoes delivered to such retailer's retail store shall be the same as for an intermediate seller under section 3 (f) of this regulation.

(f) *Sales through commission merchants.* If you are a country shipper and you make sales through a commission merchant in less-than-carlot or less-than-trucklot quantities, your ceiling price shall be the same as that for

a primary receiver as established under section 3 (e) of this regulation.

(g) *Sales through brokers.* If you are a country shipper and make delivered sales under section 2 (d) of this regulation at a wholesale receiving point through a broker or agent other than a commission merchant your ceiling price for such sales shall be your delivered ceiling price as calculated under section 2 (d) of this regulation plus 5 cents per hundredweight, or plus such broker's charge (not in excess of that permitted under the provisions of Ceiling Price Regulation 34), whichever is the lower.

SEC. 3. Ceiling prices for intermediate sellers. This section establishes ceiling prices for sales by all intermediate sellers including "carlot distributors", "primary receivers", "secondary jobbers", and "purveyors". These terms are defined in section 10 of this regulation. In each case an intermediate seller finds his ceiling price by adding a specified markup to a "primary price". The same person may be one type of intermediate seller with respect to one lot of potatoes and a different type with respect to another lot of potatoes.

(a) *Primary price.* Your "primary price" is the f. o. b. shipping point ceiling price for the potatoes being priced plus the cost of rail transportation to the wholesale receiving point plus 6 cents per hundredweight.

(b) *Sales by carlot distributors.* If you are a carlot distributor and make carlot or trucklot sales at a wholesale receiving point, your ceiling price is your primary price plus 10 cents per hundredweight. "Carlot" or "trucklot sales" are defined in section 10.

(c) *Sales by primary receivers—(1) Sales ex-car.* If you are a primary receiver and make sales of potatoes ex-car or ex-truck, your ceiling price shall be your primary price plus 25 cents per hundredweight.

(2) *Sales ex-store.* If you are a primary receiver and make sales of potatoes ex-store or ex-warehouse, your ceiling price shall be your primary price plus 45 cents per hundredweight.

(3) *Delivered sales.* If you are a primary receiver and make delivered sales of potatoes to the physical premises of the buyer your ceiling price shall be your primary price plus 45 cents per hundredweight.

(d) *Sales by secondary jobbers.* If you are a secondary jobber and make sales of potatoes on a delivered basis to the physical premises of the buyer (in the case of a sale to a retailer, delivered to the retail store where resale is made to ultimate consumers), your ceiling price is your primary price plus 80 cents per hundredweight. If you are a secondary jobber and make sales of potatoes on a non-delivered basis, your ceiling price shall be your primary price plus 60 cents per hundredweight.

(e) *Sales by purveyors.* If you are a purveyor, and make delivered sales to institutional users, your ceiling price shall be your primary price plus 80 cents per hundredweight.

(f) *Sales by intermediate sellers to retailers.* If you are an intermediate

seller and you make sales on a delivered basis to a retailer's retail store, your ceiling price shall be your primary price plus 80 cents per hundredweight.

(g) *Long distance delivered sales.* If you are an intermediate seller and make sales on a delivered basis to the premises of purchasers located beyond a radius of 15 miles from the intermediate seller's warehouse, you may add to your ceiling price otherwise determined under this regulation, an amount for transportation not in excess of 5 cents for each 25 miles beyond this 15 mile radius. In any event, the total amount charged for transportation may not exceed 30 cents per hundredweight.

Example: Assume the country shipping point ceiling price is \$3.60 per hundredweight and freight to the wholesale receiving point is \$1.00, then:

The delivered ceiling price is \$4.60 plus 6 cents, i. e.	\$4.66
If you are a carlot or trucklot distributor, your ceiling price is	4.76
If you are a primary receiver and sell ex-car, your ceiling price is	4.91
If you are a primary receiver and sell ex-store, your ceiling price is	5.11
If you are a secondary jobber and sell ex-store, your ceiling price is	5.26
If you are a secondary jobber and deliver to the retail store, your ceiling price is	5.46

SEC. 4. Grade, size, and packaging differentials. If you grade, size, or package potatoes at a point subsequent to the country shipping point, you may adjust your ceiling price in accordance with Tables II and III of paragraph (c) of section 2 of this regulation provided such differentials have not previously been applied by any seller.

SEC. 5. Maine potato futures. The ceiling prices per hundredweight at which U. S. No. 1, Size A, 2-inch minimum white flesh potatoes covered by futures contracts may be traded in the New York Mercantile Exchange or delivered pursuant to such contracts are as follows:

TABLE IV—CEILING PRICES FOR MAINE POTATO FUTURES FOR 1952

DELIVERY DATE				
January	February	March	April	May
\$4.21.....	\$4.31	\$4.41	\$4.45	\$4.51

SEC. 6. Imports and exports of potatoes. The ceiling price per hundredweight for white flesh potatoes imported from any country to any wholesale receiving point shall be the ceiling price established under this revised regulation for the most closely similar variety of domestic potatoes at the same point where such imported potatoes are being offered for sale. Sales of potatoes for export are governed by the provisions of Ceiling Price Regulation 61.

SEC. 7. Sales slips and receipts. If you have customarily given a purchaser a sales slip, invoice, or similar evidence of purchase, you shall continue to do so. Upon request, you shall, regardless of previous custom, give the purchaser a receipt showing the date, your name and address, the type and quantity of po-

tatoes sold, the price received for them, the applicable delivered ceiling price under section 2 (d) of this revised regulation and the ceiling price for the particular sale.

Sec. 8. Treatment of excise taxes. If you have customarily separately stated and collected any excise or similar tax, you may continue to collect the current amount of any such tax in addition to your ceiling price. If you did not customarily state and collect separately from the purchase price the amount of tax paid by you, you may not collect the amount of such tax in addition to your ceiling price. In the case of such tax imposed after the effective date of this revised regulation, if at the time you calculate your ceiling price the statute or ordinance imposing the tax does not prohibit you from stating and collecting the tax separately from the purchase price, you may collect in addition to your ceiling price, the amount of the tax actually paid by you. In every case where the tax is collected from the purchaser, the amount thereof shall be separately stated.

Sec. 9. Compliance with this revised regulation—(a) No selling or buying above ceiling prices. Regardless of any contract or obligation, no person shall sell or deliver or, in the course of trade, buy or receive any potatoes at a price higher than the appropriate ceiling price established by this revised regulation.

(b) Evasion. No person shall evade a ceiling price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium, or other privilege by tie-in requirement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling or packaging, or in any other way.

(c) Enforcement. Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950, as amended.

SEC. 10. Definitions. (a) "Broker or agent" means a person who, for a commission or fee, or other charge, represents a principal in the sale or purchase of potatoes. This term includes an auction company. A broker or agent does not customarily warehouse, store, or otherwise distribute potatoes.

(b) "Carlot distributor" means a person who has purchased the potatoes being priced in unbroken carlots or trucklots and sells in unbroken carlots or unbroken trucklots.

(c) "Carlot or trucklot sales" mean a quantity of potatoes transported in one car, truck, or other conveyance at one time out of which 75% or more by weight is sold to one person. A pool car or truck, that is, a car or truck containing potatoes owned by more than one seller or sold to more than one purchaser shall be considered a carlot or trucklot.

(d) "Certified seed potatoes" or "foundation stock seed potatoes" means seed potatoes grown, inspected, certified and tagged or labelled as being such class, pursuant to the laws and regula-

tions governing the official certifying agency of the state or foreign country where grown. Such certifying agency includes the Kern County Seed Potato Association, Inc., a California corporation. Seed potatoes of any kind sold or resold for purposes other than planting shall be priced as ordinary white flesh potatoes under this regulation.

(e) "Commercial or institutional users" include potato processing plants, restaurants, ships, hotels, hospitals, governmental users (including the armed forces), and camps.

(f) "Commission merchant" means a person who is the agent in a wholesale receiving point of a country shipper or other seller and receives potatoes in any quantity and distributes them on behalf of his principal in less-than-carlot or less-than-trucklot quantities. To qualify as a commission merchant, a person must also customarily warehouse, store, or otherwise distribute potatoes.

(g) "Cost of rail transportation" means the lowest applicable rate for transportation per cwt. of potatoes by rail. If you transport potatoes by truck or ship owned, leased, chartered, or otherwise engaged by you, you shall, nevertheless, in computing your "actual cost of transportation" under this regulation use the lowest applicable rate for transportation by rail.

(h) "Country shipper" means a person, including a grower or grower's agent who makes sales from a farm or other country shipping point to any other person.

(i) "Country shipping point" means a farm or other place in or near the producing area from which potatoes are sold, shipped, delivered, or otherwise transferred to any other person and at which place potatoes are prepared for sale, shipment, delivery, or other transfer to any person. This preparation shall at least include grading, sizing, packing and loading.

(j) "F. o. b. country shipping point ceiling price" means a ceiling price established under section 2 of this revised regulation for potatoes prepared for shipment and loaded on a carrier. This preparation includes at least grading, sizing, packing, and loading.

(k) "Grade" means official grades listed in "United States Standards for Potatoes" published by the United States Department of Agriculture (except in the case of Idaho standard potatoes).

(l) "Grower" means a person who produces potatoes.

(m) "Intermediate seller" means any person other than a retailer or country shipper who purchases white flesh potatoes for the purpose of reselling and who takes title and makes sales to any person who is not an ultimate consumer.

(n) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

(o) "Primary receiver" means a person who for his own account and profit buys the potatoes being priced in unbroken carlots or unbroken trucklots from any

person for resale in less-than-carlots or less-than-trucklots to persons other than ultimate consumers.

(p) "Purveyor" means (1) a person who purchases the potatoes being priced; (2) maintains facilities for and actually does wash, trim, sort, repack, and warehouse; (3) employs salesmen to call on institutional and commercial users; (4) makes less-than-carlots or less-than-trucklot, or less-than-original container sales to institutional users; (5) delivers within the metropolitan area surrounding and including the city, town, village, or other populated area in which his warehouse and selling facilities are located. No seller shall be considered a purveyor when selling unbroken containers.

(q) "Secondary jobber" means a person other than retailer who for his own account and profit purchases the potatoes being priced in less-than-carlots or less-than-trucklots from a primary receiver or any person selling through a commission merchant for resale in any quantity.

(r) "Ultimate consumer" means a person who purchases white flesh potatoes for table use. The term does not include institutional, industrial, or commercial users or any federal, state or local governmental purchaser.

(s) "Wholesale receiving point" means the first place beyond the country shipping point at which an intermediate seller receives the white flesh potatoes being priced. Where shipments of the potatoes being priced are made directly from a country shipping point, wholesale receiving point includes a retailer's chain store buying agency, warehouse or institutional or commercial warehouse.

(t) "You" means any person whose sales of potatoes are covered by this regulation.

Effective date: The effective date of this revised regulation is January 21, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 21, 1952.

[F. R. Doc. 52-943; Filed, Jan. 21, 1952; 4:51 p. m.]

[Ceiling Price Regulation 111, Amdt. 1]

CPR 111—CEILING PRICES FOR RETAIL SALES OF ANTI-FREEZE IN ALASKA

INCLUSION OF CITY OF CORDOVA

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 111 is hereby issued.

STATEMENT OF CONSIDERATIONS

In formulating the Alaska anti-freeze regulation (CPR 111) the city of Cordova was inadvertently omitted from the list of cities to which Table B of section 2 applies. This amendment adds Cordova to that list of cities. The result of this

inclusion will be that dollar and cent ceiling prices for Cordova and for any point within twenty-five miles of Cordova will be established by the regulation.

Because of the nature of this action, no further consultation with the industry has been held.

AMENDATORY PROVISIONS

1. Table B of section 2 is amended by adding to the list of cities in the title of Table B the word "Cordova", so that the title of Table B reads as follows:

TABLE B

For sales in Anchorage, Seward, Valdez, Seldovia, Kodiak, Palmer, Homer and Cordova, and at any point within twenty-five miles of any of these cities.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This Amendment 1 to Ceiling Price Regulation 111 is effective January 24, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 22, 1952.

[F. R. Doc. 52-965; Filed, Jan. 22, 1952;
12:15 p. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter V—National Zoological Park, Smithsonian Institution

PART 501—NATIONAL ZOOLOGICAL PARK REGULATIONS

By virtue of the authority granted by section 5 of the act of October 24, 1951 (Public Law 206, 82d Cong.), I hereby prescribe the following regulations for the National Zoological Park, Smithsonian Institution:

Sec.

501.1 General.

501.2 Traffic and Parking.

501.3 Suspension or Waiver.

AUTHORITY: §§ 501.1 to 501.3 issued under sec. 5, Pub. Law 206, 82d Cong.

§ 501.1 *General.* (a) It shall be unlawful for anyone other than an authorized employee:

(1) To pet any of the exhibit animals.

(2) To feed exhibit animals where signs prohibit such feeding.

(3) To go over, under, or behind any guard rail or guard fence.

(4) To be within the National Zoological Park between sundown and sunrise without written permission of the Director.

(5) To catch or destroy any birds, squirrels or other animals within the National Zoological Park.

(6) To have a fire of any kind within the National Zoological Park.

(b) It shall be unlawful for anyone:

(1) To annoy, tease or injure any of the animals.

(2) To expectorate into any of the cages, enclosures or paddocks.

(3) To bring dogs or other animals within the National Zoological Park unless kept confined to automobiles.

(4) To smoke or carry lighted cigarettes, cigars, or pipes into exhibition buildings.

(5) To bring strollers, baby carriages or other vehicles into exhibition buildings.

(6) To throw stones or other missiles within the National Zoological Park.

(7) To engage in ball games or the tossing of any kind of ball except in such place or places as may be designated for that purpose.

(8) To throw or leave paper, garbage, or other rubbish anywhere within the National Zoological Park except in trash receptacles.

(9) To dump any material or refuse of any description within the National Zoological Park.

(10) To engage in street or commercial photography within the National Zoological Park without written permission of the Director.

(11) To distribute handbills, dodgers, pamphlets, or other advertising matter within the National Zoological Park.

(12) To discharge or set off any fireworks, firearms, or explosives within the National Zoological Park.

§ 501.2 *Traffic and parking.* (a) The speed for vehicles in the fords within the National Zoological Park shall not exceed 5 miles per hour.

(b) No commercial trucks shall operate within the National Zoological Park except for the purpose of delivery to or pick up from the National Zoological Park or the Refreshment Stand.

(c) No motor vehicles shall operate on the walks of the National Zoological Park except National Zoological Park motor vehicles operated by National Zoological Park employees.

(d) The riding of bicycles on sidewalks of the National Zoological Park is prohibited.

(e) Cleaning or washing of vehicles within the National Zoological Park is prohibited. Repairing of vehicles within the National Zoological Park is prohibited, except in cases of emergency.

(f) Horseback riding is prohibited except on the bridle paths.

(g) Wading in or adjacent to fords is prohibited.

(h) Parking of vehicles shall be restricted to areas designated by signs.

§ 501.3 *Suspension or waiver.* The regulations in this part or any part of them may be suspended or waived by the Secretary of the Smithsonian Institution as made necessary by occasion or circumstance.

Dated: January 18, 1952.

A. WETMORE,
Secretary.

Smithsonian Institution.

[F. R. Doc. 52-897; Filed, Jan. 22, 1952;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES ON LUMMI INDIAN DIKING PROJECT, WASHINGTON

NOTICE OF PROPOSED RULE MAKING

Pursuant to the authority contained in the act of March 18, 1926 (44 Stat. 211) as supplemented, notice is hereby given of intention to modify §§ 130.49 and 130.50 of Title 25, Code of Federal Regulations, dealing with the Lummi Diking Works, Lummi Indian Reservation, Washington, as set forth below:

§ 130.49 *Charges.* In compliance with the provisions of the act of March

18, 1926 (44 Stat. 211) as supplemented by the act of February 17, 1933 (47 Stat. 820, 832), the maintenance and operation charges for the lands under the Lummi Indian Diking Project on the Lummi Indian Reservation, Washington, are hereby fixed at \$2.50 per acre, for the calendar year 1952, and for subsequent years unless such charges shall be modified by the Commissioner of Indian Affairs or by the Area Director of the Portland Area Office upon the direction of the Commissioner.

§ 130.50 *Payment.* The charges as fixed in § 130.49 shall become due April 1 of each year, and shall be payable on or before that date. To all charges assessed against these lands, except lands in Indian ownership, not paid on the due date,

April 1, there shall be added a penalty of one-half of one percent per month, or fraction thereof, so long as the delinquency shall continue.

Interested persons are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to E. Morgan Pryse, Area Director, Bureau of Indian Affairs, Swan Island Building 1, Portland 18, Oregon, within 30 days from the date of publication of this notice in the daily issue of the FEDERAL REGISTER.

DALE E. DOTY,
Assistant Secretary of the Interior.

JANUARY 16, 1952.

[F. R. Doc. 52-855; Filed, Jan. 22, 1952;
8:45 a. m.]

[25 CFR Part 130]

OPERATION AND MAINTENANCE CHARGES ON WARM SPRINGS AGENCY, OREGON, IRRIGATION SYSTEMS

NOTICE OF PROPOSED RULE MAKING

JANUARY 14, 1952.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238) and in compliance with the provisions of the act of March 18, 1926 (44 Stat. 211) and by virtue of authority delegated by the Commissioner of Indian Affairs to the undersigned Area Director, Portland Area Office, Portland, Oregon, published June 8, 1951 (16 F. R. 5456-5457), notice is hereby given of intention to modify § 130.105, operation and maintenance charge of Title 25, Code of Federal Regulations, dealing with the operation and maintenance assessments against the areas benefited by the irrigation systems on the Warm Springs Indian Reservation, Warm Springs, Oregon, as follows:

By increasing the annual operation and maintenance charge from 25 cents per acre to \$2.00 per acre on all lands to which irrigation water can be delivered by existing canal systems.

The foregoing proposed charge is to become effective for calendar year 1952, and to continue in effect thereafter until further notice.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to E. Morgan Pryse, Area Director, Bureau of Indian Affairs, Building 1, Swan Island, Portland 18, Oregon, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

E. MORGAN PRYSE,
Area Director.

[F. R. Doc. 52-886; Filed, Jan. 22, 1952; 8:48 a. m.]

Fish and Wildlife Service
[50 CFR Parts 46, 161-165]

ALASKA WILDLIFE PROTECTION

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237, 239), notice is hereby given:

(a) That under authority contained in section 9 of the Alaska Game Law (57 Stat. 306; 48 U. S. C. 198), the Secretary of the Interior intends to adopt amendments to the Alaska Game Regulations affecting seasons, bag limits, and closure of areas necessary to insure proper conservation and utilization of the wildlife resources of Alaska. In addition, some provisions relating primarily to the administration of the Alaska Game Law may be amended in minor respects for the purpose of clarifying the application of the regulations and to facilitate the administration of the Alaska Game Law.

(b) That under authority of section 8 and subdivision M of section 10 of the Alaska Game Law of July 1, 1943 (57 Stat. 301, 310) as amended, the Alaska Game Commission intends to consider the advisability of amending the regulations of the Alaska Game Commission respecting poisons, licenses, the qualification of guides, and the establishment of fur management areas.

The regulations referred to in paragraphs (a) and (b) above are to be effective beginning July 1, 1952.

Interested persons are hereby notified that at a hearing of the Alaska Game Commission to be held in Juneau, Alaska, on February 19, 1952, the said proposed regulations will be considered, and any such person may present his views, data or arguments with respect thereto. Such interested persons are also hereby given an opportunity to participate in preparing the regulations for issuance as set forth by submitting their views, data, or arguments in writing to Albert

M. Day, Director, Fish and Wildlife Service, Washington 25, D. C. To assure full consideration of such communications, they must be received in the Fish and Wildlife Service not later than March 22, 1952.

Dated: January 16, 1952.

DALE E. DOTY,
Assistant Secretary of the Interior.

[F. R. Doc. 52-854; Filed, Jan. 22, 1952; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 24]

IMPROVEMENTS TO LEASED PROPERTY

NOTICE TO PERSONS FURNISHING CARS OR PROTECTIVE SERVICE AGAINST HEAT OR COLD

JANUARY 9, 1952.

Pursuant to the provisions of section 20 (6) of the Interstate Commerce Act, the Commission by Division 1 has approved the cancelation of account 802, *Improvements on Leased Property*, together with instructions relating thereto, and the modification of account 801, *Cars or Protective Service Property*, to include the cost of improvements to leased carrier property.

Any interested party may on or before February 15, 1952, file with the Commission written views or arguments to be considered in this connection. Unless otherwise found necessary after consideration of all representations so received, an order will be entered making the modifications outlined above effective April 1, 1952.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 52-875; Filed, Jan. 22, 1952; 8:47 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Office of the Secretary

ORGANIZATION

ESTABLISHMENT OF ARMED FORCES HOUSING AGENCY

I. *Introduction.* Pursuant to the authority vested in the Secretary of Defense by the National Security Act of 1947, as amended, there is hereby established within the Office of the Secretary of Defense the Armed Forces Housing Agency (hereinafter called the "Agency", with the duties and relationships herein outlined.

II. *Definitions.* A. As used in this directive, the term, "family housing and associated matters," is defined as:

1. All family housing, either permanent or temporary wholly or partially under the jurisdiction of the Department of Defense;

2. Family housing privately constructed under Government subsidy or guarantees for occupancy by Department of Defense military or civilian personnel.

3. Any interest of the Department of Defense in non-Government controlled or financed family housing; and

4. Related matters, including supporting facilities, such as utilities and schools, essential to the provision and effective administration of family housing.

III. *Organization.* A. The Armed Forces Housing Agency shall be headed by an Assistant to the Secretary of Defense who shall be the Director thereof and who shall be a civilian appointed by the Secretary of Defense. The Assistant to the Secretary shall report to the Secretary of Defense through the Chairman of the Munitions Board.

B. A Family Housing Council shall be established within the Agency. This

Council shall be composed of the Director, who shall be Chairman thereof, and one representative from each military Department to be appointed by the respective Secretaries of the Military Departments.

C. The Director, with the approval of the Secretary of Defense, may appoint a Deputy Director who shall, in the absence or disability of the Director, act for and exercise the powers of the Director.

IV. *Authority—A. Authority of the Agency.* Within its jurisdiction, as further defined in this directive or as may be further directed by the Secretary of Defense, the Agency shall be the principal agency of the Secretary of Defense responsible for performing the duties set forth in Section V below. As such, the Director, when majority agreement of the Council is obtained, except when formal appeal is presented as provided by Section IV C, is authorized, after approval by the Chairman of the Muni-

tions Board, on matters within the Agency's jurisdiction, to issue directives in the name of the Secretary of Defense to implement the policies and decisions of the Agency and to supervise their execution.

B. Authority of the Director. The Director shall have authority to take executive action in consonance with approved plans, programs and policies of the Agency. The Director may, without being relieved of his responsibility therefor, perform any of his duties with or through the aid of such members or officials of the Agency as he may designate.

The Director, after consultation with the Council and subject to the policies prescribed by the Secretary of Defense, is authorized to establish such continuing or temporary committees, as may be necessary to conduct studies, assemble information, make recommendations, and otherwise to assist in carrying out the responsibilities of the Agency.

C. Appeals from decisions of the Agency. With respect to any decisions of the Agency, a dissenting Council member representing a military Department may initiate for submission by the Secretary of the Department represented by the member in question, an appeal therefrom to the Secretary of Defense. Prior notification of any action shall be given to the Director and other members of the Council. In the event the Director is not in agreement with a decision of the Council, after prior notification to other members of the Council he may present his recommendations to the Secretary of Defense. In event of the presentation of formal appeals final action will be taken by the Secretary of Defense.

V. Duties—A. Duties of the Agency. Subject to the authority and direction of the Secretary of Defense and in support of approved strategic and logistic plans of the Joint Chiefs of Staff and in support of other Department of Defense programs, the Agency shall perform the following duties and such other duties as may be directed by the Secretary of Defense:

1. Develop policies for the provision and administration of family housing of the Services, both for the Zone of the Interior and overseas, including,

a. Development of criteria and standards to determine the adequacy of housing.

b. Development of criteria for determination of family housing requirements.

c. Development of policy governing the conditions under which Government-financed or subsidized construction is justified.

d. Development of policy regarding the eligibility for family housing and continued occupancy thereof.

e. Development of procedures for fixing charges applicable to housing assigned by the Services on a rental basis.

2. Develop design standards and cost criteria for family housing, both permanent and temporary, including,

a. Development of uniform design standards (within specific geographical areas) applicable to all Services.

b. Development of standardized construction practices.

c. Development of maximum and minimum acceptable space requirements.

d. Development of practicable cost criteria and policy governing unit costs in different geographical areas.

e. Development of policy regarding selection and provision of temporary housing.

f. Development of policy and criteria with respect to conversion, modification and maintenance of existing structures.

3. Develop procedures for the procurement of family housing.

4. Obtain requirements for family housing from the Services; review, approve and assemble these requirements into a single program; and, through normal legislative channels, support the introduction and justification of necessary legislation to expeditiously provide family housing in accordance with the approved requirements.

5. Represent the Secretary of Defense in dealings with other Executive Departments and Agencies in family housing matters, and act for the Secretary of Defense in connection with statutory family housing responsibilities placed in the Secretary and not otherwise delegated to the Secretaries of the military Departments.

6. Conduct continuing studies of family housing conditions and requirements and associated matters, and report the results thereof and action thereon, to the Secretary of Defense.

B. Duties of the Assistant to the Secretary of Defense. In addition to his responsibilities as Director of the Armed Forces Housing Agency, the Assistant to the Secretary of Defense shall be the principal advisor and assistant to the Secretary of Defense on defense housing matters.

VI. Administration. A. The Secretary of Defense will provide the Agency such personnel as he from time to time determines are required for the performance of the Agency's functions. Full use will be made of all offices within the Munitions Board, other OSD agencies and the military Departments to develop and maintain an effective family housing program.

B. The Chairman of the Munitions Board, subject to the approval of the Secretary of Defense, shall provide for the internal organization and staffing of the Agency.

C. Administrative support of the Agency will be furnished by the Munitions Board.

D. The Family Housing Council shall meet at the call of its Chairman, or at such other times as it may fix, and the presence of three members or their duly designated alternates shall constitute a quorum.

VII. Relationships. A. The Director of the Armed Forces Housing Agency and the staff of the Agency are authorized and expected to communicate directly and expeditiously with other agencies of the Secretary of Defense and the military Departments and appropriate subdivisions thereof, concerning any matter within its jurisdiction and in which there exists a mutual interest or responsibility.

B. The Agency shall collaborate with the Office of the Assistant Secretary of Defense (Legal and Legislative Affairs) with respect to pending or proposed leg-

islation on family housing and related matters.

C. The Agency shall collaborate with the Office of the Assistant Secretary of Defense (Manpower and Personnel) on family housing and related matters as they affect morale and establishment of basic allowances.

D. The Agency shall collaborate with the Office of the Assistant Secretary of Defense (Comptroller) on the budgetary and fiscal aspects of family housing and related matters.

E. The Agency shall collaborate with the Munitions Board on the construction and procurement aspects of family housing and related matters.

F. The Agency shall maintain liaison with appropriate Governmental and private agencies on such matters as:

1. Mortgage insurance and related matters pertaining to the Wherry Act (Pub. Law 211, 81st Cong.).

2. Department of Defense interest and jurisdiction regarding low cost housing under the Lanham Act.

3. Determination of critical defense housing areas and Government financing and construction of military housing under the Defense Housing Act of 1951 (Pub. Law 139, 82d Cong.).

4. Determination, jointly with the Office of Defense Mobilization, as to critical defense housing areas, under Pub. Law 96, 82d Cong.

Such designation does not preclude direct liaison by the Military Departments with such agencies on operational matters entirely within the jurisdiction of the department concerned.

VIII. Effective date. The effective date of the establishment of the Armed Services Housing Agency is December 12, 1951.

For the Secretary of Defense.

MARSHALL S. CARTER,
Brigadier General, U. S. Army,
Director, Executive Office of
the Secretary.

[F. R. Doc. 52-850; Filed, Jan. 22, 1952;
9:34 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SMALL TRACT CLASSIFICATION ORDER NO. 48

JANUARY 16, 1952.

Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, the following described public lands in the Anchorage, Alaska Land District:

CHUGIAK AREA

BIRCHWOOD UNIT NO. 1

For lease and sale:

For Business Sites

T. 15 N., R. 1 W., Seward Meridian:
Sec. 18: W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying east of center line
of transmission line right-of-way.

Containing four tracts aggregating approximately five acres.

For Home Sites

T. 15 N. E. 1 W. Seward Meridian:

Sec. 18: E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and Lots 3 and 4, all lying east of center line of Alaska Railroad right-of-way.

Sec. 19: Lots 2 and 3.

Containing 183 tracts aggregating approximately 401.23 acres.

2. The lands are located approximately 23 miles northeast of the Anchorage Post Office and about 11 miles northeast of Fort Richardson Gate No. 2. Access to the area by automobile may be obtained via the Glenn Highway to Peters Creek, thence by a dirt road to Birchwood Station, and finally by an unimproved construction road paralleling the transmission lines of the City of Anchorage Eklutna Power Project. The lands lie approximately one mile south of Birchwood Airfield and are paralleled on the west boundary for a distance of one mile by the main line of the Alaska Railroad. The land forms of the area are the result of glaciation and consist almost entirely of deposits of silt, sand, and gravel. Adequate water for domestic uses may be obtained from wells and sewage disposal may be made by the use of cesspools. No public facilities are obtainable in the area at the present time. The climate is a favorable combination of the temperature coastal climate of south central Alaska and the extreme continental climate of interior Alaska.

3. This classification order shall not become effective to change the status of the land or to permit the leasing thereof under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on February 5, 1952. At that time the land shall, subject to valid existing rights and the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended, as to the lands lying within 50 feet of the center line of the transmission line right-of-way of Federal Power Project No. 350, of the City of Anchorage, Alaska, become subject to application, petition, location, or selection, as follows:

(a) *Ninety-one day period for preference right filings.* For a period of 91 days from 10:00 a. m. on February 5, 1952, to close of business on May 5, 1952, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944, (58 Stat. 747, 43 U. S. C. Secs. 279, 282) as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) applications under any applicable public land laws, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to

claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans and filed on January 16, 1952, or thereafter, up to and including 10:00 a. m. on February 5, 1952, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on May 6, 1952, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on April 16, 1952, or thereafter, up to and including 10:00 a. m. on May 6, 1952, shall be treated as simultaneously filed.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All applications referred to in paragraphs 3 and 4, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

6. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances, are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than three years, at an annual rental of \$5.00, payable in advance for the entire lease period. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

7. All of the land will be leased in tracts varying in size from approximately 0.8 acre to approximately 5.2 acres, in accordance with the classification map on file in the Land Office, Anchorage, Alaska. The tracts where

possible are made to conform in description with the rectangular system of survey, in compact units.

8. All sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease, provided, however, that if said tract abuts upon any stream, lake or other body of fresh water, no sewage disposal facility shall be placed within 100 feet of any such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendations of the Alaska Territorial Department of Health.

9. The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width, on each side of the tracts contiguous to the section and/or quarter section lines, or as shown on the classification maps on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

10. All inquiries relating to these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

HAROLD T. JORGENSEN,
Chief, Division of Land Planning.

[F. R. Doc. 52-896; Filed, Jan. 22, 1952;
8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region I, Redlegation of Authority No. 1,
Revised]

DIRECTORS OF DESIGNATED DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO ACT UNDER
SECTIONS 39B, 39D, 39E, 39F, AND 39G OF
CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, pursuant to Delegation of Authority No. 5, Revised (17 F. R. 98) this revision of Redlegation of Authority No. 1 (16 F. R. 7685), as amended (16 F. R. 12523), is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boston, Massachusetts; Springfield, Massachusetts; Providence, Rhode Island; and Manchester, New Hampshire, District Offices of the Office of Price Stabilization in Region I to act under sections 39b, 39d, 39e, 39f, and 39g of Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of December 31, 1951.

JOSEPH M. McDONOUGH,
Director, Regional Office No. 1.

JANUARY 18, 1952.

[F. R. Doc. 52-891; Filed, Jan. 18, 1952;
4:20 p. m.]

[Region I, Redefinition of Authority No. 5, Revised]

DIRECTOR OF HARTFORD, CONNECTICUT DISTRICT OFFICE, REGION I

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 39B, 39D, 39E, 39F, AND 39G OF CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, pursuant to Delegation of Authority No. 5, Revised (17 F. R. 98) this revision of Redefinition of Authority No. 5 (16 F. R. 8561), as amended (16 F. R. 12523), is hereby issued.

1. Authority is hereby redelegated to the Director of the Hartford, Connecticut, District Office of the Office of Price Stabilization in Region I to act under sections 39b, 39d, 39e, 39f, and 39g of Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of December 31, 1951.

JOSEPH M. McDONOUGH,
Director, Regional Office No. 1.

JANUARY 18, 1952.

[F. R. Doc. 52-892; Filed, Jan. 18, 1952; 4:20 p. m.]

[Region I, Redefinition of Authority No. 9, Revised]

DIRECTORS OF DESIGNATED DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 39B, 39D, 39E, 39F, AND 39G OF CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, pursuant to Delegation of Authority No. 5, Revised (17 F. R. 98) this revision of Redefinition of Authority No. 9 (16 F. R. 10326), as amended (16 F. R. 12523), is hereby issued.

1. Authority is hereby redelegated to the Directors of the Portland, Maine; and Montpelier, Vermont, District Offices of the Office of Price Stabilization in Region I to act under sections 39b, 39d, 39e, 39f, and 39g of Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of December 31, 1951.

JOSEPH M. McDONOUGH,
Director, Regional Office No. 1.

JANUARY 18, 1952.

[F. R. Doc. 52-893; Filed, Jan. 18, 1952; 4:20 p. m.]

[Region XI, Redefinition of Authority No. 26]

DIRECTORS OF ALL DISTRICT OFFICES, REGION XI

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF \$250,000 OR LESS, UNDER GOR 10; ADJUSTMENTS OF CEILING PRICES FOR MANUFACTURERS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant

to Delegation of Authority No. 43 (16 F. R. 12747), this redelegation of authority is hereby issued.

1. Authority to act under GOR 10. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization, Region XI, to process and act on applications for adjustments, filed by manufacturers having a yearly sales volume of \$250,000 or less, under GOR 10.

2. Authority to act under GOR 10. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization, Region XI, to process and act on all applications for adjustments filed under GOR 10 by manufacturers having a yearly sales volume exceeding \$250,000, where the applications have been referred to the Regional Offices by the National Office and where referred thereafter by the Regional Office to the District Office.

This redelegation of authority shall take effect as of January 15, 1952.

GEORGE F. ROCK,
Regional Director, Region XI.

JANUARY 18, 1952.

[F. R. Doc. 52-894; Filed, Jan. 18, 1952; 4:20 p. m.]

[Region XIII, Redefinition of Authority No. 4, Revised]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS PURSUANT TO SECTION 5 OF CPR 67

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 22, Revised (17 F. R. 219), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors of the Boise, Portland, Seattle, and Spokane District Offices of Price Stabilization, respectively, to act pursuant to section 5 of Ceiling Price Regulation 67 in the following ways: By order to approve, disapprove, or modify a price-determining method for sales at wholesale or retail proposed by a reseller under Ceiling Price Regulation 67; or to request further information concerning such a price-determining method.

This redelegation of authority shall become effective January 18, 1952.

EARL C. HALD,
Acting Regional Director,
Region XIII.

JANUARY 18, 1952.

[F. R. Doc. 52-895; Filed, Jan. 18, 1952; 4:20 p. m.]

[Delegation of Authority 51]

DIRECTOR OF REGION IX

DELEGATION OF AUTHORITY TO ESTABLISH GROUP ADJUSTMENT OF CERTAIN CONTRACT MOTOR CARRIER RATES

By virtue of the authority vested in me as Acting Director of Price Stabiliza-

tion pursuant to the Defense Production Act of 1950 (64 Stat. 812), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this delegation of authority is hereby issued.

1. Authority to act under section 5 (d) of Supplementary Regulation 39 to the General Ceiling Price Regulation. Authority is hereby delegated to the Director of Region 9 of the Office of Price Stabilization to establish or adjust, on a uniform group basis, the ceiling rates of all contract motor carriers engaged in the transportation of fruit, meat, vegetables or milk in a local area in Region 9, provided individual applications are filed by a representative number of the carriers commonly engaged in handling that particular traffic, or by a user of such service.

The delegation of authority shall take effect on January 23, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 22, 1952.

[F. R. Doc. 52-966; Filed, Jan. 22, 1952; 12:15 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1871]

OHIO FUEL GAS CO.

NOTICE OF APPLICATION

JANUARY 17, 1952.

Take notice that The Ohio Fuel Gas Company (Applicant), an Ohio corporation, address, Columbus, Ohio, filed on January 8, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of approximately 7.9 miles of 20-inch replacement natural-gas transmission pipeline extending from the junction of Applicant's Lines D-100 and T-50 near Lime City, Wood County, Ohio, to a point of connection with the facilities of Panhandle Eastern Pipe Line Company at Maumee, Lucas County, Ohio, including approximately 700 feet of pipeline crossing the Maumee River. Applicant also proposes to retire approximately 5.9 miles of 16-inch pipe from its existing Line D-100 between its Line T-50 and McMahon propane-air plant, and to transfer approximately 2 miles of 16-inch and 12 $\frac{1}{2}$ -inch pipe between its McMahon plant and the Panhandle measuring station from transmission to distribution service for the Toledo, Ohio, area.

Applicant proposes, by means of said facilities and changes in operation, to provide more reliable market through elimination of a section of line unsuited for operation at required pressures, reduce operating and maintenance costs, improve operation and efficiency of existing facilities, increase capacity for distribution in the Toledo area, and permit full utilization of pressures available from Panhandle Eastern Pipe Line Company.

The total estimated capital cost of construction of the proposed facilities is \$378,000, which Applicant proposes

to pay for from funds provided by The Columbia Gas System, Inc., the parent company of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 6th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-863; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket Nos. G-1805, G-1835, G-1826,
G-1829]

EL PASO NATURAL GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDERS ISSUING
CERTIFICATES OF PUBLIC CONVENIENCE
AND NECESSITY

JANUARY 17, 1952.

In the matters of El Paso Natural Gas Company, Docket Nos. G-1805 and G-1835; United Gas Pipe Line Company, Docket No. G-1826; Texas Illinois Natural Gas Pipeline Company, Docket No. G-1829.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its orders, entered January 15, 1952, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-864; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket Nos. ID-947, ID-957, ID-1165]

ORMROD TITUS ET AL.

NOTICE OF ORDERS AUTHORIZING APPLICANTS
TO HOLD CERTAIN POSITIONS

JANUARY 17, 1952.

In the matters of Ormrod Titus, Docket No. ID-947; William R. Bell, Docket No. ID-957; Grayson C. Meetze, Docket No. ID-1165.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its orders, entered January 15, 1952, authorizing applicants to hold certain positions, pursuant to section 305 (b) of the Federal Power Act in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-865; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket No. E-6369]

TENNESSEE VALLEY AUTHORITY ET AL.

NOTICE OF ORDER SUPPLEMENTING PRIOR
DETERMINATION OF EMERGENCY AND
GRANTING EXEMPTION FOR USE OF INTER-
CONNECTIONS

JANUARY 17, 1952.

In the matters of Tennessee Valley Authority, Atomic Energy Commission, The Cleveland Electric Illuminating

Company, Columbus and Southern Ohio Electric Company, Duquesne Light Company, The Toledo Edison Company; Docket No. E-6369.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its order, entered January 15, 1952, supplementing prior determination of emergency and granting exemption for use of interconnections in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-866; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket No. E-6394]

UNITED ILLUMINATING CO.

NOTICE OF ORDER DETERMINING STATUS AND
TERMINATING ORDER APPROVING MAIN-
TENANCE OF PERMANENT CONNECTION FOR
EMERGENCY USE

JANUARY 17, 1952.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its declaratory order, entered January 15, 1952, in the above-entitled matter, determining status and terminating order approving the maintenance of a permanent connection for emergency use only in Docket No. IT-5761.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-867; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket No. E-6397]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE
OF SECURITIES

JANUARY 17, 1952.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its order, entered January 15, 1952, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-868; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket No. G-1609]

KANSAS CITY, MISSOURI V. PANHANDLE
EASTERN PIPE LINE CO.

NOTICE OF ORDER GRANTING MOTION TO DIS-
MISS PETITION AND TERMINATING PRO-
CEEDING

JANUARY 17, 1952.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its order, entered January 15, 1952, granting motion to dismiss petition and terminating proceeding in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-869; Filed, Jan. 22, 1952;
8:46 a. m.]

[Docket No. G-1645]

NATURAL GAS SERVICE CO.

NOTICE OF ORDER DISMISSING APPLICATION

JANUARY 17, 1952.

Notice is hereby given that, on January 16, 1952, the Federal Power Commission issued its order, entered January 15, 1952, dismissing application for want of prosecution and petition to intervene in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-870; Filed, Jan. 22, 1952;
8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

CENTRAL OFFICE

ORGANIZATION AND FINAL DELEGATION OF
AUTHORITY TO OFFICIALS

Section II, *General Office organization and final delegations of authority to Central Office Officials*, is amended as follows:

Paragraph g is amended as follows:

g. *Designation of Acting Commissioner.* The Commissioner hereby designates the First Assistant Commissioner, Warren Jay Vinton, to serve as Acting Commissioner in his absence. In the absence of both the Commissioner and the First Assistant Commissioner, the General Counsel, Marshall W. Amis, is hereby designated to serve as Acting Commissioner. The First Assistant Commissioner or the General Counsel, or in their absence such person as the Commissioner shall designate to serve as Acting Commissioner, shall exercise all the powers, duties, and functions, while so acting, that are vested in the Commissioner.

Date approved: January 16, 1952.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 52-856; Filed, Jan. 22, 1952;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-1333, 7-1334]

PANCOASTAL OIL CORP., C. A., AND CANADA
SOUTHERN OILS, LTD.

NOTICE OF APPLICATION FOR UNLISTED TRAD-
ING PRIVILEGES, AND OF OPPORTUNITY FOR
HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of January A. D. 1952.

In the matter of application by the Boston Stock Exchange for unlisted trading privileges in Pancoastal Oil Corporation, C. A., Voting Trust Certificates for Common Capital Stock, Par Value, 1 Bolivar, 7-1333; Canada Southern Oils, Ltd., Voting Trust Certificates for Common Capital Stock, \$1 Par Value, 7-1334.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities

Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Voting Trust Certificates for Common Capital Stock, Par Value, 1 Bolivar, of Pancoast Oil Corporation, C. A.; and the Voting Trust Certificates for Common Capital Stock, \$1 Par Value, of Canada Southern Oils, Ltd., securities listed and registered on the New York Curb Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to February 4, 1952, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 52-886; Filed, Jan. 22, 1952;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26707]

IRON AND STEEL ARTICLES FROM HAINES
CITY, FLA., TO NORTH ATLANTIC PORTS

APPLICATION FOR RELIEF

JANUARY 18, 1952.

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 carriers parties to Agent C. W. Boin's tariff I. C. C. No. A-790.

Commodities involved: Iron and steel articles, carloads.

From: Haines City, Fla.

To: North Atlantic ports and points grouped therewith.

Grounds for relief: Competition with rail carriers, circuitous routes, market competition, and to maintain grouping.

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. 52-876; Filed, Jan. 22, 1952;
8:47 a. m.]

[4th Sec. Application 26708]

CANNED GOODS FROM ARKANSAS AND
MISSOURI TO KANSAS

APPLICATION FOR RELIEF

JANUARY 18, 1952.

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: F. C. Kratzmeir, Agent, for The Atchison, Topeka and Santa Fe Railway Company and other carriers.

Commodities involved: Canned fruits and vegetables and canned milk, carloads.

From: Blytheville and Paragould, Ark., and certain other points in Arkansas and Missouri.

To: Hutchinson, Medora, Newton, Wellington, White City, and Wichita, Kans.

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

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3933, Supp. 19.

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. 52-877; Filed, Jan. 22, 1952;
8:47 a. m.]

[4th Sec. Application 26709]

BICHROMATE OF SODIUM AND POTASSIUM
TO SOUTHERN POINTS

APPLICATION FOR RELIEF

JANUARY 18, 1952.

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-911.

Commodities involved: Potassium, bichromate of, and sodium, bichromate of, carloads.

From: Baltimore, Md., Philadelphia, Chester, and Marcus Hook, Pa., North Claymont, Del., Newark and Jersey City, N. J., and points in vicinity.

To: Specified points in southern territory.

Grounds for relief: Rail competition, circuitry, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-911, Supp. 35.

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. 52-878; Filed, Jan. 22, 1952;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18712]

HINRICH MUSKEN

In re: Estate of Hinrich Musken or Murken also known as Henry Morken or Henry or Hinrich Murken, deceased. File No. D-28-13082; E. T. Sec. 17200.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Supp. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order

9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Meta Murken, Diedrich Murken, Mathilde Murken, Georg Murken and Strina C. M. Dehlwes, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Hinrich Musken or Murken, also known as Henry Morken or Henry or Hinrich Murken, deceased, is property which is and prior to January 1, 1947, was 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);

3. That such property is in the process of administration by Hyman Wank, Public Administrator of Kings County, as administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That the national interest of the United States requires that the persons named in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947 were 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 18, 1952.

For the Attorney General.

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

[F. R. Doc. 52-879; Filed, Jan. 22, 1952; 8:47 a. m.]

EMMA WHITNEY WIESE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

No. 16—3

quate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Emma Whitney Wiese, (13B) Munich 23, Wilhelmstrasse 23, Germany; Claim No. 29099; \$404.69 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Mrs. Emma Whitney Wiese in and to the Trust Estate created under the will of James S. Whitney, deceased, under Power of Appointment in the Will of Mary Lepnan Gifford Whitney, deceased.

Executed at Washington, D. C., on January 17, 1952.

For the Attorney General.

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

[F. R. Doc. 52-880; Filed, Jan. 22, 1952; 8:47 a. m.]

MAURICE ALEXANDRE JULIEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Maurice Alexandre Julien, Paris, France; Claim No. 40684; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 2,172,706; 2,172,707; 2,187,706; 2,241,138; 2,267,981; 2,271,016; 2,273,869 and 2,275,966 and an undivided one-half part of all right, title and interest in and to United States Letters Patent No. 2,241,139; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942), relating to Patent Application Serial No. 250,452 (now Patent No. 2,312,470) and an undivided one-half part of all right, title and interest in and to Patent Application Serial No. 219,102 (now Patent No. 2,312,822).

Executed at Washington, D. C., on January 18, 1952.

For the Attorney General.

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

[F. R. Doc. 52-881; Filed, Jan. 22, 1952; 8:47 a. m.]

NIKOLAUS RINDLER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

quate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Nikolaus Rindler, Carinthia, Austria; Claim No. 42078; \$871.87 in the Treasury of the United States.

Executed at Washington, D. C., on January 17, 1952.

For the Attorney General.

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

[F. R. Doc. 52-882; Filed, Jan. 22, 1952; 8:47 a. m.]

PLACIDO FLURY

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Placido Flury, Novara, Italy; Claim No. 38025; property described in Vesting Order No. 1031 (8 F. R. 4207, April 2, 1943) relating to United States Patent Application Serial No. 278,941 (now Patent No. 2,422,614).

Executed at Washington, D. C., on January 17, 1952.

For the Attorney General.

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

[F. R. Doc. 52-883; Filed, Jan. 22, 1952; 8:47 a. m.]

CAECILIE PEKASTNIG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Caecilie Pekastnig, Carinthia, Austria; Claim No. 42075; \$871.88 in the Treasury of the United States.

Executed at Washington, D. C., on January 17, 1952.

For the Attorney General.

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

[F. R. Doc. 52-884; Filed, Jan. 22, 1952; 8:47 a. m.]

GEORGES ROMANE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Georges Romane, Saint Mande, France; Claim No. 37115; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent Nos. 1,731,591; 1,809,356; 1,939,136; 2,005,049 and 2,172,807.

Executed at Washington, D. C., on January 17, 1952.

For the Attorney General.

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

[F. R. Doc. 52-885; Filed, Jan. 22, 1952;
8:48 a. m.]

[Vesting Order 18708]

IWAJIRO SATAKE

In re: Bank account owned by Iwajiro Satake. D-39-19239.

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 Iwajiro Satake, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Iwajiro Satake by Seattle-First National Bank, Seattle 14, Washington, arising out of an account, entitled Iwajiro Satake, 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 (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 prop-

erty 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 15, 1952.

For the Attorney General.

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

[F. R. Doc. 52-809; Filed, Jan. 21, 1952;
8:51 a. m.]

[Vesting Order 18711]

PETER GUNSTER AND AURELIA KALB

In re: Securities owned by Peter Gunster and Aurelia Kalb.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.: 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9889 (3 CFR, 1948 Supp.), and pursuant to law, after investigation it is hereby found:

1. That Peter Gunster and Aurelia Kalb, each of whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That the property described as follows: All rights, interests and claims, in and to and arising out of a scrip certificate for 1780/1910ths of a share of stock of the Seaboard Trust Company in dissolution, 95 River Street, Hoboken, New Jersey, said certificate numbered 2869,

is property which is and prior to January 1, 1947, was 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, Peter Gunster, the aforesaid national of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation, matured or unmatured, evidenced by a Trust Certificate of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said certificate numbered 3480 in the face amount of \$75.75, registered in the name of Aurelia Kalb, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same and any and all rights in and under said Trust Certificate,

b. All rights, interests and claims, in and to and arising out of or under a fractional scrip certificate for 1780/1910ths of a share of stock of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said certificate numbered 3483, and

c. All rights, interests and claims in and to and arising out of or under a Voting Trust Certificate for 7 shares of capital stock of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said Voting Trust Certificate numbered 2631,

is property which is and prior to January 1, 1947, was 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, Aurelia Kalb, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were 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 15, 1952.

For the Attorney General.

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

[F. R. Doc. 52-811; Filed, Jan. 21, 1952;
8:52 a. m.]

[Vesting Order 6278, as Amended, Amdt.]

BERTHA MAY

In re: Estate of Bertha May, deceased. File No. D-28-8217; E. T. sec. 9268.

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, Vesting Order 6278 dated May 10, 1946, as amended, is hereby further amended to read as follows:

It is hereby found:

1. That Otto Paul Pester, Kurt Arno Felber, Arthur Roessler and Edmund Max Herbert Roessler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

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

3. That such property is in the process of administration by the Public Administrator of New York County, New York, as administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on January 15, 1952.

For the Attorney General.

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

[F. R. Doc. 52-812; Filed, Jan. 21, 1952;
8:52 a. m.]

[Vesting Order 18201, as Amended, Amdt.]

BERTHA MAY

In re: Estate of Bertha May, deceased.
File No. D-28-8217; E. T. sec. 9268.

Vesting order 18201 dated July 20, 1951, as amended, is hereby further amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Hermann Edmund Roessler, Hermann Kurt Roessler, Gertrud Johanna Selig, Klara Gertrud Roessler also known as Trude Riedel, Helene Liddy Pester, Johannes Heinz Pester, Emil Theodor Pester, Elisabetha Ella Felber and Paul Robert Pester, whose last known addresses are Germany, on or since December 11, 1941 and prior to January 1, 1947, were residents of Germany and are prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Bertha May, deceased, is property which is and prior to January 1, 1947 was 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 Public Administrator of New York County, New York, as 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 persons identified in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were 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 15, 1952.

For the Attorney General.

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

[F. R. Doc. 52-816; Filed, Jan. 21, 1952;
8:52 a. m.]

