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the fumigation period by one or more fans positioned as directed by the inspector.

(f) *Supervision of treatments and subsequent handling.* The treatments approved in this section and the subsequent handling of the fruits and vegetables so treated must be under the supervision of a plant quarantine inspector of the Plant Quarantine Branch. Such treated fruits and vegetables must be safeguarded against reinfestation during the period prior to movement from Hawaii in a manner satisfactory to the said inspector. Certification of these commodities for such movement will be made only upon compliance with the prescribed treatment and post-treatment safeguards.

(g) *Costs.* All costs of the treatments and prescribed post-treatment safeguards provided for in this section, other than the services of the supervising inspector during regularly assigned hours of duty and at the usual place of duty, shall, as required by § 301.13-4 (b), be

borne by the owner of the fruits or vegetables, or his representative.

(h) *Department not responsible for damage.* While the treatments approved in this section are judged from experimental tests to be safe for use with the designated fruits and vegetables, the Department of Agriculture and its inspector assume no responsibility for any loss or damage resulting from any treatment prescribed or supervised.

(i) *Tolerance.* Tests show that there is no detectable difference between untreated papaya, pineapple, cucumber, Zucchini squash, and bitter melon, and these commodities fumigated as approved in this section, after a minimum storage of 5 to 6 days at 55° F. Fumigated string beans and Cavendish bananas show slight though questionable effects, but are considered commercially acceptable.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162; 7 CFR and 1953 Supp. 301.13-4 (b). Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

The purpose of these revised instructions is to authorize the treatment of prepacked papayas for movement from Hawaii and to specify certain load-limit restrictions for all methods of treatment provided by the administrative instructions. The packing of papayas prior to treatment according to the above schedule eliminates the need for supervision of the packing after treatment, thereby affording the shipper greater latitude in scheduling the packing activity for more economical and effective shipping operations. This revision in part relieves restrictions by authorizing an alternative method of treatment for papayas as a condition of certification for movement from Hawaii and to this extent should be made effective as soon as possible in order to be of maximum benefit to affected shippers. The restrictions on the load-limit for all methods of treatment provided by the administrative instructions should be made effective as soon as possible in order to assure mortality of eggs and larvae of the oriental fruit fly, the Mediterranean fruit fly, and the melon fly. Therefore under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest and good cause is found for making the new restrictions imposed by the amendments effective less than 30 days after publication in the FEDERAL REGISTER. Insofar as the amendments relieve restrictions they may also be made effective less than 30 days after such publication.

This revision shall be effective September 24, 1954, and shall supersede § 301.13-4b, effective February 18, 1953, as amended effective March 16, 1954.

Done at Washington, D. C., this 21st day of September 1954.

[SEAL] E. P. REAGAN,
Chief, Plant Quarantine Branch.

[F. R. Doc. 54-7520; Filed, Sept. 23, 1954; 8:54 a. m.]

[P. Q. 481, Amdt.]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—HAWAIIAN FRUITS AND VEGETABLES

AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS PRESCRIBING METHODS OF VAPOR-HEAT TREATMENT OF CERTAIN FRUITS AND VEGETABLES FROM HAWAII

Pursuant to the authority conferred on him by § 301.13-4 (b) of the regulations supplemental to Hawaiian Fruits and Vegetables Quarantine No. 13 (7 CFR and 1953 Supp. 301.13-4 (b)) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162) the Chief of the Plant Quarantine Branch hereby amends administrative instructions now appearing as 7 CFR Supp. 301.13-4c (19 F. R. 2005) effective April 8, 1954, prescribing the method of vapor-heat treatment of certain fruits and vegetables from Hawaii, to authorize a vapor-heat "quick run-up" method of treatment of papayas, by deleting the introductory portion of such instructions and by amending paragraphs (a) (1) through (a) (3) and paragraph (e) to read, respectively, as follows:

§ 301.13-4c *Administrative instructions prescribing methods of vapor-heat treatment of certain fruits and vegetables from Hawaii*—(a) *Approved vapor-heat methods of treatment.* (1) Approved vapor-heat treatment, in accordance with the following procedure, is hereby designated as an administratively approved procedure that meets the requirements for the certification, in accordance with § 301.13-4 (b), of papayas, bell peppers, eggplants, pineapples (other than smooth Cayenne), Italian squash, and tomatoes for movement from Hawaii:

(i) In the approved vapor-heat treatment the fruits and vegetables are heated by saturated vapor at 110° F. which in condensing on the fruits and vegetables gives up its latent heat. This latent heat is essential in assuring mortality of eggs and larvae of the oriental fruit fly, the Mediterranean fruit fly and the melon fly, and in raising the temperature of the fruits and vegetables evenly and quickly so as to prevent damage to the treated products. In applying the treatment the saturated vapor is accompanied by a fine water mist and air admixture.

(ii) The fruits and vegetables are cooled immediately after treatment and no wax or paraffin, either dry or in solution, may be used until after the treatment has been completed. Vapor-heat treatments are approved only if the vapor conditions within the heat treating room, the manner of stacking the boxes containing the fruits and vegetables in the room, and all other conditions affecting the efficacy of the treatment are satisfactory to the supervising inspector, to assure mortality of eggs and larvae of the oriental fruit fly, the Mediterranean fruit fly, and the melon fly.

(iii) In applying this treatment, in accordance with these principles, the temperature of the fruits and vegetables shall be raised to 110° F., at the approximate center of the fruits and vegetables,

within a period designated by the inspector, and shall be held at that level during the following 8¾ hours.

(2) Approved vapor-heat treatment, in accordance with the following procedure, is hereby designated as an alternate administratively approved procedure that meets the requirements for the certification, in accordance with § 301.13-4 (b) of papayas for movement from Hawaii:

(i) In the approved vapor-heat "quick run-up" treatment the papayas are heated by saturated vapor until the temperature at the approximate center of the fruit reaches a minimum of 117° F. The cooling and other conditions prescribed in paragraph (a) (1) (ii) of this section apply.

(ii) The conditioning of the papayas preparatory to the treatment, as provided in paragraph (e) of this section, shall be completed within a period designated by the inspector.

(3) The treatments provided for in subparagraphs (1) and (2) of this paragraph must be conducted in a heat-treating room approved by the Plant Quarantine Branch and must be conducted under the supervision of an inspector of that Branch, who at all times shall have access to the fruits and vegetables while they are undergoing treatment.

* * * * *
(e) *Conditioning.* (1) The treatments set forth in paragraph (a) of this section are in addition to any other procedure or practice that may be found by the shipper to be desirable to condition or otherwise handle fruits or vegetables that may be offered for treatment.

(2) Eggplants require conditioning before they will tolerate the approved vapor-heat treatment. Even when conditioned, darkening of their seeds usually occurs. In tests of eggplant tolerance to vapor-heat treatment, 6 to 8 hours conditioning at 110° F and approximately 40 percent relative humidity before the prescribed 8¾-hour holding period has been found effective. This conditioning procedure or any other that the shipper has developed and found satisfactory may be used for eggplants at the shipper's risk.

(3) Papayas require conditioning before they will tolerate the approved vapor-heat "quick run-up" treatment and even then some injury may result. Any conditioning that the shipper has developed and found satisfactory may be used with the "quick run-up" treatment for papayas at the shipper's risk.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

The purpose of this amendment is to provide an alternate method of vapor-heat treatment of papayas that meets the requirement for their certification for movement from Hawaii. Papayas can be treated in from two to three hours by following the newly authorized procedure as compared to the presently approved treatment for 8¾ hours at 110° F. This will afford shippers an opportunity for a more economical and better integrated treating and shipping oper-

ation. The instructions therefore relieve a restriction previously imposed. In order to be of maximum benefit to papaya shippers the newly authorized procedure should be made available as soon as possible. Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and public procedure on the foregoing administrative instructions are unnecessary, impracticable, and contrary to the public interest, and since these instructions relieve restrictions they may properly be made effective under said section 4 less than thirty days after publication in the FEDERAL REGISTER.

This amendment shall be effective September 24, 1954,

Done at Washington, D. C., this 21st day of September 1954.

[SEAL] E. P. REAGAN,
Chief, Plant Quarantine Branch.

[F. R. Doc. 54-7522; Filed, Sept. 23, 1954;
8:54 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas), Department of Agriculture

[Amdt. 3]

PART 728—WHEAT

SUBPART—WHEAT MARKETING QUOTAS FOR 1954 CROP

WHEAT ACREAGE

The amendment herein is issued pursuant to the Agricultural Act of 1954 and is for the purpose of affording wheat producers who have not harvested their 1954 wheat crop the opportunity to adjust their planted acreages to their 1954 farm wheat acreage allotments. Producers in many areas are now preparing to harvest their 1954 crop wheat and it is imperative that this amendment be issued as soon as possible. Accordingly, it is hereby found that compliance with the public notice, procedure, and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment herein shall become effective upon filing of this document with the Director, Division of the Federal Register.

Paragraph (r) (1) of § 728.451 is amended to read as follows:

§ 728.451 *Definitions.* * * *

(r) (1) "Wheat acreage" means (i) any acreage seeded to wheat, excluding any acreage (a) seeded to a wheat mixture in wheat mixture counties approved by the Director, or (b) which does not reach maturity because it is, while still green, turned under, pastured off, or cut for hay or silage, and (ii) any acreage of volunteer (self-seeded) wheat which reaches maturity. *Provided*, That any acreage under subdivisions (i) and (ii) of this subparagraph in excess of the 1954 farm acreage allotment for the farm established under this part shall not be regarded

as wheat acreage if not harvested as grain and not left standing in the field on a date prior to harvest as determined by the county committee with the approval of the State Committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 311, 68 Stat. 897; 7 U. S. C. 1374)

Done at Washington, D. C., this 20th day of September 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-7489; Filed, Sept. 23, 1954;
8:47 a. m.]

[1023 (Peanuts-55)-1]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR PEANUTS OF 1955 CROP

GENERAL

Sec.
729.610 Basis and purpose.
729.611 Definitions.
729.612 Rule of fractions.
729.613 Instructions and forms.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

729.614 Determination of farm data.
729.615 Apportionment of State peanut allotment to farms.
729.616 Basis of farm allotment.
729.617 Determination of adjusted acreage.
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729.619 Allotments for old farms.
729.620 Allotments for farms divided or combined.
729.621 Normal yields for old farms.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

729.622 Allotments for new farms.
729.623 Normal yields for new farms.

MISCELLANEOUS

729.624 Reduction of acreage allotments for violation of the marketing quota regulations for a prior marketing year.
729.625 Release and reapportionment.
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729.627 Additional acreage allotment for farms producing types of peanuts in short supply.
729.628 Approval of determinations and notice of farm allotment.
729.629 Application for review.
729.630 Redlegation of authority.

AUTHORITY: §§ 729.610 to 729.630 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361-1368, 1372, 1373, 1374, 1376, 1388.

GENERAL

§ 729.610 *Basis and purpose.* The regulations contained in §§ 729.610 to 729.630 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of farm allotments and normal yields in connection with farm marketing quotas for the peanut crop produced in the calendar year 1955. The purpose of the regulations in §§ 729.610 to 729.630 is to

provide the procedure for allocating the 1955 State peanut acreage allotments among farms, for establishing allotments for farms on which peanuts were not picked or threshed in 1952, 1953, or 1954, but on which peanuts are to be picked or threshed in 1955, and for determining farm normal yields per acre for peanuts. Prior to preparing the regulations in §§ 729.610 to 729.630, public notice (19 F. R. 5062) was given in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003) The data, views, and recommendations which were submitted in accordance with such notice have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 729.611 *Definitions.* As used in §§ 729.610 to 729.630 and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Committees". (1) "Community committee" means the persons elected within a community as the community committee, pursuant to the regulations governing the selection and functions of Agriculture Stabilization and Conservation county and community committees.

(2) "County Committee" means the persons elected within a county as the county committee, pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(3) "State committee" means the persons designated in a State by the Secretary as the Agricultural Stabilization and Conservation State committee.

(b) "County Office Manager" means the person employed by the county committee to execute the policies of the county committee and be responsible for the day-to-day operation of the county ASC office, or the person acting in such capacity.

(c) "Cropland" means farm land which in 1954 was tilled or was in regular crop-rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable, noncrop, open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(d) "Deputy Administrator" means the Deputy Administrator for Production Adjustment or the Acting Deputy Administrator for Production Adjustment, Commodity Stabilization Service, United States Department of Agriculture.

(e) "Director" means the Director, or the Acting Director of the Oils and Peanut Division, Commodity Stabilization Service, United States Department of Agriculture.

(f) "Excess acreage" means the acreage by which the farm peanut acreage exceeds the farm allotment but there will be no excess acreage if the farm peanut acreage is one acre or less.

(g) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Deputy Administrator, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with work-stock farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops. A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(h) "Farm allotment" means the acreage allotment established for a farm pursuant to §§ 729.619 or 729.622.

(i) "Farm peanut acreage" means the acreage on the farm planted to peanuts in 1955 as determined in accordance with instructions issued by the Deputy Administrator, less any such acreage with respect to which it is established by the operator or otherwise to the satisfaction of the county office manager that the entire production therefrom has not and will not be picked or threshed either before or after marketing from the farm: *Provided, however* That:

(1) The farm peanut acreage shall be considered equal to the farm allotment on a farm for which such allotment equals or exceeds one acre, if the acreage in excess of the farm allotment from which peanuts are picked or threshed is not greater than one-tenth acre or three percent of the farm allotment, whichever is larger;

(2) The farm peanut acreage shall be considered equal to one acre on a farm for which the farm allotment is equal to or less than one acre and the acreage from which peanuts are picked or threshed does not exceed 1.1 acres; but the provisions of this subparagraph and of subparagraph (1) of this paragraph shall not apply unless a quantity of peanuts equal to the county office manager's estimate of the production from the acreage in excess of the larger of the farm allotment, or one acre, is disposed of on the farm in a manner approved by the county committee so that the peanuts cannot thereafter be used or marketed as peanuts: *Provided, further* That the maximum acreage limit prescribed in this subparagraph or subparagraph (1) of this paragraph shall not be applicable if the State committee concurs in the findings and recommendations of the county committee that the unusual circumstances from which the excess resulted are such that the maximum limitation should not apply.

(j) "New farm" means a farm on which peanuts will be picked or threshed in 1955, but on which no peanuts were picked or threshed in 1952, 1953, or 1954.

(k) "Old farm" means any farm on which peanuts were picked or threshed in 1952, 1953, or 1954, including also any farm for which 1954 farm allotments were established or which were eligible for 1954 old farm allotments, if peanuts

were planted for harvest on any such farm in any year 1952, 1953, or 1954 and the county committee determines that no peanuts were picked or threshed from the farm in any such year because of abnormal conditions affecting acreage.

(l) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(m) "Peanuts" means all peanuts produced, excluding any peanuts not picked or threshed either before or after marketing from the farm.

(n) "Person" means an individual, partnership, association, corporation, firm, joint-stock company, estate or trust, or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(o) "Secretary" means the Secretary, or the Acting Secretary of Agriculture of the United States.

(p) "State Administrative Officer" means the person employed by the State committee to execute the policies of the State committee and be responsible for the day-to-day operations of the State ASC office, or the person acting in such capacity.

(q) "Tillable acreage available" means the acreage of cropland on the farm which the county committee determines is available for the production of peanuts in 1955, taking into consideration land uses and other crops grown on the farm and customary rotation practices: *Provided*, That the tillable acreage available for the production of peanuts for a farm shall not exceed the cropland on the farm minus the total of the 1955 acreage allotments established for other crops for the farm. If the 1955 acreage allotments for one or more crops are not established for the farm prior to the determination of the tillable acreage available, and it has been announced that acreage allotments for such crops will be in effect in 1955, the farm acreage allotments established for such crops for the last year allotments were in effect shall be used.

(r) "Tillable acreage factor" means the factor determined for the county (or for each community in a county, if the county committee determines that there is a wide variation between communities in the percentage of the tillable acreage available that is customarily devoted to peanuts) by dividing the tillable acreage available for all old farms in the county (or community) into the sum of the 1954 farm peanut allotments for all old farms in the county (or community). The sum of the 1954 farm peanut allotments shall be determined pursuant to instructions issued by the Assistant Administrator.

§ 729.612 *Rule of fractions.* Farm allotments shall be rounded to the nearest one-tenth acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of fifty thousandths of an acre or less shall be dropped. For example, 8.051 would be 8.1 and 8.050 would be 8.0.

§ 729.613 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary,

and shall cause to be prepared such instructions as are necessary, for carrying out the regulations in §§ 729.610 to 729.630. The forms and instructions shall be approved by, and the instructions shall be issued by, the Deputy Administrator.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 729.614 *Determination of farm data.* The county committee shall obtain the following information and data for each old farm.

(a) The name and address of the operator.

(b) The total acreage of all land in the farm.

(c) The acreage of cropland in the farm.

(d) The tillable acreage available for the farm.

(e) The farm peanut acreage for each year 1952, 1953, and 1954.

(f) The 1954 peanut acreage allotment for the farm.

(g) Such other information and data as may be necessary in establishing farm allotments in accordance with §§ 729.610 to 729.630.

The information and data provided for in this section shall be obtained from acreage measurements and other records in the office of the county committee; if not available from these sources, these data and information may be obtained from reports made by operators or other interested persons or may be appraised or determined by the county committee on the basis of production and marketing records or other available information.

§ 729.615 *Apportionment of State peanut allotment to farms.* Adjusted acreages for all old farms in the State shall be determined in accordance with § 729.617. Preliminary acreage allotments for old farms shall be calculated by multiplying the adjusted acreage for each old farm by a factor obtained by dividing the total of the adjusted acreages for all old farms in the State into the 1955 State peanut acreage allotment (minus the acreage reserve for late allotments and corrections pursuant to § 729.618 and the acreage reserve for adjustment pursuant to § 729.617 (b) (5) if allotment adjustments are to be made after adjusted acreages have been determined). Farm allotments shall be determined pursuant to § 729.619.

§ 729.616 *Basis of farm allotment.* A farm allotment shall be determined for each old farm on the basis of the following factors as hereinafter applied: The 1954 peanut acreage allotment for the farm, the 1952, 1953, and 1954 farm peanut acreages; abnormal conditions affecting farm peanut acreage; tillable acreage available; labor and equipment available for the production of peanuts on the farm; crop-rotation practices; and soil and other physical factors affecting the production of peanuts: *Provided, however* That in establishing farm allotments pursuant to §§ 729.610 to 729.630, the following acreages shall not be taken into consideration: the peanut acreage determined as harvested in excess of the farm allotments estab-

lished for each of the years 1952, 1953, and 1954, the peanut acreage harvested on the farm in 1952 as a result of allotments made under §§ 729.326 and 729.328 of the marketing regulations for the 1952 crop of peanuts; the acreage allotment made to the farm under §§ 729.326 and 729.328 of the marketing quota regulations for the 1952 crop of peanuts; the peanut acreage harvested on the farm in 1953 as a result of allotments made under §§ 729.427 and 729.429 of the marketing quota regulations for the 1953 crop of peanuts; the acreage allotment made to the farm under §§ 729.427 and 729.429 of the marketing quota regulations for the 1953 crop of peanuts; the peanut acreage harvested on the farm in 1954 as a result of allotment made under § 729.525 of the marketing quota regulations for the 1954 crop of peanuts; and the acreage allotment made to the farm under § 729.525 of the marketing quota regulations for the 1954 crop of peanuts and: *Provided further* That an allotment shall not be determined for any farm on which one acre or less of peanuts was harvested in each of the years 1952, 1953, and 1954, unless the county committee determines from available information that more than one acre of peanuts will be harvested on the farm in 1955.

§ 729.617 *Determination of adjusted acreage.* The county committee shall determine an adjusted acreage for each old farm in the county (excluding farms on which one acre or less of peanuts was harvested in each year 1952, 1953, and 1954 unless the county committee determines from available information that more than one acre of peanuts will be harvested on any such farm in 1955) as follows:

(a) If peanuts were produced on a farm in 1954 for the first time since 1950, but no 1954 peanut acreage allotment was established for the farm, the county committee shall, on the basis of tillable acreage available; labor and equipment available for the production of peanuts; crop-rotation practices; and soil and other physical factors affecting the production of peanuts, determine an adjusted acreage for the farm which is fair and equitable in comparison with the adjusted acreages for other farms in the community which are similar with respect to such factors.

(b) For each old farm, excluding farms described in paragraph (a) of this section, the county committee shall adjust 1954 farm peanut acreages and establish adjusted acreages as provided herein:

(1) The county committee shall examine the 1954 farm peanut acreage and if abnormal conditions affected such acreage, the 1954 farm peanut acreage shall be increased to compensate for any reduction in the acreage resulting from such abnormal conditions; however, the acreage as so increased shall not exceed the 1954 farm allotment established for the farm.

(2) If a farm allotment was not established for 1954 for a farm on which peanuts were produced in any one or more of the years 1951, 1952, or 1953, the county committee shall determine

an acreage for the farm which shall be considered the 1954 farm allotment for purposes of establishing an adjusted acreage for the farm. Such acreage shall be established in accordance with the regulations contained in §§ 729.510 to 729.530 of the marketing quota regulations for the 1954 crop of peanuts.

(3) The county committee shall compare the 1954 farm peanut acreage for each farm with the 1954 farm allotment for each farm. In the 1954 farm peanut acreage for a farm was less than 75 percent of the 1954 farm allotment, a total of the farm peanut acreages for 1952, 1953, and 1954, shall be determined. The total acreage so determined shall be divided by 3, except that if the farm did not receive a farm allotment in 1952, the total shall be divided by 2, or if the farm did not receive a farm allotment in 1952 and 1953, the total shall be divided by 1. If the average of the farm peanut acreages for the farm, determined in accordance with this subparagraph is less than the 1954 farm allotment for the purpose of determining the adjusted acreage for the farm, the average of the farm peanut acreages shall be considered as the 1954 farm allotment.

(4) The county committee shall examine the 1954 farm allotment for each farm after adjustments, if any, have been made under subparagraph (3) of this paragraph and may adjust such allotments downward if it determines that such adjustment is necessary to obtain an adjusted acreage for the farm which is comparable with the adjusted acreages established for other old farms in the community which are similar as to the tillable acreage available for the production of peanuts. If a downward adjustment is made, the adjusted acreage for the farm shall be not less than the smaller of (i) the result obtained by multiplying the tillable acreage available for the farm by the tillable acreage factor or (ii) the 1952-54 average peanut acreage for the farm.

(5) An acreage not in excess of 5 percent of the peanut acreage allotted to all old farms in the State in 1954 shall be made available to county committees by the State committee for making upward adjustments. The State committee shall determine if upward adjustments are to be made prior to or subsequent to determining adjusted acreages. If upward adjustments are to be made prior to determining adjusted acreages the county committee shall examine the 1954 farm allotment for each farm after adjustments, if any, have been made under subparagraphs (3) and (4) of this paragraph and may adjust such allotment upward if it determines that such adjustment is necessary to obtain an adjusted acreage for the farm which is comparable with the adjusted acreage established for other similar old farms in the community. Upward adjustments shall be made on the basis of the farm peanut acreage for 1952, 1953, and 1954; tillable acreage available; labor and equipment available for the production of peanuts; crop-rotation practices; and the soil and other physical factors affecting the production of peanuts. If upward adjustments are to be made

prior to determining adjusted acreage, the county committee may use the sum of the downward adjustments made in accordance with subparagraph (4) of this paragraph in addition to the acreage available under this subparagraph for making upward adjustments. If an upward adjustment is made, the adjusted acreage for the farm shall not exceed the larger of (i) the result obtained by multiplying the tillable acreage available for the farm by the tillable acreage factor or (ii) the largest farm peanut acreage for the farm for the years 1952, 1953, or 1954: *Provided, however* That such limitation shall not be applicable if the State and county committees find that the adjusted acreage as determined under the limitation is relatively smaller in relation to the farm peanut acreages for 1952, 1953, and 1954, the tillable acreage available, and the labor and equipment available for the production of peanuts on the farm, than the adjusted acreages for other old farms in the community which are similar with respect to such factors.

(6) The adjusted acreage for each old farm in the county shall be the 1954 farm allotment plus or minus any upward or downward adjustment made pursuant to subparagraphs (4) and (5) of this paragraph.

(c) The adjusted acreage determined for the farm in accordance with the foregoing provisions of this section shall not exceed the tillable acreage available for the farm.

§ 729.618 *County reserves for late allotment and corrections.* The county committee shall estimate the acreage that will be needed in the county (a) to establish late 1955 allotments for old farms on which one acre or less of peanuts was picked or threshed in each year 1952, 1953, and 1954, but on which more than one acre of peanuts will be picked and threshed in 1955 and (b) for the correction of errors in farm allotments resulting from inaccurate or incomplete data used in establishing 1955 farm allotments. The reserve for late allotments and corrections recommended by the county committee shall be subject to adjustment by the State committee and shall be held as a State reserve.

§ 729.619 *Allotments for old farms.* (a) If adjustments are to be made prior to determining preliminary allotments, as provided in § 729.617 (b) (5), the preliminary allotments determined pursuant to § 729.615 shall be the 1955 farm allotments.

(b) If the State committee determines, as provided in § 729.617 (b) (5), that upward adjustments shall be made subsequent to the determination of preliminary allotments, the county committee shall examine the 1955 preliminary farm allotment for each farm and may adjust such preliminary allotment upward if it determines that such adjustment is necessary to obtain a 1955 farm allotment for the farm which is comparable with the 1955 allotments established for other similar old farms in the community. Upward adjustments shall be made on the basis of the farm peanut acreage for 1952, 1953, and 1954 tillable

acreage available; labor and equipment available for the production of peanuts; crop-rotation practices; and the soil and other physical factors affecting the production of peanuts. If an upward adjustment is made, the farm allotment shall not exceed the larger of (1) the result obtained by multiplying the tillable acreage available for the farm by the tillable acreage factor or (2) the largest farm peanut acreage for the farm for the years 1952, 1953, and 1954: *Provided, however* That such limitation shall not be applicable if the State and county committees find that the allotment as determined under such limitations is relatively smaller in relation to the farm peanut acreage for 1952, 1953, and 1954, and the tillable acreage available for the production of peanuts on the farm, than the allotment for other old farms in the community which are similar with respect to such factors. The 1955 farm allotment shall be the preliminary allotment for the farm determined in accordance with § 729.615 plus any additional acreage allotted to the farm as an upward adjustment from the acreage made available to the county committee by the State committee pursuant to § 729.617 (b) (5).

§ 729.620 *Allotments for farms divided or combined*—(a) *Divisions*. If land operated as a single farm in 1954 will be operated in 1955 as two or more farms, the 1955 allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the divided farms in the same proportion as the acreage of cropland available for the production of peanuts for each such divided farm bears to the cropland available for the production of peanuts for the entire tract; except that the peanut acreage allotment determined or which otherwise would have been determined for the entire farm shall, if the farm to be divided for 1955 consists of two or more tracts which were separate and distinct farms before being combined for 1952, 1953, or 1954, be apportioned among the tracts in the same proportion that each contributed to the farm allotment for the year for which combined: *Provided*, That with the recommendation of the county committee and the approval of the State committee, the allotment determined for a divided farm pursuant to the preceding provisions of this paragraph may be increased or decreased by not more than the larger of one acre or ten percent of the 1955 farm allotment determined for the entire tract, with corresponding increases or decreases made in the allotment apportioned to the other divided farm or farms: *Provided further* That if a farm is to be divided for 1955 in settling an estate, the allotment may be apportioned among the divided farms in accordance with this paragraph or on such basis as the State committee determines will result in equitable allotments.

(b) *Combinations*. If two or more tracts which were operated as separate farms in 1954 are combined and operated as a single farm for 1955, the 1955 allotment shall be the sum of the 1955 allotments determined, or which otherwise

would have been determined, for each of the tracts composing the combination.

§ 729.621 *Normal yields for old farms*. The normal yields for an old farm for the 1955 crop of peanuts shall be the average yield per acre of peanuts for the farm, adjusted for abnormal weather conditions, during the five calendar years immediately preceding the year in which the normal yield is determined. If for any such year the data are not available or there is no actual yield, then the normal yield for the farm shall be appraised by the county committee on the basis of the data which are available.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 729.622 *Allotments for new farms*. (a) The farm allotment for a new farm shall be that acreage which the county committee, subject to the approval of the State committee, determines is fair and reasonable for the farm, taking into consideration the peanut-growing experience of the producers on the farm, the tillable acreage available, labor and equipment available for the production of peanuts on the farm, crop-rotation practices, and soil and other physical factors affecting the production of peanuts. The farm allotment for a new farm shall not exceed the result obtained by multiplying the tillable acreage available for the farm by the tillable acreage factor: *Provided, however*, That such limitation shall not be applicable if the State and county committees find that the allotment determined for the farm under the limitation is relatively smaller in relation to the tillable acreage available, labor and equipment available for the production of peanuts on the farm, and crop-rotation practices, than the allotments established for other farms in the community which are similar with respect to such factors.

(b) Notwithstanding any other provisions of this section, an allotment shall not be established for any new farm unless each of the following conditions has been met:

(1) An application for a new farm allotment is filed by the farm operator and farm owner with the county committee prior to the closing date established by the State committee. In no event is the closing date to be earlier than January 15, 1955, or later than February 15, 1955.

(2) A producer on the farm shall have had experience in growing peanuts either as a share cropper, tenant, or as a farm operator or farm owner during at least two of the past five years: *Provided, however*, That a producer who was in the armed services after September 16, 1940, shall be deemed to have met the requirements hereof if he has had experience in growing peanuts during one year either within the five years immediately prior to his entry into the armed services or within the five years immediately following his discharge from the armed services and if he files an application for an allotment within five years from date of discharge.

(3) The farm operator is largely dependent on the farm for his livelihood.

(4) The farm is the only farm owned or operated by the farm operator or farm owner for which a farm allotment is established in 1955.

(c) One-half of one percent of the national peanut acreage allotment shall be available for establishing allotments for new farms; except that, if the total of the acreages required to establish fair and reasonable allotments and reserves for old farms in any State is less than the State allotment, the balance of such State allotment shall, upon approval by the Director, be available for establishing allotments for new farms in the State. If the total of the acreage allotments for new farms as determined by the county and State committees pursuant to this section exceeds the acreage reserved for new farm allotments, such acreage shall be made available to the States for establishing new farm allotments as follows:

(1) For any State for which the total of the new farm allotments determined by the county and State committees does not exceed one-half of one percent of the State's share of the 1955 national peanut acreage allotment, as determined by the Director, no adjustment will be made in the new farm allotments determined by the county and State committees;

(2) For any State for which the total of the new farm allotments determined by the county and State committees exceeds one-half of one percent of the State's share of the national acreage allotment, as determined by the Director, there shall be made available for new farm allotments in each such State an acreage equal to one-half of one percent of the State's share of the national acreage allotment;

(3) The acreage remaining after making the apportionments under subparagraphs (1) and (2) of this paragraph shall be apportioned pro rata among the States receiving acreage under subparagraph (2) of this paragraph on the basis of the total acreage determined for new farm allotments by the county and State committees that is in excess of the acreage made available under subparagraph (2) of this paragraph. The farm allotments determined by the county and State committees for new farms which receive acreage under subparagraph (2) of this paragraph shall be adjusted downward so that the total of the acreage allotments for such farms shall not exceed the acreage made available to the State for establishing allotments for such farms; and

(4) If the total of the acreage required to establish fair and reasonable allotments and reserves for all old farms in the State and for all new farms in the State that meet the eligibility requirements set forth in paragraph (b) of this section is less than the State acreage allotment plus the acreage allocated to new farms in the State under this section, the balance of such acreage shall, upon approval of the Director, be available for establishing allotments, on the basis of the factors specified in

§ 729.622 (a) for farms on which no peanuts were picked or threshed in 1952, 1953, or 1954, if each of the following conditions has been met:

(i) An application for an allotment is filed by the farm operator and farm owner with the county committee prior to the closing date established by the State committee which shall not be later than March 1, 1955.

(ii) The applicant is largely dependent on the farm for his livelihood.

(iii) The farm is the only farm owned or operated by the farm operator or farm owner for which a farm allotment is established for 1955.

(5) No more than one per centum of the national acreage allotment shall be apportioned among new farms.

§ 729.623 *Normal yields for new farms.* The normal yield for a new farm for the 1955 crop of peanuts shall be that yield per acre which the county committee determines is normal for the farm, as compared with other farms in the locality which are similar with respect to soil and other physical factors affecting the production of peanuts.

MISCELLANEOUS

§ 729.624 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If peanuts were marketed or were permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact were produced on a different farm, the acreage allotments established for both such farms for 1955 shall be reduced, as hereinafter provided, except that such reduction for any farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketings.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all peanuts produced on the farm at such time and in such manner as will insure payment of the penalty due and in the event of refusal or failure for any reason to furnish such proof, the allotment for the farm shall be reduced, except that if the operator establishes to the satisfaction of the county and State committees that failure to furnish proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty due is made.

(c) Any reduction shall be made with respect to the 1955 farm allotment, provided it can be made 30 days prior to the beginning of the normal planting season for the county in which the farm is located, as determined by the State committee. If the reduction cannot be made effective with respect to the 1955 crop, such reduction shall be made with respect to the farm allotment next established for the farm. This section

shall not apply if the farm allotment for any prior year was reduced on account of the same violation.

(d) The amount of reduction in the 1955 farm allotment shall be that percentage which the amount of peanuts involved in the violation is of the respective farm marketing quota for the farm for the marketing year in which the violation occurred. Where the amount of such peanuts involved in the violation equals or exceeds the amount of the farm marketing quota, the amount of reduction shall be 100 percent. The amount of peanuts determined by the county committee to have been falsely identified or for which satisfactory proof of disposition has not been furnished shall be considered the amount of peanuts involved in the violation. If the actual production of peanuts on the farm is not known, the county committee shall estimate such actual production, taking into consideration the condition of the peanut crop during the growing and harvesting seasons, if known, and the actual yield per acre of peanuts on other farms in the locality on which the soil and other physical factors affecting the production of peanuts are similar: *Provided*, That the estimate of such actual production of peanuts on the farm shall not exceed the harvested acreage of peanuts on the farm multiplied by the average actual yield per acre on farms in the locality on which the soil and other physical factors affecting the production of peanuts are similar. The actual yield per acre of peanuts on the farm, as so estimated by the county committee, multiplied by the farm allotment shall be considered the farm marketing quota for the purposes of this section. In determining the amount of peanuts for which satisfactory proof of disposition of peanuts on the farm is not known, the amount of peanuts involved in the violation shall be deemed to be the actual production of peanuts on the farm, estimated as above, less the amount of peanuts for which satisfactory proof of disposition has been shown.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraph (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraphs (a) and (b) of this section.

§ 729.625 *Release and reapportionment—(a) Release of acreage allotments.* Any part of the acreage allotted for 1955 to an individual farm in any county under the provisions of §§ 729.619 and 729.622 on which peanuts will not be produced and which the owner or operator of the farm voluntarily surrenders in writing to the county committee by the closing date established by the State committee, which shall not be later than July 1, 1955, shall be deducted from the allotment to such farm in accordance

with instructions issued by the Deputy Administrator. If any part of the farm allotment is permanently released (i. e., for 1955 and all subsequent years), such release shall be in writing and signed by both the owner and the operator of the farm. If the entire 1955 farm allotment is permanently released, the farm shall not thereafter be eligible for a 1955 farm allotment as either an old farm or as a new farm, and the farm peanut acreages and farm allotments for 1955 and prior years shall not be considered in establishing an allotment for the farm for 1956 or any subsequent year.

(b) *Reapportionment of released acreage allotment.* The farm allotments released under paragraph (a) of this section shall be reapportioned by the county committee, in accordance with instructions issued by the Deputy Administrator, to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of tillable acreage available; labor and equipment available for the production of peanuts; crop-rotation practices; and soil and other physical factors affecting the production of peanuts. Such reapportionment shall be made on the basis of applications filed on Form MQ-30-Peanuts (1955) by the farm owners or operators with the county committee not later than a closing date established by the State committee, which shall be not later than July 15, 1955.

(c) *Maximum acreage allotment.* No allotment shall be increased by reason of the provisions in paragraph (b) of this section to an acreage in excess of the tillable acreage available for the farm.

(d) *Credit for acreage allotment released for 1955 only.* The release for 1955 only, of any part of the acreage allotted for 1955 to individual farms, pursuant to paragraph (a) of this section, shall not operate to reduce the allotment for any subsequent year for the farm from which such acreage was released unless the farm becomes ineligible for an old farm allotment in 1956 because peanuts were not picked or threshed on the farm in 1953, 1954, or 1955. Any reapportionment of allotment under this section shall not operate to increase the allotment for any year subsequent to 1955 for the farm to which the acreage is reapportioned.

§ 729.626 *Reallocation of allotments released from farms removed from agricultural production.* (a) The allotment determined or which would have been determined for any land which is removed from agricultural production in 1950 or any subsequent year for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in a State pool and shall be available for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee within five years from the date of such acquisition

of the farm, any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him equal to an allotment which would have been determined for the farm so acquired: *Provided*, That such allotment shall not exceed 50 percent of the acreage of cropland on the farm.

(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of peanuts from the farm by the owner of the farm at the time of its acquisition by the Federal, State, or other agency (2) any peanuts produced on such farm have not been accounted for as required by the Secretary or (3) the allotment next to be established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of peanuts produced on or marketed from such farm.

§ 729.627 *Additional acreage allotment for farms producing types of peanuts in short supply.* (a) The additional acreage allotment apportioned to any State producing peanuts of a type or types determined to be in short supply for 1955, less a reserve for the correction of errors, shall be apportioned among farms on which peanuts of such type or types were produced in any of the three years 1952, 1953, 1954, on the basis of the average picked and threshed acreage of peanuts of such type or types (excluding excess acreage) on each such farm during such period. The reserve for the correction of errors shall be determined by the State committee on the basis of experience in past allotment programs and its knowledge as to the reliability of data used in apportioning the additional acreage to farms, and shall not exceed three-fourths of one percent of the additional acreage apportioned to the State.

(b) The increase in acreage allotment under this section shall not be considered in establishing future State, county, or farm acreage allotments.

§ 729.628 *Approval of determinations and notice of farm allotment.* The State committee shall review farm allotments and normal yields and the State committee may revise or cause to be revised any determination made in connection therewith pursuant to §§ 729.610 to 729.630. Farm allotments shall be approved by the State committee and official notice of the farm allotment on Form MQ-24 shall not be issued for a farm until such allotment has been so approved. A Form MQ-24—Peanuts (1955) Notice of Farm Acreage Allotment and Marketing Quota for Peanuts, shall be prepared and mailed to the operator of each farm for which a farm allotment is established. Forms MQ-24 that are prepared for farms for which the farm allotments are reduced in accordance with § 729.624 shall be mailed to operators by registered mail.

§ 729.629 *Application for review.* Any producer who is dissatisfied with the farm allotment or marketing quota

established for his farm, may, within fifteen days after mailing of the official notice, file application with the county committee which issued such notice to have such allotment or quota reviewed. Farm allotments and marketing quotas shall be reviewed by a review committee in accordance with the marketing quota review regulations issued by the Secretary (Part 711 of this chapter), a copy of which is available at the office of the county committee.

§ 729.630 *Redelegation of authority.* Any authority delegated to the State committee by the regulations in §§ 729.610 to 729.630 may be redelegated by the State committee.

Done at Washington, D. C., this 20th day of September 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-7488; Filed, Sept. 23, 1954; 8:47 a. m.]

**TITLE 43—PUBLIC LANDS:
INTERIOR**

Chapter I—Bureau of Land Management, Department of the Interior

**Subchapter C—Areas Subject to Special Laws
[Circular 1833]**

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVENED COGS BAY WAGON ROAD GRANT LANDS IN OREGON

SALE OF TIMBER ON O & C LANDS

Paragraph (a) of § 115.39 is amended to read as follows and a new-paragraph (e) is added:

§ 115.39 *Sale and appraisal.* (a) All timber to be sold under the provisions of the act of August 28, 1937, shall be appraised and in no case shall be sold at less than the appraised price. Such timber shall be sold to a responsible, qualified purchaser under the appropriate form of contract. All sales, other than those specified in paragraphs (b), (c), (d) and (e) of this section, shall be made only after inviting competitive bidding through publication and posting and the submission of either sealed or oral bids.

(e) When a road is constructed with Government funds, the timber on the right-of-way may be sold to the contractor constructing the road at the appraised price without publishing, posting or calling for bids.

(Sec. 5, 50 Stat. 875)

DOUGLAS MCKAY,
Secretary of the Interior.

SEPTEMBER 18, 1954.

[F. R. Doc. 54-7480; Filed, Sept. 23, 1954; 8:45 a. m.]

**Subchapter H—Grazing
[Circular 1832]**

PART 160—GRAZING LEASES

RENTALS, REFUNDS

Section 160.14 is hereby amended to read as follows:

§ 160.14 *Rentals, refunds.* (a) The lessee shall pay the lease rental in the amount and manner specified in the lease. The rental shall be computed in conformity with the following rate tabulations, unless for sufficient reasons a different rate is authorized by the Director:

GRAZING RENTAL RATE TABULATION

Estimated grazing capacity in acres per animal unit month	Estimated grazing capacity in animal units per acre per section	Yearly lease rate per acre
107.00	0.5	\$0.001
53.00	1.0	.002
35.00	1.5	.003
27.00	2.0	.004
21.00	2.5	.005
18.00	3.0	.007
15.00	3.5	.008
13.00	4.0	.009
12.00	4.5	.010
11.00	5.0	.011
9.00	6.0	.013
7.50	7.0	.015
6.50	8.0	.018
6.00	9.0	.020
5.50	10.0	.022
5.00	11.0	.024
4.50	12.0	.027
4.00	13.0	.030
3.75	14.0	.032
3.50	15.0	.034
3.25	16.0	.037
3.00	17.0	.040
2.75	18.0	.044
2.50	19.0	.048
2.25	20.0	.052
2.00	21.0	.056
1.75	22.0	.060
1.50	23.0	.065
1.25	24.0	.070
1.00	25.0	.075
0.75	26.0	.080
0.50	27.0	.085

One cow or one horse or five sheep or five goats constitute one animal unit. The rental charge will not in any case be fixed at less than \$1.00 per annum. The rental may be adjusted to reflect changes in approved rates at the end of each three-year period to apply to the rental charges for the next three-year period.

(b) No refund or rentals properly paid in accordance with these regulations and the terms of the lease will be made because of a failure to use the grazing privileges granted by the lease, except that during periods of range depletion due to severe drought or other natural causes or in case of a general epidemic of disease during the life of the lease the Secretary of the Interior will in his discretion remit, refund, reduce in whole or in part, or postpone the payment of rentals for such period of depletion or general epidemic.

(Sec. 2, 49 Stat. 1270; 43 U. S. C. 315c)

FRED G. AANDAHL,
Acting Secretary of the Interior.

SEPTEMBER 17, 1954.

[F. R. Doc. 54-7481; Filed, Sept. 23, 1954; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt 106]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

Where the general classification (LFR, VAR, ADF ILS, GCA, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is to be placed in appropriate alphabetical sequence within the section amended.

1 The very high frequency omnirange procedures prescribed in § 609.9 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Callings are in feet above airport elevation. If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility, class and identification; procedure No.; effective date	Initial approach to facility from--	Course and distance	Minimum altitude (ft)	Procedure turn (-) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing in safety within distance specified or if landing not accomplished
							Condition	Type aircraft	More than 75 m. p. h. or less	
1 CALVERTON, N. Y. Peconic River Airport, 80' VOR-W-RVH (Riverhead) Procedure No. 1 Effective October 13, 1954 Amendment—Original	2	3	4	5	6	7	8	9	10	11
				N side of course; 650' outbound 238' inbound 1 200' within 10 miles	700	238-2.0	T-dn C-dn A-dn	2 engines or less 200-1 500-1 800-2	300-1 500-1 800-2	Within 2 miles, climb to 1,700' on course of 238° within 10 miles of Riverhead VOR
							T-dn C-dn A-dn	More than 2 engines 200-1½ 500-1½ 800-2		

2 The very high frequency omnirange procedures prescribed in § 609 9 (b) are amended to read in part:

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet. MSL. Ceilings are in feet above airport elevation. If a TVOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility, class and identification; Procedure No (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach courses (ft)	Course and distance from Int runway center line extended and final course to approach end of run way	Course and visibility minimums	Condition	Typo aircraft	Other notes
1	2	3	4	5	6	7	8	9	10	11
WATERLOO, IOWA Municipal, 670 BYOR-ALLO TVOR-6 Effective date: September 10, 1954 Amendment No.: Original Superseded No.: None Major changes: L. New procedure				S side of course: 235° outbound, 052° inbound, 2,300' within 12 miles 2,400' within 20 miles.	1,700	052-0-3	T-dn C-d S-dn A-dn 2 engines or less 300-1 300-1 300-1 1/2 300-1 1/2 300-1 300-2 300-1 1/2 300-1 1/2 300-1 300-2	More than 76 m. p. h. or less		If visual contact not established at TVOR or if landing not accomplished
WATERLOO, IOWA Municipal, 670 BYOR-ALLO TVOR-12 Effective date: September 10, 1954 Amendment No.: Original Superseded No.: None Major changes: L. New procedure				S side of course: 235° outbound, 125° inbound, 2,600' within 16 miles.	1,600	123-0-3	T-dn C-d S-dn A-dn 2 engines or less 300-1 300-1 300-1 1/2 300-1 1/2 300-1 300-2			Within 0 mile, climb to 2,100' on radial 072° within 12 miles
WATERLOO, IOWA Municipal, 670 BYOR-ALLO TVOR-18 Effective date: September 10, 1954 Amendment No.: Original Superseded No.: None Major changes: L. New procedure				W side of course: 245° outbound, 165° inbound, 2,600' within 12 miles, 2,650' within 23 miles.	1,400	163-0-3	T-dn C-d S-dn A-dn 2 engines or less 300-1 300-1 300-1 1/2 300-1 1/2 300-1 300-2			Within 0 mile, climb to 2,650' on radial 163° within 16 miles.
WATERLOO, IOWA Municipal, 670 BYOR-ALLO TVOR-24 Effective date: September 10, 1954 Amendment No.: Original Superseded No.: None Major changes: L. New procedure				N side of course: 245° outbound, 165° inbound, 2,600' within 16 miles 2,650' within 23 miles	1,600	243-0-0	T-dn C-d S-dn A-dn 2 engines or less 300-1 300-1 300-1 1/2 300-1 1/2 300-1 300-2			Within 0 mile, climb to 2,650' on radial 232° within 12 miles

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation, facility, class and identification; Procedure No (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude over facility on final approach course (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance from int. runway center line extended and final course to approach end of runway	Ceiling and visibility minimums		If visual contact not established at TVOR or if landing not accomplished
							Condition	Type aircraft	
1 WATERLOO IOWA Municipal, 870 BYOR-ALO TVOR-36 Effective date: September 10, 1954 Amendment No.: Original Supersedes No.: None Major changes: 1 New Procedure	2	3	6	5 E side of course: 183° outbound, 303° inbound, 2 100° within 15 miles	1 500	7 303—0 3	8 2 engines or less T-dn C-dn S-dn A-dn	9 10	11 Within 0 mile, climb to 2 000 on radial 348° within 12 miles

3 The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation, facility, class and identification; Procedure No; effective date	Transition to ILS			Minimum altitude at glide slope intercept (ft)	Altitude of glide slope at— Outer marker Middle marker	Ceiling and visibility minimums		If visual contact not established upon descent to authorized landing minimums or if landing not accomplished	
	From—	To—	Course and distance			Condition	Type aircraft		
1 WICHITA, KANS. Municipal 1 632 ILS-ICT LOM-10 Combination ILS-ADF Effective date: September 15, 1954 Amendment No.: Original Supersedes: None Cancels 611.2 dated July 12, 1953—Original, due to procedural being combined. Major changes: 1 ILS being commissioned.	2 Wichita LFR Wichita VOR Viola Radiobeacon Amess Intersection Oxford Radiobeacon Derby Radiobeacon Mayfield Intersection Rock Intersection Rome Intersection	3 LOM LOM LOM LOM LOM LOM LOM LOM LOM	4 235-11 163-10 033-14 063-13 324-26 277-9 010-21 250-23 330-23	7 2,500 2,500 2,500 2,500 2,500 2,500 2,500 2,500 2,500	8 2 357-4.9 1 523-0.6	9 1 523-0.6	10 2 engines or less T-dn C-dn S-dn *ILS ADF A-dn More than 2 engines T-dn C-dn S-dn *ILS ADF A-dn	11 12 13	13 Within 0.5 mile climb to 3,000 on N course ILS, intercept and proceed on NW course to ICT/LFR within 25 miles, or when directed by ATC, make 180° left turn, climbing to 2 500' on 216° radial of ICT VOR. CAUTION: Simultaneous approaches being conducted on Derby Radiobeacon to McConnell AFB, 2,449' tower 9 miles NNW airport. *200% if in accordance with CAM 40 466 (6) (1) note 7

These procedures shall become effective on the dates indicated in Column 1 of the procedures (Sec 205 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 U S C 651)

[SEAL]

F B LEE,
Administrator of Civil Aeronautics

[F. B. Doc 54-7375; Filed, Sept 23 1954; 8:55 a m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

DISABILITY COMPENSATION AND PENSION

New §§ 3.1521 and 3.1522 are added as follows:

§ 3.1521 *Instructions relating to the increase in monthly rates of disability compensation and pension.* (a) Under the first proviso of section 1, Public Law 695, 83d Congress, no increases will be made in statutory awards under subparagraphs (k) and (q), Part I, Veterans Regulation 1 (a) as amended (38 U. S. C. ch. 12) in the statutory awards under sections 202 (3) for the loss of use of a creative organ or one or more feet or hands and 202 (7) for arrested tuberculosis, of the World War Veterans' Act, 1924, as restored by Public No. 141, 73d Congress, and amended; in the additional compensation payable under Public Law 877, 80th Congress, as amended by Section 4, Public Law 339, 81st Congress; or in subsistence allowances. Under section 1, Public Law 698, 83d Congress, no increase will be made under sections 4756 or 4757 of the Revised Statutes as amended (38 U. S. C. 229, 230) (naval allowance) the act of April 27, 1916 (39 Stat. 53) as amended (38 U. S. C. 391 and the following) (Medal of Honor pension) or the act of February 28, 1929 (45 Stat. 1409) (pension awarded Major Walter Reed and those associated with him in the discovery of the cause and means of transmission of Yellow Fever)

(b) Section 1, Public Law 695, increases all the basic rates of disability compensation and the statutory awards by 5 percent subject to an adjustment upward or downward to the nearest dollar, except as provided in paragraph (a) of this section. Under the provisions of Public Law 876, 80th Congress, the rates of compensation for service-connected disability based upon service in the Regular Establishment during time of peace are 80 percent of the rates of compensation for disability incurred in time of war. The rates of disability compensation except as provided above under Part II, Veterans Regulation 1 (a) are therefore subject to the increase provided by Section 1, Public Law 695, further adjusted upward or downward to the nearest dollar. By virtue of the enactment of Public Law 28, 82d Congress, all of the compensations rates applicable to World War II veterans are also applicable to those veterans who served on or after June 27, 1950. Section 1, Public Law 698, increases pension by 5 percent except as provided in paragraph (a) of this section, not, however, adjusted upward or downward to the nearest dollar. Therefore, this section comprehends Spanish American War service, peacetime service, World War I service, World War II service and service within the purview of Public Law 28, 82d Congress, and involves both disability compensation and disability pension.

(c) Section 2, Public Law 698, 83d Congress and section 3, Public Law 695, 83d Congress, provide that "This Act shall take effect on the first day of the second calendar month following the date of its enactment." The effective dates of awards will be in accordance with the provisions of controlling Veterans' Administration Regulations, provided that in no event will benefits under the cited acts be awarded for any period prior to October 1, 1954. The increases provided shall be effective October 1, 1954 in claims pending or in an appellate status on August 28, 1954. In new claims filed on or after August 28, 1954, and prior to October 1, 1954, the increased rate will be effective October 1, 1954. (Instruction 1, section 1 and 3, Public Law 695, 83d Congress; sections 1 and 2, Public Law 698, 83d Congress.)

§ 3.1522 *Instructions relating to the increase in the monthly rates of compensation under the General Law enacted July 14, 1862, and in the monthly rates of pension for veterans of the Spanish American War Civil War and Indian Wars—(a) Basis of entitlement under Public Law 695, 83d Congress.* The provisions of Public Law 695, 83d Congress, provide for the increase of compensation and the effective date thereof of veterans who are receiving compensation under the General Law. The General Law rates enumerated in § 3.1062 (a) and (b) are increased by 5 percent and further adjusted upward or downward to the nearest dollar, provided the veteran served during war-time. No adjustment is in order where such rates are based on peacetime service. (However, in the latter cases, if the Part II, Veterans Regulations 1 (a) rates, as increased by Public Law 695, 83d Congress are now greater, compensation will be awarded under Public Law 553, 76th Congress, without requiring any election from the veteran.)

(b) *Effective date.* Section 2, Public Law 698, 83d Congress and section 3, Public Law 695, 83d Congress, provided that "This Act shall take effect on the first day of the second calendar month following the date of its enactment." The effective dates of awards will be in accordance with the provisions of controlling Veterans' Administration regulations, provided that in no event will benefits under the cited Acts be awarded for any period prior to October 1, 1954. The increases provided shall be effective October 1, 1954, in claims pending or in an appellate status on August 28, 1954. In new claims filed on or after August 28, 1954, and prior to October 1, 1954, the increased rates will be effective October 1, 1954. (Instruction 2, sections 1 and 3, Public Law 695, 83d Congress; sections 1 and 2, Public Law 698, 83d Congress.)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

[SEAL] J. C. PALMER,
Acting Deputy Administrator

[F. R. Doc. 54-7519; Filed, Sept. 23, 1954; 8:54 a. m.]

PART 3—VETERANS CLAIMS

BENEFITS BASED UPON SERVICE IN WAAC

A new § 3.1523 is added as follows:

§ 3.1523 *Benefits under the laws administered by the Veterans' Administration based upon service in the WAAC under certain conditions.* (a) Public Law 650, 83d Congress, approved August 24, 1954, provides:

That any person who served for at least ninety days in the Women's Army Auxiliary Corps who prior to the establishment of the Women's Army Corps was honorably discharged for disability incurred in line of duty rendering her physically unfit to perform further service in the Women's Army Auxiliary Corps or in the Women's Army Corps, established under Public Law 110, Seventy-eighth Congress, shall be deemed to have been in the active military service during such period of service for the purposes of laws administered by the Veterans' Administration. No monetary benefits shall accrue by reason of this Act for any period prior to the date of enactment and compensation or pension shall not be payable by virtue of this Act concurrently with United States employees' compensation based on the same service. Any person eligible for compensation or pension by reason of this Act who is also eligible for compensation benefits provided by the United States Employees' Compensation Act of 1917, as amended, shall elect which benefit she shall receive.

(b) It will be observed that the above quoted law confers benefits only upon those former members of the WAAC who (1) served for at least 90 days in such Corps and (2) who, prior to October 1, 1943, were honorably discharged for disability incurred in line of duty, (3) which rendered her unfit to perform further service in the WAAC or WAC. Any honorable discharge for disability will be accepted as proof of the existence of the third condition. The Veterans' Administration will generally follow the determinations of the service department relative to determination of line of duty but, as provided in § 3.66, may make a different determination when required by the Veterans' Administration's controlling laws and regulations. When the three conditions precedent are met, the individual is deemed to have been in the active military service during the period of service in the WAAC for purposes of the laws administered by the Veterans' Administration and is entitled to benefits on a parity with a former member of the Armed Forces.

(c) No payments may be made for any period prior to August 24, 1954, nor prior to receipt of claim for compensation or pension. Payments of such benefits shall not be made concurrently with United States employees' compensation based on the same service. Moreover, an election of benefits is required where the person is eligible for compensation or pension by reason of Public Law 650, 83d Congress, and is also eligible for compensation benefits under the Employees' Compensation Act. Benefits from the Bureau of Employees' Compensation were conferred by section 11 of Public Law 554, 77th Congress, and such section was saved from repeal by section 5, Public Law 110, 78th Congress.

(d) Entitlement under Public Law 650, 83d Congress, will be determined only upon receipt of a claim filed with the Veterans' Administration after August 24, 1954. Such claims will be carefully examined to determine whether, in answer to the specific question contained in the application, the claimant has stated that a claim for benefits has also been filed with the Bureau of Employees' Compensation. (Instruction 1, Public Law 650, 83d Congress.)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective September 24, 1954.

[SEAL]

J. C. PALMER,
Acting Deputy Administrator

[F. R. Doc. 54-7517; Filed, Sept. 23, 1954;
8:53 a. m.]

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

INCREASE IN MONTHLY RATES OF DEATH COMPENSATION AND PENSION TO DEPENDENTS OF DECEASED VETERANS

A new § 4.461 is added as follows:

§ 4.461 *Increase in monthly rates of death compensation and pension to dependents of deceased veterans—(a) Laws.* (1) The pertinent provisions of Public Law 695, 83d Congress, approved August 28, 1954, are as follows:

Sec. 2. The monthly rate of death compensation authorized under paragraph IV, part I, Veterans Regulation Numbered 1 (a), as amended, for a widow but no child is hereby increased from \$75 to \$87, and the rate of such compensation for a dependent mother or father is increased from \$60 to \$75, or if both are dependent, from \$35 to \$40 each.

Sec. 3. This act shall take effect on the first day of the second calendar month following the date of its enactment.

(2) The pertinent provisions of Public Law 698, 83d Congress, approved August 28, 1954, are as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) all monthly rates of pension for disability, age, or death payable to veterans or their dependents under any public law administered by the Veterans' Administration are hereby increased by 5 per centum, subject to the provisions of subsection (b) of this section.

(b) Subsection (a) shall not apply to pension payable under sections 4756 or 4757 of the Revised Statutes, as amended (38 U. S. C. 229, 230), the Act of April 27, 1916 (39 Stat. 53), as amended (38 U. S. C. 391 and the following), or the Act of February 28, 1929 (45 Stat. 1409).

Sec. 2. This act shall take effect on the first day of the second calendar month following the date of its enactment.

(b) *Current awards.* In awards of death compensation or pension approved on or after August 28, 1954, the increased rates will be applied in awards for periods on and after October 1, 1954. (Instruction 1, sections 2 and 3, Public Law 695, 83d Congress; Public Law 698, 83d Congress.)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

[SEAL]

J. C. PALMER,
Acting Deputy Administrator

[F. R. Doc. 54-7518; Filed, Sept. 23, 1954;
8:53 a. m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART E—VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952

EDUCATION AND TRAINING ALLOWANCES

1. In § 21.2052, a new paragraph (d) (4) is added as follows:

§ 21.2052 *Rates of education and training allowances.* * * *

(d) *Institutional on-farm training.* * * *

(4) Where it becomes necessary to extend the actual termination date of the course because of authorized periods of interruption within the course and there

has been no extension in the total number of months of training to be provided, the dates on which the periodic reductions become effective will be adjusted to accord with the months of authorized training status.

* * * * *
2. In § 21.2056, a new paragraph (b) (13) is added as follows:

§ 21.2056 *Effective date of change or discontinuance of education or training allowance.* * * *

(b) * * *

(13) (i) In the case of institutional on-farm training, as of the last day of the month preceding the month in which a veteran for any reason fails to receive the minimum 3 hours required each month of organized group instruction or the minimum of 2 visits each month by the instructor for the purpose of individual instruction. For any such period for which the education and training allowance is discontinued, the veteran's training status will be interrupted. Reentrance into training and the resumption of education and training allowance are in order as of the first day of the month following the month or months for which interruption was effected, if the school regards the veteran's conduct and progress satisfactory in accordance with its prescribed standards and practices, and other requirements of the law are satisfied.

(ii) Where the veteran's training is interrupted because of failure to meet the minimum monthly instructional requirements, the termination date of the Veteran's resumed course may be extended at the discretion of the school for a period of time equivalent to the period(s) of such interruption(s)

(Sec. 261, 66 Stat. 663)

This regulation is effective September 24, 1954.

[SEAL]

J. C. PALMER,
Acting Deputy Administrator

[F. R. Doc. 54-7516; Filed, Sept. 23, 1954;
8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY Internal Revenue Service [26 CFR Part 406]

WITHHOLDING ON PAYMENTS UNDER SECTION 105 (d) OF THE INTERNAL REVENUE CODE OF 1954

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining

thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 1429 and 3791 (53 Stat. 178, 467; 26 U. S. C. 1429, 3791) and section 1627 (57 Stat. 138; 26 U. S. C. 1627) of the Internal Revenue Code of 1939 and section 7805 of the Internal Revenue Code of 1954 (P. L. 591, 83d Congress, approved August 16, 1954; 26 U. S. C. 7805)

[SEAL]

T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

In order to amend Regulations 120 (26 CFR, Part 406) relating to collection of income tax at source on wages paid on

and after January 1, 1954, to provide rules for withholding on payments which are subject to section 105 (d) of the Internal Revenue Code of 1954, such regulations are hereby amended as follows:

PARAGRAPH 1. Section 406.207 is hereby amended by inserting at the end thereof the following new paragraph:

§ 406.207 *Wages.* * * *

(i) *Compensation for injuries or sickness; amounts received under accident and health plans.* (1) Withholding is not required upon amounts which are excludable from the gross income of the employee by reason of section 105 (d) of the Internal Revenue Code of 1954, if the records maintained by the employer in accordance with the provisions of § 406.607 (a)—

(i) Separately show the amounts of such payments and distinguish such amounts from all other payments, and

(ii) Establish the facts necessary to show that the employee is entitled to the exclusion provided by section 105 (d) either by means of a written statement from the employee as to the injury, illness, or hospitalization, or by any other information which the employer believes to be accurate and which he is willing to accept for purposes of payments under the wage continuation plan.

(2) For the purpose of § 406.501, relating to the requirement of receipts for employees, amounts excludable from gross income under the provisions of section 105 (d) shall be included in the total wages required to be shown on Form W-2. The amount of any such wages on which the employer, in reliance on section 105 (d) does not withhold must be properly identified. The amount so identified shall be shown in the lower right-hand box on Form W-2 in such manner that it may be read on each copy of the form.

(3) If, under an accident or health insurance plan, payments for a period of absence from work on account of injury or sickness are made to an employee by a person who is not the employer for whom services are performed but who is regarded as an employer under the provisions of § 406.205 (c) and such payments are attributable to contributions by the employer which were not includable in the gross income of the employee, the rules provided in the preceding subparagraphs shall apply. However, Form W-2 shall not be required under the preceding subparagraph in any such case in which, by reason of section 105 (d), no amount was withheld on any of the payments. For example, if under the insurance plan the weekly rate of pay-

ment does not exceed \$100 and no payment is made for absence on account of illness, unless there is one day hospitalization, so that all of the payments under the insurance plan are excludable under section 105 (d), no withholding need be made and no Form W-2 need be filed.

(4) See § 406.607 for general requirements relating to the keeping of records by employers.

PAR. 2. Section 406.607 (a) is hereby amended by inserting at the end thereof the following new subparagraph:

§ 406.607 *Records*—(a) *Records of employers.* * * *

(4) For additional record-keeping requirements in the case of payments under section 105 (d) of the Internal Revenue Code of 1954, see § 406.207 (l).

[F. R. Doc. 54-7543; Filed, Sept. 23, 1954; 8:55 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 312]

[Ex Parte No. 193]

FREIGHT TARIFFS AND SCHEDULES

CANCELLATION OF CERTAIN TARIFF CIRCULARS TRANSFERRED FROM FORMER U. S. MARITIME COMMISSION

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 8th day of September A. D. 1954.

It appearing, that Tariff Circulars Nos. 1 and 2, containing regulations governing the publication, posting and filing of rates, fares, and charges by carriers by water in interstate commerce, were transferred to this Commission as regu-

lations governing the construction, filing and posting of certain tariffs containing rates, fares and charges for transportation which formerly was subject to the jurisdiction of the United States Maritime Commission, such transfer being made in accordance with section 321 (b) of the Interstate Commerce Act insofar as such regulations are pertinent under part III of said act;

It further appearing, that all presently operating water carriers formerly subject to the jurisdiction of the United States Maritime Commission are now constructing their tariffs in conformity with tariff circulars of this Commission, and the continuance in force and effect of Tariff Circulars Nos. 1 and 2 serves no useful purpose;

And it further appearing, that, on May 7, 1954, the Commission entered its order in the above-entitled proceeding requiring interested common carriers by water to show cause on or before August 4, 1954, why said tariff circulars should not be canceled; and no objection to such cancellations having been received:

It is ordered, That Tariff Circulars Nos. 1 and 2, which were transferred to the Interstate Commerce Commission from the former United States Maritime Commission, be, and they are hereby, canceled.

It is further ordered, That notice of this order be given the general public by depositing a copy thereof in the Office of the Secretary of the Commission, and by filing a copy with the Director, Division of the Federal Register.

By the Commission, Division 2.

[SEAL] GEORGE W. LAMB,
Secretary.

[F. R. Doc. 54-7498; Filed, Sept. 23, 1954; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[472.53]

HATS AND BEADED BAG PLATES

TARIFF CLASSIFICATION

SEPTEMBER 20, 1954.

Hats, in part of hat braid, trimmed with a cellulose bow loosely basted thereto, and bag plates, beaded, in part of net embroidered with a design so placed that the embroidery cannot be seen when the plates are incorporated in finished bags.

The Bureau, by its letter to the collector of customs, New York, New York, dated September 20, 1954, ruled that hats in part of hat braid, trimmed with a cellulose bow loosely basted thereto, and beaded bag plates, in part of net embroidered with a design so placed that the embroidery cannot be seen when the plates are incorporated in finished bags, are not properly classifiable as ornamented articles under paragraph 1529 (a) Tariff Act of 1930, as modified.

Accordingly, inasmuch as such hats are in part of braid suitable for making hats, and are not ornamented, they are classifiable under subsection 15 of paragraph 1529 (a) with duty at the rate of 90 percent ad valorem. Beaded bag plates, in part of net embroidered with a design so placed that the embroidery cannot be seen when the plates are incorporated in finished bags, are classifiable under subsection 18 of paragraph 1529 (a), as articles in part of net, dutiable at the rate of 90 percent ad valorem.

As this ruling will result in the assessment of duty at a rate higher than that heretofore assessed under an established and uniform practice, it shall be applied only to such or similar merchandise entered, or withdrawn from warehouse, for consumption after 90 days from the date of the publication of an abstract of this decision in the weekly Treasury Decisions.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 54-7512; Filed, Sept. 23, 1954; 8:52 a. m.]

Fiscal Service, Bureau of the Public Debt

[1954 Dept. Circ. No. 949]

1½ PERCENT TREASURY NOTES OF SERIES B-1957

OFFERING OF NOTES

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for notes of the United States, designated 1½ Percent Treasury Notes of Series B-1957. The amount of the offering is \$4,000,000,000, or thereabouts. The books will be open only on September 23 for the receipt of subscriptions.

II. *Description of notes.* 1. The notes will be dated October 4, 1954, and will bear interest from that date at the rate of 1½ percent per annum, payable on a semiannual basis on May 15 and November 15, 1955, and thereafter on May 15 and November 15 in each year until

the principal amount becomes payable. They will mature May 15, 1957, and will not be subject to call for redemption prior to maturity.

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

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

4. Bearer notes with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The notes will not be issued in registered form.

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

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington. Commercial banks, which for this purpose are defined as banks accepting demand deposits, may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than commercial banks will not be permitted to enter subscriptions except for their own account. Subscriptions from commercial banks for their own account will be received without deposit, but will be restricted in each case to an amount not exceeding one-half of the combined capital, surplus and undivided profits, of the subscribing bank, as of June 30, 1954. Subscriptions from all others must be accompanied by payment of 10 percent of the amount of notes applied for, not subject to withdrawal until after allotment. Following allotment, any portion of the 10 percent payment in excess of 10 percent of the amount of notes allotted may be released upon the request of the subscribers.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, and to allot less than the amount of notes applied for; and any action he may take in these respects shall be final. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made or completed on or before October 4, 1954, or on later allotment. In every case where payment is not so completed, the payment with application up to 10 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for notes al-

lotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

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

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

[SEAL] G. M. HUMPHREY,
Secretary of the Treasury.

[F. R. Doc. 54-7513; Filed, Sept. 23, 1954;
8:52 a. m.]

Foreign Assets Control

INFORMATION OF SYNTHETIC MENTHOL DIRECTLY FROM AUSTRALIA

AVAILABLE CERTIFICATION BY THE COMMON- WEALTH OF AUSTRALIA

Notice is hereby given that certificates of origin issued by the Comptroller General of Customs for the Commonwealth of Australia under procedures agreed upon between that government and the Foreign Assets Control are now available with respect to the importation of synthetic menthol into the United States directly, or on a through bill of lading, from Australia.

[SEAL] ELTING ARNOLD,
Acting Director
Foreign Assets Control.

[F. R. Doc. 54-7525; Filed, Sept. 23, 1954;
8:55 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

Alice JOHANNA BERENT ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of 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

Alice Johanna Berent, Ella Minna Jeannette Michaelis, Meta Jeannette Minna Pank, Nina Sophie Laura Berent, Jean Carol Michaelis, Barbara Durrell Pank and Anne Durrell Woodward Fisher, nee Pank; all of

London, England. Herbert Sigmund Berent, Carolina Mary Berent and Cella Daphne Berent; all of Bletchingley, Surrey, England. Claim No. 42522, Vesting Orders Nos. 104 and 17983; \$5,819.37 in the Treasury of the United States; Canadian Pacific Railway Company Consolidated Debenture Stock, 4 percent perpetual, face value \$5,000, Certificates Nos. G37811, G43489, G75241 and G78941 at \$1,000 each and H1120 and H1158 at \$500 each, with coupons from July 1, 1954, attached, presently in custody of Safekeeping Department, Federal Reserve Bank of New York, at New York City; to Alice Johanna Berent, Ella Minna Jeannette Michaelis, Meta Jeannette Minna Pank, Nina Sophie Laura Berent, Jean Carol Michaelis, Barbara Durrell Pank, Anne Durrell Woodward Fisher, nee Pank, Herbert Sigmund Berent, Carolina Mary Berent and Cella Daphne Berent.

Executed at Washington, D. C., on September 20, 1954.

For the Attorney General.

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

[F. R. Doc. 54-7507; Filed, Sept. 23, 1954;
8:51 a. m.]

JEAN JACQUES LANGUEPIN ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of 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

Jean Jacques Languepin, Claude Alain Jean Languepin, Madame Josephine J. M. N. B. M. Marfaing, widow of Jacques Emile Jules Languepin, Paris, France, Claim No. 6857; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942), relating to United States Patent Application Serial Nos. 289,301 (now United States Letters Patent No. 2,315,093), 333,242, and 333,867.

An undivided one-half interest in and to the above-described property to each Jean Jacques Languepin and Claude Alain Jean Languepin, subject, however, to the usufructuary interest therein of Madame Josephine J. M. N. B. M. Marfaing, widow of Jacques Emile Jules Languepin, being a life interest in one-fourth (1/4) of said property.

Executed at Washington, D. C., on September 20, 1954.

For the Attorney General.

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

[F. R. Doc. 54-7508; Filed, Sept. 23, 1954;
8:51 a. m.]

ROBERT FRITZ ABEGG ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as

amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Robert Fritz Abegg, Ascona, Switzerland; Otto Eduard Abegg and Elsa Olga Abegg, Zurich, Switzerland; Margot Gladys Letellier-Abegg, Brussels, Belgium; Claim No. 34804, Vesting Order No. 5687; \$699.02 in the Treasury of the United States; one-fourth (¼) thereof to each claimant.

Executed at Washington, D. C., on September 20, 1954.

For the Attorney General.

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

[F. R. Doc. 54-7509; Filed, Sept. 23, 1954; 8:51 a. m.]

PIERRE ERNEST MERCIER

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

Pierre Ernest Mercier, Paris, France; Claim No. A-415; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942), relating to United States Patent Application Serial No. 330,007 (now United States Letters Patent No. 2,401,364).

Executed at Washington, D. C., on September 20, 1954.

For the Attorney General.

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

[F. R. Doc. 54-7510; Filed, Sept. 23, 1954; 8:51 a. m.]

MRS. ILSE GROSS AND JOAQUIN (JOACHIM)
MICHEL

NOTICE OF INTENTION TO RETURN VESTED
PROPERTY

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

No. 186—3

Claimant, Claim No., Property, and Location

Mrs. Ilse Gross, Casilla 610 Quito, Ecuador, Claim No. 42925; Joaquin (Joachim) Michel, C. Covarrubias 190 Santiago, Chile, Claim No. 44859; Vesting Order No. 1387; \$19,816.18 in the Treasury of the United States, and securities, 62½ percent to Ilse Gross, 37½ percent to Joaquin Michel, as follows:

\$12,200.00 Promissory note secured by Deed of Trust, dated at Stockton, California, March 28, 1950, signed by El Dorado Meat Market, a co-partnership, payable to the order of Herbert C. Coblenz, as Beneficiary, Trustee of the Trust Fund created by the Will of Ida Gross, deceased, in the amount of \$12,200, with interest at 4 percent payable semi-annually; principal payable in installments or \$500 or more on the 1st day of each sixth month beginning October 1, 1950 (principal due on note reduced to \$8,700.00 as of September 28, 1953);

Deed of Trust dated March 28, 1950, from El Dorado Meat Market, a co-partnership, to the said Herbert C. Coblenz, covering certain real property situated in the City of Stockton, San Joaquin County, California (premises 25-25½ North El Dorado Street), given to secure payment of the above described note. Recorded April 6, 1950, in Book of Official Records, Vol. 1254, Page 364, San Joaquin County Records, California;

Assignment dated January 27, 1954, from Herbert C. Coblenz, Trustee, to Security Title Insurance and Guarantee Company, of the above described indebtedness. Not recorded;

Policy of Title Insurance No. 107-431 issued by Security Title Insurance and Guarantee Company in the amount of \$17,500, covering title to the above described property;

Policy No. 955550, Insurance Company of North America, in the amount of \$2500. Expiration date June 27, 1954; and

Policy No. 372352, Insurance Company of North America, in the amount of \$15,000. Expiration date June 15, 1950, in the custody of the Office of Alien Property, Washington, D. C.

Executed at Washington, D. C., on September 20, 1954.

For the Attorney General.

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

[F. R. Doc. 54-7511; Filed, Sept. 23, 1954; 8:51 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 10610, 10611; FCC 54M-1170]

ARKANSAS TELEVISION CO. AND ARKANSAS
TELECASTERS, INC.

ORDER CONTINUING HEARING

In re applications of Arkansas Television Company, Little Rock, Arkansas, Docket No. 10610, File No. BPCT-1057; Arkansas Telecasters, Inc., North Little Rock, Arkansas, Docket No. 10611, File No. BPCT-1740; for construction permits for new television stations on Channel 11.

The Commission, having under consideration a motion filed September 16, 1954, by Arkansas Telecasters, Inc., North Little Rock, Arkansas, for continuance to 10 o'clock a. m. Monday, October 11, 1954, of the hearing in the above-entitled matter now scheduled for 10 o'clock a. m., Monday, October 4, 1954, and

It appearing that one of the principal witnesses for petitioner desires to be present during the interrogation of the so-called "West Memphis" witnesses and that he would be unable to do so if the hearing resumes on October 4, 1954, as presently scheduled because he is a State officer in an Insurance Association and, as such, must attend a meeting during that week of the American Life Insurance Companies; that, in any event, none of the other parties to this proceeding, including counsel for the Broadcast Bureau, have any objection to a grant of movant's request; and no party or person or the public interest would be adversely affected by a grant of the requested continuance:

Therefore, it is ordered, This 17th day of September 1954, that the Motion of Arkansas Telecasters, Inc., for continuance is granted; and the hearing in the above-entitled matter now scheduled for Monday, October 4, 1954, is continued to 10 o'clock, Monday, October 11, 1954, in Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-7514; Filed, Sept. 23, 1954; 8:52 a. m.]

[Docket Nos. 11051, 11052; FCC 54M-1167]

ABRAHAM KLEIN AND AIR-CALL, INC.

ORDER CONTINUING HEARING

In re applications of Abraham Klein, Pittsburgh, Pennsylvania, Docket No. 11051, File No. 1420-C2-P-53; Air-Call, Inc., Pittsburgh, Pennsylvania, Docket No. 11052, File No. 743-C2-P-54; for construction permits for one-way signaling stations in the Domestic Public Land Mobile Radio Service.

The Commission having under consideration the above-entitled proceeding;

It appearing, that counsel for all parties have agreed to a short continuance herein:

It is ordered, This 20th day of September 1954, that the hearing, heretofore scheduled for September 21, 1954, is continued to September 24, 1954, at 2:00 p. m.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-7515; Filed, Sept. 23, 1954; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1116, G-1152, G-1240, G-1317, G-1344, G-1373, G-1415, G-1417, G-1457, G-1503, G-1616, G-1625, G-1659, G-1725, G-1754, G-2057, G-2101, G-2234]

PANHANDLE EASTERN PIPE LINE CO., ET AL.

ORDER POSTPONING HEARING

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1725, G-1754, G-2101, City of Port Huron, City of Marysville, City of St. Clair, Michigan Municipal Corporations,

Docket No. G-1152; Southeastern Michigan Gas Company, Docket No. G-1415; Michigan Consolidated Gas Company, complainant v. Panhandle Eastern Pipe Line Company, defendant, Docket No. G-1379; Northern Indiana Fuel and Light Company Docket Nos. G-1457, G-2234, Missouri Central Natural Gas Company, Docket No. G-1509. The Central West Utility Company, Docket No. G-1616; Michigan Gas Utilities Company, Docket No. G-1625; City of Auburn, Illinois, Docket No. G-1659; Missouri Public Service Company, Docket No. G-2057.

By order issued September 3, 1954, the Commission fixed September 20, 1954, as the date for hearing concerning the just and reasonable and otherwise lawful rates and charges by Panhandle Eastern Pipe Line Company (Panhandle) for sales under the Natural Gas Act for the period from February 20, 1952, through April 30, 1954.

Panhandle, on September 10, 1954, filed a motion for prehearing conferences, pursuant to § 1.18 (c) of the Commission's rules, to commence not earlier than October 5, 1954, and for the continuance of the hearing until at least one week following the conclusion of the prehearing conferences.

By letter dated September 15, 1954, Panhandle notified the Commission that it had no objection to having its motion for prehearing conferences treated as a motion for informal conferences. Arrangement for such conferences must be determined on a day-to-day basis with the Presiding Examiner when the hearing convenes.

In support of its motion for continuance of the hearing, Panhandle stated that because of the many pressing matters directly involving it, which have been and are presently pending before the Commission, it will not be possible for Panhandle to be ready for hearing on September 20, 1954.

The Commission finds: Good cause exists and it is appropriate under the circumstances to postpone the hearing in this matter until October 12, 1954.

The Commission orders: The hearing in this proceeding be and the same is hereby postponed until October 12, 1954.

Adopted: September 17, 1954.

Issued: September 20, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-7506; Filed, Sept. 23, 1954;
8:50 a. m.]

[Docket Nos. G-2481, G-2482]

TEXAS EASTERN TRANSMISSION CORP. AND
TRANSCONTINENTAL GAS PIPE LINE CORP.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

In the matters of Texas Eastern Transmission Corporation, Docket No. G-2481, Texas Eastern Transmission Corporation and Transcontinental Gas Pipe Line Corporation, Docket No. G-2482.

On July 6, 1954, Texas Eastern Transmission Corporation (Texas Eastern) filed an application in Docket No. G-2481 pursuant to section 7 of the Natural Gas Act for authority to sell and deliver to certain of its present firm gas customers, for a period of one year beginning November 1, 1954, additional firm gas under its DCO Rate Schedules, and, for the period November 1, 1954, through March 31, 1955, gas available under its WPS Rate Schedule.

On July 7, 1954, Texas Eastern and Transcontinental Gas Pipe Line Corporation (Transcontinental) filed a joint application, pursuant to section 7 (c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing Texas Eastern to sell natural gas to Elizabethtown Consolidated Gas Company for the period November 1, 1954, through March 31, 1955, under Texas Eastern's WPS Rate Schedule. Pursuant to the application Transcontinental would receive delivery of the gas from Texas Eastern and redeliver it to Elizabethtown Consolidated.

Both applications contain the request for hearing under the shortened procedure provided for noncontested proceedings by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)). However, in Docket No. G-2481 leave to intervene has been granted jointly to National Coal Association, United Mine Workers of America, Fuels Research Council, Inc., Anthracite Institute, as well as to two customer companies of Texas Eastern.

Furthermore, both dockets raise a common issue in that the rate proposed to be charged by Texas Eastern under its WPS Rate Schedule has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful.

The Commission finds:

(1) It is appropriate and in the public interest that the above-entitled proceedings be consolidated for purposes of hearing and decision.

(2) It is necessary and proper in the public interest and in aid of the enforcement of the provisions of the Natural Gas Act, to enter upon a hearing pursuant to authority contained in sections 7 and 15 of the Natural Gas Act concerning authorization of the service proposed in the applications in Docket Nos. G-2481 and G-2482.

The Commission orders:

(A) The proceedings involved in Docket Nos. G-2481 and G-2482 are consolidated for purposes of hearing and decision.

(B) The requests that the proceedings be disposed of under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure are denied.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing be held on October 12, 1954 at 10:00 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues pre-

sented in the proceedings consolidated in Paragraph (A) hereof.

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

Adopted: September 17, 1954.

Issued: September 20, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-7502; Filed, Sept. 23, 1954;
8:49 a. m.]

[Docket No. G-2510]

JACK W. GRIGSBY, ET AL.

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Take notice that Jack W. Grigsby (Applicant) an independent producer with his principal place of business in Shreveport, Louisiana, filed on August 2, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the acts or operations hereinafter described.

Applicant produces natural gas from acreage located in the Carthage Field, Panola County, Texas, and proposes to sell such gas to United Gas Pipe Line Company (United) at the latter's existing pipe line at an initial base price of 8½ cents per Mcf in accordance with the terms of a contract dated June 24, 1954. Average daily deliveries are estimated at 1,500 Mcf. Applicant proposes to deliver such gas by means of 10,000 feet of 4½ inch pipeline. United states that it will transport gas purchased from Applicant by means of facilities authorized in Docket Nos. G-622, G-915 and G-1252.

The contract for the sale of gas involved herein lists as sellers, in addition to Jack W. Grigsby the following: M. F. Powers, The Chicago Corporation, N. V. Kinsey, Hugh M. Briggs and Ben R. Briggs, Clyde H. Alexander and Euna M. Alexander, Creston H. Alexander, Glenn E. Alexander, Helen Mae Dimit, Crow Drilling Company, Inc., Hayden Oil Company, Robert M. Bergstein and M. B. Chastain.

Applicant was issued temporary authorization on August 12, 1954, to perform the acts or operations described herein.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, 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 October 1954. The application is on file with the Commission for public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations.

The Commission finds: It is proper and consistent with the public interest that notice of application and order fixing date of hearing be published simultaneously.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on October 8, 1954, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however* That the Commission may, after a noncontested hearing, dispose of the proceeding pursuant to the provisions of § 1.30 (c) (2) of the Commission's rules of practice and procedure.

Adopted: September 17, 1954.

Issued: September 20, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-7503; Filed, Sept. 23, 1954;
8:50 a. m.]

[Docket No. G-2542]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION AND ORDER FIXING
DATE OF HEARING

Cities Service Gas Company (Cities Service) a Delaware corporation with its principal place of business in Oklahoma City, Oklahoma, filed, on August 12 and August 17, 1954, an application and supplement thereto pursuant to section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities for the transportation of natural gas in interstate commerce.

Cities Service proposes to construct the following facilities in order to maintain firm service during the 1954-1955 heating season in the Kansas City, Kansas and Missouri areas:

(a) Three 1,350 horsepower compressor units at its Welda Station;

(b) One mile of 16" gas pipeline, one mile of 6" gas pipeline, and four miles of 4" gas pipeline in the Colony, South Welda and North Welda storage fields; and

(c) Approximately fifty-five (55) injection and withdrawal wells in the Colony, South Welda and North Welda storage fields.

The estimated cost of the facilities to be constructed is \$1,426,690 which will be defrayed from treasury cash.

On September 1, 1954, the Commission granted Cities Service temporary authorization for the proposed construction pending determination on the application.

Cities Service requested that its application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

The Commission finds:

(1) It is appropriate in the public interest in carrying out the provisions of

the Natural Gas Act, and good cause exists, that due notice of the application including publication in the FEDERAL REGISTER, be given as hereinafter provided.

(2) It is appropriate in the public interest in carrying out the provisions of the Natural Gas Act, and good cause exists, that the application filed herein on August 12 as supplemented on August 17, 1954, should be set down for public hearing as hereinafter provided and ordered.

The Commission orders:

(A) Due notice of this application be given, including publication in the FEDERAL REGISTER of this notice of application and order.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on October 7, 1954, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however*, That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(C) Protests or petitions to intervene may be filed with the Commission in accordance with its rules of practice and procedure, §§ 1.8 and 1.10 (18 CFR 1.8 or 1.10) on or before October 4, 1954.

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

Adopted: September 17, 1954.

Issued: September 20, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-7504; Filed, Sept. 23, 1954;
8:50 a. m.]

[Docket No. G-2569, G-2570]

CITIES SERVICE GAS CO. AND SIGNAL OIL
AND GAS CO.

NOTICE OF APPLICATIONS AND ORDER CONSOLIDATING PROCEEDINGS AND FIXING
DATE OF HEARING

Take notice that Cities Service Gas Company (Cities Service) a Delaware corporation with offices in Oklahoma City, Oklahoma, filed, on August 24, 1954, an application interdependent with that of Signal Oil and Gas Company in Docket No. G-2570 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing construction and operation of certain natural-gas facilities as hereinafter described.

Cities Service proposes to construct and operate a 16-inch pipeline, approximately 15.5 miles in length, for the pur-

pose of transporting natural gas purchased from Signal Oil and Gas Company at the latter's gas processing plant in Carter County, Oklahoma, to its existing pipeline facilities in Garvin County, Oklahoma. Average initial contract volumes are 30,000 Mcf a day at an initial price of 12 cents per Mcf and Cities Service proposes to use the gas so obtained to serve increased firm demands of existing customers. Cost of the proposed facilities is estimated at \$541,050, and is to be financed from cash on hand.

Take notice that Signal Oil and Gas Company (Signal) a Delaware corporation and independent producer having its principal place of business in Los Angeles, California, filed, on August 24, 1954, as amended the same day, an application interdependent with that of Cities Service Gas Company in Docket No. G-2569 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the proposed acts or operations hereinafter described.

Signal commenced operation of its Fox gasoline plant located in Carter County, Oklahoma, during the early part of August 1954, purchasing casinghead gas from producers in Wheeler, Milroy, South Graham, South Scholem Alechen, Fox and North Fox fields in Stephens and Carter Counties, Oklahoma, under 75 gas purchase contracts with more than 150 producers. Such casinghead gas is purchased at the well-head, processed at the gasoline plant, and the producers are paid on the basis of the value of the products extracted plus 50 percent of the net proceeds from the sale of residue gas not returned to the producers. Signal proposes to sell such residue to Cities Service at the outlet side of the Fox plant under the conditions heretofore stated. Signal does not state that it is acting in a representative capacity on behalf of any of the producers from which it purchases gas.

Both Cities Service and Signal have been granted temporary authorization to perform the acts or operations for which each has herein requested authorization.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 12th day of October 1954. The application is on file with the Commission for public inspection.

Both Applicants have requested that its application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. On September 14, 1954, Oklahoma Natural Gas Company filed petitions for leave to intervene in the above-entitled proceedings and on September 15, 1954, the Corporation Commission of the State of Oklahoma filed a notice of intervention in said proceedings.

The Commission finds:

(1) Good cause exists for consolidation of the proceedings in Docket Nos. G-2569 and G-2570 on the ground that

the applications therein are interdependent.

(2) It is proper and consistent with the public interest that notice of application and order fixing date of hearing be published simultaneously.

(3) Good cause has not been shown for granting the requests that the applications herein be heard under the shortened procedure as provided by the Commission's rules of practice and procedure and said requests should be denied as hereinafter ordered.

The Commission orders:

(A) The proceedings in Docket Nos. G-2569 and G-2570 be and they are hereby consolidated for purposes of hearing and disposition.

(B) The requests that the applications herein be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure be and the same are hereby denied.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on October 28, 1954, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by said applications.

Adopted: September 17, 1954.

Issued: September 20, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-7505; Filed, Sept. 23, 1954;
8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1631]

CHANCE VOUGHT AIRCRAFT INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING 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 20th day of September A. D. 1954.

The San Francisco 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 Common Stock, \$1 Par Value, of Chance Vought Aircraft Incorporated, a security listed and registered on the New York Stock 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 October 8, 1954, the Commis-

sion 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. 54-7482; Filed, Sept. 23, 1954;
8:45 a. m.]

[File No. 54-188]

EASTERN UTILITIES ASSOCIATES

ORDER POSTPONING HEARING

SEPTEMBER 20, 1954.

The Commission, on August 24, 1954, having ordered a hearing to be held on October 26, 1954, with respect to the fee application filed by James M. Landis, Harold Brown, and Saul H. Waldman in the above-entitled proceeding; and Eastern Utilities Associates with the concurrence of the applicants having requested that said hearing be postponed to November 9, 1954:

It is ordered, That the hearing on the application of James M. Landis, Harold Brown, and Saul H. Waldman be, and the same hereby is, postponed to November 9, 1954.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 54-7483; Filed, Sept. 23, 1954;
8:46 a. m.]

[File No. 54-218]

CENTRAL OHIO LIGHT & POWER CO. ET AL.

NOTICE OF FILING OF PLAN OF MERGER OF PUBLIC UTILITY SUBSIDIARIES OF REGISTERED HOLDING COMPANY AND NOTICE OF AND ORDER FOR HEARING

SEPTEMBER 20, 1954.

In the matter of Central Ohio Light & Power Company, Ohio Power Company and American Gas and Electric Company.

Notice is hereby given that American Gas and Electric Company ("American") a registered holding company, and its public-utility subsidiary companies, Ohio Power Company ("Ohio Power") and Central Ohio Light & Power Company ("Central Ohio") have filed an application with this Commission for approval of a Plan of Merger of Central Ohio with and into Ohio Power as the surviving company. Applicants aver that the proposed merger of Central Ohio with and into Ohio Power is necessary to effectuate the provisions of section 11 (b) (2) of the Public Utility

Holding Company Act of 1935 ("act") and that section 11 (e) is therefore applicable to the proposed transaction.

All interested persons are referred to said application and Plan which are on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

I. Central Ohio has outstanding 162,030 shares of common stock, par value \$10 per share, of which American holds 160,567 shares or approximately 99.1 percent. The balance of 1,463 shares is held by 126 persons.

II. A. The Plan as submitted provides in substance as follows:

1. Central Ohio will be merged with and into Ohio Power under an Agreement of Merger to be filed in the office of the Secretary of State of the State of Ohio. Central Ohio's separate corporate existence will thereupon be terminated and Ohio Power will continue in existence as the surviving constituent corporation.

2. On the effective date of the merger, holders of certificates for common stock of Central Ohio, other than American, will be entitled upon surrender of the certificates for such shares on or before December 31, 1959, to receive the sum of \$50.00 per share in cash, without interest thereon, and will cease to have any other rights with respect to such shares. On and after January 1, 1960, any sums theretofore payable to holders of unsurrendered certificates in respect thereof shall become and be the property of Ohio Power free of any rights or claims thereon whatsoever.

3. The shares of common stock of Central Ohio owned by American shall be extinguished on the effective date of the merger and the certificates for such shares shall be cancelled.

4. The outstanding common and preferred stocks and first mortgage bonds, serial notes, notes payable to banks and other undischarged liabilities of Ohio Power on the effective date of the Agreement of Merger shall remain unchanged.

5. Ohio Power will assume all of the debts, liabilities and duties of Central Ohio, including its \$4,998,000 principal amount of first mortgage bonds, Series B, 2½ Percent, due 1977 and \$2,900,000 principal amount of short term notes payable to banks, and, in connection therewith, Ohio Power will execute an appropriate instrument assuming Central Ohio's indenture, dated as of February 1, 1944, as supplemented.

6. All of the property of Central Ohio will be vested in Ohio Power.

7. It is proposed, following approval of the Plan by the Commission, to submit the Agreement of Merger to a vote of stockholders of Ohio Power and Central Ohio. American, as the holder of the requisite number of shares required for approval of the Agreement of Merger, proposes to vote such shares in favor thereof.

B. The Plan and the consummation thereof are subject to, among others the following conditions:

1. The Commission shall find the Plan necessary to effectuate the provisions of subsection (b) of section 11 of the act and fair and equitable to the persons

affected thereby and shall make an order approving the Plan which order, if Ohio Power shall request, shall contain appropriate recitals under the provisions of the Internal Revenue laws of the United States.

2. The Commissioner of Internal Revenue shall have determined that no gain or loss to Ohio Power or Central Ohio will be recognized under the provisions of the Internal Revenue laws in connection with the merger of Central Ohio with and into Ohio Power and the transaction relative thereto, and that the transfers of properties and the issuances and transfers of securities under the Plan will not be subject to any documentary stamp or other tax under the Internal Revenue laws of the United States.

3. The Commission shall apply to a court of competent jurisdiction, in accordance with the provisions of section 11 (e) and section 18 (f) of the act, to enforce and carry out the terms and provisions of the Plan, and such court shall enter an order approving the Plan as fair and equitable and as appropriate to effectuate the provisions of section 11 of the act and to enforce and carry out the terms and provisions of the Plan and to make them binding upon all security holders of Ohio Power and Central Ohio.

C. Ohio Power will pay the expenses incurred by Ohio Power and Central Ohio in connection with the Plan, subject to approval of the Commission, and will pay such additional fees and expenses for services rendered as the Commission shall finally determine and allow.

III. The Commission being required by the provisions of section 11 (e) of the act, before approving any plan submitted thereunder, to find, after notice and opportunity for hearing, that the Plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11 of the act, and is fair and equitable to the persons affected thereby and

It appearing appropriate to the Commission that notice be given and a hearing be held in respect of said Plan, and that said Plan shall not become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said application for approval of said Plan, pursuant to the applicable provisions of the act and rules thereunder, be held on October 7, 1954, at 2:00 p. m., e. s. t., at the offices of the Securities and Exchange Commission, Washington 25, D. C., in such room as may be designated on that date by the hearing room clerk in Room 193.

It is further ordered, That any person desiring to be heard in connection with this proceeding, or otherwise wishing to participate herein, shall file with the Secretary of the Commission, on or before October 5, 1954, his request and application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Edward C. Johnson, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hear-

ing. The officer so designated to preside is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the application and the Plan, and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the Plan as submitted, or as it may hereafter be modified, is necessary to effectuate the provisions of section 11 (b) of the act;

2. Whether the provisions of the Plan are fair and equitable to all persons affected, particularly the payment of \$50 in cash to the public holders of the common stock of Central Ohio in full satisfaction of all their rights and interests in that company;

3. Whether the accounting entries to be made to record the proposed transactions on the books of Ohio Power and American Gas are appropriate and in conformity with sound accounting principles;

4. Whether the fees and expenses and other remuneration which may be claimed or paid in connection with the Plan and the transactions incident thereto are for necessary services and are reasonable in amount; and

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable provisions of the act and rules thereunder, and, if not, what modifications or amendments thereof should be required and what terms and conditions should be imposed to satisfy the applicable statutory standards;

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

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this notice and order by registered mail to Ohio Power, Central Ohio, American, The Hanover Bank, The National City Bank of Cleveland, the Public Utilities Commission of Ohio and The Federal Power Commission, that notice to all other persons shall be given by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935.

It is further ordered, That, at least 15 days prior to the date of such hearing, Central Ohio give notice of this hearing and of the transactions proposed by the Plan to all of its stockholders of record as of a date not earlier than 30 days prior to such hearing (in so far as the identity of such holders is known and their addresses available to the company) by mailing a copy of this notice and order to each such holder; and that,

upon request therefor, the company shall promptly furnish a copy of the Plan to any such stockholder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-7437; Filed, Sept. 23, 1954; 8:47 a. m.]

[File No. 70-3225]

AMERICAN NATURAL GAS CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF AGGREGATE PRINCIPAL AMOUNT OF INSTALLMENT NOTES TO BANKS TO REPAY OUTSTANDING COLLATERAL TRUST NOTES

SEPTEMBER 20, 1954.

American Natural Gas Company ("American Natural") a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 7 and 12 thereof and Rules U-42 (b) (2) and U-50 (a) (2) promulgated thereunder, with respect to proposed transactions which are summarized as follows:

American Natural proposes to refund its Collateral Trust Notes, at present outstanding in the aggregate principal amount of \$12,500,000, having various rates of interest of from 3 percent to 4 percent with a weighted average annual interest rate of 3.93 percent, by issuing and selling at par to three commercial banking institutions an aggregate of \$12,000,000 principal amount of installment notes, and by using other corporate funds to the extent required.

American Natural proposes, on or before October 6, 1954, to obtain commitments to lend to it on November 5, 1954, against execution and delivery by American Natural of its installment notes, the following amounts from the following institutions:

The National City Bank of New York.....	\$4,000,000
The Hanover Bank (New York).....	4,000,000
Mellon National Bank & Trust Co. (Pittsburgh).....	4,000,000
Total.....	12,000,000

As a commitment charge, American Natural will pay to the banks a total of \$5,000 (an amount equal to 1/2 of 1 percent per annum on the total amount of the proposed loan for the period October 6, 1954, to November 5, 1954)

On or before October 6, 1954, American Natural proposes to give notice to the holders of its Collateral Trust Notes that it will prepay said notes on November 5, 1954, these notes being prepayable at any time on thirty days' written notice. On November 5, 1954, the prepayment premium applicable to these outstanding notes will aggregate \$159,750. Of this amount, \$2,500 is applicable to notes held by the three lending banks, these banks having agreed to waive the prepayment premium applicable to the notes held by them.

American Natural proposes to execute and deliver on November 5, 1954, to the above-named banks its installment notes and receive the loans. The new notes are to be dated November 5, 1954, will

bear interest at the rate of 3¼ percent per annum, and will provide for the payment of the principal thereof at the rate of \$500,000 annually on the first five anniversary dates and at the rate of \$750,000 on the sixth and seventh anniversary dates, with a balance of \$8,000,000 payable eight years after the date of the notes. Any installment is prepayable in advance of maturity, in whole or in part, without premium or penalty except in case of prepayment from the proceeds of borrowings from other banks, in which event there will be payable a premium of ¼ of 1 percent per annum for the unexpired term of the prepaid amount. The notes will be unsecured but will contain a negative pledge clause under which American Natural, should it secure any indebtedness by the pledge of any securities, of any of its subsidiaries, will be obligated to secure these installment notes equally and ratably with such other indebtedness.

The fees and expenses to be paid by American Natural in connection with the proposed transactions are estimated as follows:

Premium payable on retirement of collateral trust notes.....	\$157,250
Payment to banks for lending commitment	5,000
Sidley, Austin, Burgess & Smith, legal fee.....	1,000
Miscellaneous telephone, telegraph, duplicating, traveling and other expenses and contingencies.....	1,000
Total.....	164,250

Due notice having been given of the filing of the declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied, that the fees and expenses, if they do not exceed the estimates, are not unreasonable, and that the declaration should be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-7485; Filed, Sept. 23, 1954;
8:46 a. m.]

[File No. 70-3297]

LOUISIANA POWER & LIGHT CO.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING

SEPTEMBER 20, 1954.

Notice is hereby given that Louisiana Power & Light Company ("Louisiana") a public-utility subsidiary of Middle South Utilities, Inc., a registered holding company, has filed with this Commission a declaration designating sections 6 (a), 7, and 12 (c) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42 (b) (2) and U-50 promul-

gated thereunder as applicable to the proposed transactions, which are summarized as follows:

Louisiana proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$18,000,000 principal amount of First Mortgage Bonds -- Percent Series, due 1984. The bonds, which are to be dated as of October 1, 1954, are to be secured by the company's Mortgage and Deed of Trust dated April 1, 1944, as heretofore supplemented and as to be further supplemented by a Fourth Supplemental Indenture, to be dated October 1, 1954. The interest rate applicable to the new bonds (which is to be a multiple of ½ of 1 percent) and the price to be paid Louisiana (which is to be not less than 100 percent nor more than 102.75 percent of principal amount) are to be fixed at competitive bidding.

The declaration states that the net proceeds from the sale of the bonds will be used to redeem and retire Louisiana's First Mortgage Bonds, 4 Percent Series, due 1983 presently outstanding in the aggregate principal amount of \$12,000,000; to pay for the cost of constructing new facilities; and to provide Louisiana with funds for other corporate purposes. The filing further states that the estimated cost of construction to be built by Louisiana during the calendar years 1954 and 1955 will approximate \$30,600,000, of which \$8,200,000 had been expended by July 31, 1954.

The filing states that the proposed transactions are subject to no state regulatory body or agency and that no Federal commission other than this Commission has jurisdiction in the matter.

Notice is further given that any interested person may, not later than October 8, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, and the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after October 8, 1954, said declaration, as filed or as amended, may be permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions, as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-7484; Filed, Sept. 23, 1954;
8:46 a. m.]

[File No. 812-892]

TEMPLETON GROWTH FUND OF CANADA,
LTD.

NOTICE OF APPLICATION FOR ORDER PERMITTING REGISTRATION AND SALE OF SECURITIES IN THE U. S.

Notice is hereby given that Templeton Growth Fund of Canada, Ltd. ("Applicant"), an investment company pro-

posed to be chartered under The Companies Act of 1934, of Canada, has filed an application under section 7 (d) of the Investment Company Act of 1940 (the "act") and Rule N-7D-1 thereunder seeking an order of the Commission permitting Applicant to register as an investment company under the act and to make a public offering of its securities in the United States.

Section 7 (d) of the act prohibits a foreign investment company from selling its securities to the public through the mails or any means or instrumentalities of interstate commerce unless the Commission issues a conditional or unconditional order permitting such company to register under the act and to make a public offering of its securities in the United States. To issue such an order the Commission must find that, by reason of special circumstances or arrangements, it is both legally and practically feasible effectively to enforce the provisions of the act against such company and that the issuance of such order is otherwise consistent with the public interest and the protection of investors.

Rule N-7D-1 is declarative of the special circumstances and arrangements to be entered into by a management investment company organized under the laws of Canada, so that an order under section 7 (d) may be entered as a course, and without the necessity for hearing, if such order is otherwise appropriate. Applicant's charter, by-laws, undertakings and agreements, contained in its application, are designed to meet the requirements and conditions outlined in Rule N-7D-1.

Applicant was organized in September 1954 for the purpose of carrying on business as an investment company, concentrating its investments in securities of issuers substantially engaged in Canadian enterprises. Its authorized capital stock consists of Common Shares and Deferred Shares which have the same rights except that Deferred Shares have no redemption rights. Applicant does not intend to issue its Deferred Shares. Applicant states that its initial capital of \$1,000,000 will be provided by the issuance and private sale of its common shares to Templeton, Dobbrow & Vance, Inc., investment advisers, and certain of its clients, who will purchase for investment; thereafter Applicant intends to make an initial public offering of its Common Shares. Six months after Applicant shall have received an aggregate of \$1,200,000 from the sale of its Common Shares such shares will become redeemable, pursuant to Applicant's Letters Patent, and Applicant proposes then to operate as a non-diversified open-end management company.

Notice is further given that any interested person may, not later than October 4, 1954, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon.

Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-7486; Filed, Sept. 23, 1954;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29702]

SCRAP OR WASTE MICA FROM NORTH CAROLINA, GEORGIA AND TENNESSEE TO FORT WORTH, TEXAS

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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 carriers parties to schedule listed below.

Commodities involved: Mica, crude, scrap or waste, not ground, suitable for grinding purposes only, carloads.

From: Boonford, Franklin, Kona, Sprucepine, and Murphy, N. C., Hartwell, Ga., and Johnson City, Tenn.

To: Fort Worth, Tex.

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

Schedules filed containing proposed rates; F. C. Kratzmeir, Agent, I. C. C. No. 4090, supp. 48.

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.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7490; Filed, Sept. 23, 1954;
8:48 a. m.]

[4th Sec. Application 29703]

AGRICULTURAL IMPLEMENTS FROM CENTRAL AND ILLINOIS TERRITORIES TO NORTH ATLANTIC PORTS

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to schedule listed below.

Commodities involved: Agricultural implements and parts, carloads.

From: Points in Central and Illinois territories.

To: North Atlantic ports, for export. Grounds for relief: Rail competition, circuitry, grouping, and to maintain port rate relations.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. No. 4542, supp. 81.

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

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7491; Filed, Sept. 23, 1954;
8:48 a. m.]

[4th Sec. Application 29704]

GRAIN FROM NEBRASKA TO THE SOUTH

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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 W. J. Prueter, Agent, for carriers parties to his tariff I. C. C. No. A-3866 and Agent Spaninger's tariff I. C. C. No. 1325.

Commodities involved: Grain and grain products, carloads.

From: Points in Nebraska.

To: Points in Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.

Grounds for relief: Rail competition, circuitry, market competition, grouping, and rates in conformity with order in docket 31136.

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.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7492; Filed, Sept. 23, 1954;
8:43 a. m.]

[4th Sec. Application 23705]

CASTOR POMACE FROM HOBART, OKLA., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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 carriers parties to schedule listed below. Commodities involved: Castor pomace, carloads.

From: Hobart, Okla.

To: Southern territory.

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

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4112, supp. 15.

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.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7493; Filed, Sept. 23, 1954;
8:43 a. m.]

[4th Sec. Application 23706]

LIQUID CAUSTIC SODA FROM McINTOSH, ALA., TO AUSTIN, IND., AND TUSCOLA AND QUINCY, ILL.

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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 schedule listed below.

Commodities involved: Liquid caustic soda, in tank-car loads.

From: McIntosh, Ala.

To: Austin, Ind., Tuscola and Quincy, Ill.

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

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1351, supp. 92.

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.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 54-7494; Filed, Sept. 23, 1954;
8:48 a. m.]

[4th Sec. Application 29707]

PETROLEUM PRODUCTS IN ILLINOIS
TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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. G. Raasch, Agent, for carriers parties to schedule listed below.
Commodities involved: Gasoline, distillate fuel oil, and other petroleum products, in tank-car loads.

From: Refining, marine and pipeline points in Illinois territory.

To: Points in Illinois territory.

Grounds for relief: Rail competition, circuitry, competition with motor carriers, and to maintain grouping.

Schedules filed containing proposed rates: R. G. Raasch, Agent, I. C. C. No. 813.

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.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7495; Filed, Sept. 23, 1954;
8:49 a. m.]

[4th Sec. Application 29708]

COTTONSEED FROM POINTS IN NORTH CAROLINA AND SOUTH CAROLINA TO POINTS IN GEORGIA, SOUTH CAROLINA AND NORTH CAROLINA

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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 The Atlantic Coast Line Railroad Company.

Commodities involved: Cottonseed, carloads.

From: Points in North Carolina and South Carolina.

To: Points in Georgia, South Carolina, and North Carolina.

Grounds for relief: Competition with rail carriers, circuitous routes, and rates constructed on the basis of the short line distance formula.

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.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 54-7496; Filed, Sept. 23, 1954;
8:49 a. m.]

[4th Sec. Application 29709]

MOTOR-RAIL-MOTOR RATES BETWEEN
KANSAS CITY, KANS., AND OKLAHOMA
CITY AND TULSA, OKLA., AND DALLAS,
TEX., SUBSTITUTED SERVICE

APPLICATION FOR RELIEF

SEPTEMBER 21, 1954.

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 Middlewest Motor Freight Bureau, Agent, for the Missouri-Kansas-Texas Railroad Company, Missouri-Kansas-Texas Railroad Company of Texas, Gillette Motor Transport, Inc., Mid Continent Freight Lines, Inc., and other motor carriers.

Commodities involved: Highway trailers, loaded or empty on flat cars.

Between: Kansas City, Kans., on the one hand, and Oklahoma City and Tulsa, Okla., and Dallas, Tex., on the other.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: Middlewest Motor Freight Bureau, Agent, MF-I. C. C. No. 223, supp. 14.

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.

[SEAL] GEORGE W. LAIRD,
Secretary.

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8:49 a. m.]