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## TITLE 3—THE PRESIDENT

### PROCLAMATION 3068

COLUMBUS DAY, 1954

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS the courageous voyage on which Christopher Columbus embarked over four and one-half centuries ago opened to our ancestors the untold opportunities of this new Continent; and

WHEREAS the discovery of Christopher Columbus led to the settlement of our land and, ultimately, to the birth of our nation; and

WHEREAS it is therefore especially fitting that the memory of this great Admiral be accorded appropriate recognition each year by the people of this Nation; and

WHEREAS, in commemoration of the achievement of this intrepid explorer, the Congress of the United States, by a joint resolution approved April 30, 1934 (48 Stat. 657) requested the President to issue a proclamation designating October 12 of each year, the anniversary of the discovery of America, as Columbus Day.

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Tuesday, October 12, 1954, as Columbus Day, and I invite all the people of our Nation to observe this anniversary with appropriate ceremonies. I also call upon officials of the Government to arrange for the display of the flag of the United States on all public buildings on the twelfth day of October in honor of the memory of Christopher Columbus.

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

DONE at the City of Washington this 1st day of October in the year of our Lord nineteen hundred and [SEAL] fifty-four, and of the Independence of the United States of

America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,  
*Secretary of State.*

[F. R. Doc. 54-7918; Filed, Oct. 5, 1954;  
1:02 p. m.]

### PROCLAMATION 3069

NATIONAL OLYMPIC DAY, 1954

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS the XVth Olympic Games of the modern era will be held at Melbourne, Australia, November 22 to December 8, 1956, with Winter Games to be held at Cortina d'Ampezzo, Italy, January 26 to February 5, 1956, and the Pan American Games will be held at Mexico City in March 1955; and

WHEREAS by a joint resolution approved April 22, 1954 (68 Stat. 58), the Congress has declared that these games will afford an opportunity of bringing together young men and women representing more than seventy nations, of many races, creeds, and stations in life and possessing various habits and customs, all bound together by the universal appeal of friendly athletic competition; and

WHEREAS the said joint resolution calls attention to the fact that the United States Olympic Association is presently engaged in assuring maximum support for the teams representing the United States in these athletic contests, and requests the President to issue a proclamation designating the sixteenth day of October 1954 as National Olympic Day.

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate Saturday, October 16, 1954, as National

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### CFR SUPPLEMENTS

(For use during 1954)

All of the cumulative pocket supplements and revised books of the Code of Federal Regulations (as of January 1, 1954) are now available, except the supplements to Titles 1-3 and to the General Index.

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Olympic Day, and I urge all citizens of our country to do all in their power to support the XVth Olympic Games, the Winter Games, and the Pan American Games so as to insure that the United States will be fully and adequately represented in these games.

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

DONE at the City of Washington this 2d day of October in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,  
*Secretary of State.*

[F. R. Doc. 54-7963; Filed, Oct. 6, 1954; 10:55 a. m.]

**PROCLAMATION 3070**

**IMPOSING A QUOTA ON IMPORTS OF OATS BY THE PRESIDENT OF THE UNITED STATES OF AMERICA**  
A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as ad-

ed by section 31 of the act of August 24, 1935, 49 Stat. 773, reenacted by section 1 of the act of June 3, 1937, 50 Stat. 246, and as amended by section 3 of the act of July 3, 1948, 62 Stat. 1248, section 3 of the act of June 28, 1950, 64 Stat. 261, and section 8 (b) of the act of June 16, 1951, 65 Stat. 72 (7 U. S. C. 624), the Secretary of Agriculture has advised me that he has reason to believe that oats, hulled or unhulled, and unhulled ground oats are practically certain to be imported into the United States after September 30, 1954, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price-support program undertaken by the Department of Agriculture with respect to oats pursuant to sections 301 and 401 of the Agricultural Act of 1949, as amended, or to reduce substantially the amount of products processed in the United States from domestic oats with respect to which such program of the Department of Agriculture is being undertaken; and

WHEREAS, on August 20, 1954, I caused the United States Tariff Commission to make an investigation under the said section 22 with respect to this matter; and

WHEREAS, the said Tariff Commission has made such investigation and has reported to me its findings and recommendations made in connection therewith; and

WHEREAS, on the basis of the said investigation and report of the Tariff Commission, I find that oats, hulled and unhulled, and unhulled ground oats, in the aggregate, are practically certain to be imported into the United States during the period from October 1, 1954, to September 30, 1955, inclusive, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the said price-support program with respect to oats; and

WHEREAS, I find and declare that the imposition of the quantitative limitations hereinafter proclaimed is shown by such investigation of the Tariff Commission to be necessary in order that the entry, or withdrawal from warehouse, for consumption of oats, hulled and unhulled, and unhulled ground oats will not render or tend to render ineffective, or materially interfere with, the said price-support program:

NOW THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural

Adjustment Act, as amended, do hereby proclaim that the total aggregate quantity of oats, hulled and unhulled, and unhulled ground oats entered, or withdrawn from warehouse, for consumption during the period from October 1, 1954, to September 30, 1955, inclusive, shall not be permitted to exceed 40,000,000 bushels of 32 pounds each, which permissible total quantity I find and declare to be proportionately not less than 50 per centum of the total average aggregate annual quantity of such oats entered, or withdrawn from warehouse, for consumption during the representative period from July 1, 1948, to June 30, 1953, inclusive; and that, of the foregoing permissible total quantity, not more than 39,312,000 bushels of 32 pounds each shall be imported from Canada and not more than 688,000 bushels of 32 pounds each shall be imported from other foreign countries.

The provisions of this proclamation shall not apply to certified or registered seed oats for use for seeding and crop-improvement purposes, in bags tagged and sealed by an officially recognized seed-certifying agency of the country of production: *Provided*, (a) that the individual shipment amounts to 100 bushels (of 32 pounds each) or less, or (b) that the individual shipment amounts to more than 100 bushels (of 32 pounds each) and the written approval of the Secretary of Agriculture or his designated representative is presented at the time of entry, or bond is furnished in a form prescribed by the Commissioner of Customs in an amount equal to the value of the merchandise as set forth in the entry, plus the estimated duty as determined at the time of entry, conditioned upon the production of such written approval within 6 months from the date of entry.

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

DONE at the City of Washington this 4th day of October in the year of our Lord nineteen hundred and fifty-four, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,  
*Secretary of State.*

[F. R. Doc. 54-7862; Filed, Oct. 6, 1954; 10:55 a. m.]

# RULES AND REGULATIONS

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.231]

#### PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

##### DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11, *Designation of differential posts*, is amended as follows, effective on the dates indicated.

1. Effective as of the beginning of the first pay period following October 9, 1954, paragraph (a) is amended by the deletion of the following posts:

Kirkuk, Iraq.  
Samawa, Iraq.

2. Effective as of the beginning of the first pay period following October 9, 1954, paragraph (a) is amended by the addition of the following posts:

Iraq, all posts except Baghdad and Basra.

3. Effective as of the beginning of the first pay period following September 11, 1954, paragraph (b) is amended by the addition of the following post:

Zagora, Morocco.

(Sec. 102, Part I, E. O. 10,000, 13 F. R. 5453, 3 CFR, 1948 Supp.)

For the Acting Secretary of State.

I. W. CARPENTER,  
Assistant Secretary.

SEPTEMBER 29, 1954.

[F. R. Doc. 54-7866; Filed, Oct. 6, 1954; 8:47 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

#### Subchapter B—Loans, Purchases, and Other Operations

[1954 Emergency Feed Program]

#### PART 485—1954 EMERGENCY FEED PROGRAM

##### FARMER'S PURCHASE ORDER; VALUE

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 19 F. R. 5466 and containing the specific requirements for the 1954 Emergency Feed Program are hereby amended as follows:

Section 485.4 (c) is amended to increase the value of Farmer's Purchase Orders from \$0.60 per hundredweight to \$1.00 per hundredweight, so that the amended paragraph (c) reads as follows:

§ 485.4 *Farmer's Purchase Order*

(c) *Value.* The value of a Purchase Order shall be an amount equal to the number of hundredweight of designated surplus feed grains purchased by the farmer, but not to exceed the number of

hundredweight shown in section 1 of the Purchase Order, multiplied by \$1.00 per hundredweight. For the purpose of computing value, approved mixed feed designated as Mixed Feed A by the dealer shall be deemed to contain 75 percent of designated surplus feed grains even though a larger percentage of such feed grains is actually contained in the mix; approved mixed feed designated as Mixed Feed B by the dealer shall be deemed to contain 60 percent of designated surplus feed grains even though a larger percentage of such feed grains is actually contained in the mix. (Mixed Feed A must contain at least 75 percent of designated surplus feed grains and Mixed Feed B must contain at least 60 percent of designated surplus feed grains; however, larger percentages of designated surplus feed grains may be contained in either of the mixes.)

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 407, 63 Stat. 1055, as amended by sec. 301, Public Law 480, 83rd Cong.; 7 U. S. C. 1427)

This amendment is effective as of September 15, 1954.

Issued this 4th day of October 1954.

[SEAL] J. A. McCONNELL,  
Executive Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 54-7897; Filed, Oct. 6, 1954; 8:52 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 37]

#### PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

##### SUBPART B—VESICULAR EXANTHEMA

##### CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123, 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111-113, 120) and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117) § 76.27, as amended, Subpart B, Part 76, Title 9, Code of Federal Regulations (19 F. R. 5207, 5604, 6079) which contains a notice of the areas in which swine are affected with vesicular exanthema, a contagious, infectious, and communicable disease, and which quarantines such areas because of said disease, is hereby further amended in the following respects:

1. Paragraph (a) relating to California, is amended to read:

(a) California: (1) Secs. 31 and 32, T. 2 S., R. 2 W., MDBM; NE. ¼ Sec. 1, T. 3 S., R. 2 W., MDBM; SW. ¼ Sec. 34, T. 3 S., R. 2 W., MDBM; Sec. 22, T. 5 S., R. 1 W., MDBM;

W. ½ Sec. 8, T. 4 S., R. 1 W., MDBM; NW. ¼ Sec. 16, T. 3 S., R. 2 E., MDBM; Secs. 22 and 24, T. 3 S., R. 2 E., MDBM; SE. ¼ Sec. 35, T. 2 S., R. 2 E., MDBM; that area included within a boundary beginning at a point on W. line of Plot 4, Rancho El Valle, 10.47 chains N. from N. line Plot 3, Rancho El Valle, thence N. 53° W. 17.95 chains, thence N. 69° 4' E. 8.67 chains, thence N. to County Road, thence SE. along SW. line of County Road to E. line Plot 4, thence S. to point of beginning, consisting of 32.98 acres within lots 8-15; NE. ¼ Sec. 25, T. 3 S., R. 3 W., MDBM; E. ½ Sec. 13, T. 3 S., R. 3 W., MDBM; and NE. ¼ Sec. 20, T. 3 S., R. 2 E., MDBM, in Alameda County.

(2) N. ½ of NW. ¼ Sec. 22, T. 6 N., R. 11 E., MDBM, in Amador County.

(3) That area lying north of Humboldt Road, south of Eighth Avenue and Big Chico Creek, west of Ponderosa Way, and east of Forest Avenue, in Butte County.

(4) Lot 10, consisting of 162.25 acres in Garcia Ranch (land grant) located in Briones Valley, the SE. branch of Pinole Valley; SE. ¼ Sec. 33, T. 2 N., R. 3 E., MDBM; that area included within a boundary beginning at a point 200 feet east on the ¼ Section line, Sec. 27, R. 1 E., T. 2 N., MDBM, thence 75 feet north, thence 300 feet east, thence 45° northeast to a point 200 feet south and 200 feet east of the NW. ¼ Sec. lines, thence 300 feet south, thence 10 feet east, thence 500 feet south, thence 485 feet west to the NW. point of ¼ Sec. line; NE. ¼ of N. ½ Sec. 22, T. 1 N., R. 3 E., MDBM; Sec. 19, T. 1 S., R. 2 W., MDBM; that area included within a boundary beginning at a point 200 feet east on the ¼ Sec. line, Sec. 27, R. 1 E., T. 2 N., MDBM, thence south 400 feet west, thence 1050 feet south to a point in the north line of Corto Paso Road, thence 885 feet east, thence approximately 1117 feet north, thence 485 feet west on the Northhorn ¼ Sec. line; that part of the SE. ¼ Sec. 2, T. 1 N., R. 5 W., MDBM, lying west of the SE. ¼ of the SE. ¼ Sec. 2, T. 1 N., R. 5 W., MDBM, south of the San Pablo Creek, and north and east of the San Pablo Canal; Sec. 9, T. 1 S., R. 3 W., MDBM; and SE. ¼ Sec. 2, T. 1 N., R. 5 W., MDBM, in Contra Costa County.

(5) Sec. 17, T. 16 N., R. 1 W., HUBM, in Del Norte County.

(6) NW. ¼ Sec. 26, T. 10 N., R. 10 E., MDBM, in El Dorado County.

(7) S. ½ of SE. ¼ Sec. 30, T. 14 S., R. 10 E., MDBM; and E. ½ of SE. ¼ Sec. 34, T. 12 S., R. 21 E., MDBM, in Fresno County.

(8) That area lying north of County Road No. 57, south of County Road No. 53, west of County Road "M," and east of Glenn-Colusa Irrigation Canal, in Glenn County.

(9) Sec. 24, T. 4 S., R. 3 E., HUBM; Sec. 7, T. 2 N., R. 1 E., HUBM; Sec. 19, T. 4 S., R. 4 E., HUBM; and Sec. 30, T. 8 N., R. 1 E., HUBM, in Humboldt County.

(10) Tract 47, Sec. 24, T. 16 S., R. 12 E., SBBM; Tract 40, Sec. 30, T. 15 S., R. 16 E., SBBM; Lots 48 and 49, Sec. 15, T. 12 S., R. 14 E., SBBM; Sec. 36, T. 15 S., R. 23 E., SBBM; Tract 35, Sec. 27, T. 15 S., R. 15 E., SBBM; Tract 111, Sec. 9, T. 16 S., R. 14 E., SBBM; Tract 135, Sec. 7, T. 15 S., R. 14 E., and Sec. 12, T. 15 S., R. 13 E., SBBM, in Imperial County.

(11) NW. ¼ Sec. 17, T. 32 S., R. 24 E., MDBM; E. ½ Sec. 8, T. 31 S., R. 28 E., and SW. ¼ Sec. 21, T. 28 S., R. 27 E., MDBM; Sec. 8, T. 30 S., R. 38 E., MDBM; Sec. 15, T. 25 S., R. 25 E., MDBM; and Secs. 7 and 18, T. 28 S., R. 27 E., MDBM, in Kern County.

(12) Secs. 26 and 27, T. 14 N., R. 10 W., MDBM, in Lake County.

(13) SE. ¼ Sec. 23, T. 8 N., R. 12 W., SBBM; NE. ¼ Sec. 22, T. 8 N., R. 11 W., SBBM; NE. ¼ of NE. ¼ Sec. 14, T. 5 N., R. 14 W., SBBM; SE. ¼ Sec. 28, SW. ¼ Sec. 27, NE. ¼ Sec. 23,

and NW. ¼ Sec. 34, T. 5 N., R. 15 W., SBBM; that part of the City of Torrance included within a boundary beginning at the intersection of Spencer Street and Madrona Avenue, thence west 330 feet, thence north 700 feet, thence east 330 feet, and thence south to point of beginning; that part of the City of El Monte included within a boundary beginning at the intersection of Peck Road and Clark Street, thence east 1,000 feet, thence north 700 feet, thence west 1,000 feet, and thence south to point of beginning; that part of the City of El Monte included within a boundary beginning 1,000 feet east of the intersection of Peck Road and Clark Street, thence east ¼ mile, thence north ¼ mile, thence west ¼ mile, and thence south to point of beginning; that part of the City of Torrance included within a boundary beginning 330 feet west of the intersection of Spencer Street and Madrona Avenue, thence west 300 feet, thence north 700 feet, thence east 300 feet, and thence south to point of beginning; that part of the City of Pomona included within a boundary beginning at the south end of Garey Street, thence west 1 mile, thence north ½ mile, thence east 1 mile, and thence south to point of beginning; Secs. 25 and 36, T. 5 N., R. 16 W., SBBM; NE. ¼ Sec. 19, T. 5 N., R. 13 W., SBBM; that part of the City of Norwalk included within a boundary beginning at the intersection of Imperial Highway and Bloomfield Avenue, thence east ¼ mile, thence south ¼ mile, thence west ¼ mile, and thence north to point of beginning; E. ½ Sec. 36, T. 4 N., R. 17 W., and W. ½ Sec. 31, T. 4 N., R. 16 W., SBBM; that part of the City of Dominguez included within a boundary beginning ½ mile south of the intersection of Alameda and Artesia Streets, thence west ¼ mile, thence south ¼ mile, thence east ¼ mile, and thence north to point of beginning; SW. ¼ Sec. 1, T. 4 N., R. 16 W., SBBM; that part of the City of Torrance included within a boundary beginning at the intersection of Meyer Lane and Dominguez Street (190th Street), thence west ½ mile, thence south ¼ mile, thence east ½ mile, and thence north to point of beginning; Sec. 9, T. 4 N., R. 14 W., SBBM; and Sec. 9, T. 4 N., R. 15 W., SBBM, in Los Angeles County.

(14) Sec. 18, T. 2 N., R. 7 W., MDBM; Sec. 22, T. 1 N., R. 6 W., MDBM; that part of Sec. 27, T. 1 N., R. 7 W., MDBM, lying west of Panoramic Highway; Sec. 25, T. 3 N., R. 9 W., MDBM; Secs. 11, 12, 13, and 14, T. 1 N., R. 6 W., MDBM; and Secs. 9 and 10, T. 2 N., R. 6 W., MDBM, in Marin County.

(15) Sec. 27, T. 15 N., R. 12 W., MDBM, and Sec. 22, T. 19 N., R. 13 W., MDBM, in Mendocino County.

(16) Sec. 11, T. 8 S., R. 8 E., MDBM; that area lying west of Tyler Street, east of Los Banos Highway, north of Cone Avenue, and south of Childs Avenue; and Sec. 31, T. 7 S., R. 9 E., MDBM, in Merced County.

(17) NW. ¼ Sec. 2, T. 2 S., R. 26 E., MDBM, in Mono County.

(18) That part of the Town of Soledad consisting of Lots 1 and 2 as designated on map entitled "plot of Lot No. 5 of subdivision at Rancho San Vincente" Lot 9 of Locke Paddon Colony No. 43 in the Town of Castroville; that area lying south of the Salinas River, west of Fort Ord Road, north of Monterey Road, and east of State Highway No. 1; that area lying south of Reindollar Avenue, east of State Highway No. 1, north of Fort Ord Road, and west of Sunrise Avenue; that area lying south of Carmel Avenue, east of Sunset Avenue, north of Reindollar Avenue, and west of California Avenue; Sub. C of Lot 3, Assessor Map No. 1 of San Vincente Ranch, Lots 75B, 77B, and 78B; and Secs. 2 and 3, T. 15 S., R. 2 E., MDBM, in Monterey County.

(19) That part of Napa Township lying north and east of Browns Valley Road, south of Redwood Road, and west of Napa

Creek; Sec. 13, T. 4 N., R. 3 W., MDBM; Sec. 9, T. 6 N., R. 5 W., MDBM; N. ½ of NE. ¼ Sec. 11, T. 5 N., R. 4 W., MDBM; and Sec. 29, T. 8 N., R. 5 W., MDBM, in Napa County.

(20) Sec. 7, T. 15 N., R. 8 E., MDBM, in Nevada County.

(21) Sec. 7, T. 3 S., R. 9 W., SBBM; NE. ¼ Sec. 19, T. 3 S., R. 10 W., SBBM; NE. ¼ Sec. 4, T. 4 S., R. 11 W., SBBM; Sec. 26, T. 3 S., R. 11 W., SBBM; Sec. 15, T. 5 S., R. 10 W., SBBM; Sec. 27, T. 6 S., R. 8 W., SBBM; and NE. ¼ Sec. 19, T. 3 S., R. 10 W., SBBM, in Orange County.

(22) Sec. 27, T. 4 S., R. 4 W., SBBM; SW. ¼ Sec. 10, T. 3 S., R. 3 W., SBBM; SE. ¼ Sec. 31, T. 5 S., R. 2 W., SBBM; Secs. 3 and 10, T. 7 S., R. 23 E., SBBM; Sec. 16, T. 4 S., R. 4 W., SBBM; Parcels 94 and 95, Prado Basin, T. 3 S., R. 7 W., SBBM; SW. ¼ Sec. 33, T. 3 S., R. 6 W., SBBM; Lot 1, Sec. 6, T. 7 S., R. 1 W., SBBM; W. ½ Sec. 22, T. 4 S., R. 4 W., SBBM; E. ½ Sec. 17, T. 3 S., R. 2 W., SBBM; and Sec. 32, T. 4 S., R. 7 E., SBBM, in Riverside County.

(23) N. ½ of NW. ¼ Sec. 33, T. 9 N., R. 7 E., MDBM; SE. ¼ of SE. ¼ Sec. 3, T. 7 N., R. 6 E., MDBM; SE. ¼ Sec. 23, T. 7 N., R. 5 E., MDBM; S. ½ of NW. ¼ Sec. 33, T. 9 N., R. 7 E., MDBM; and SW. ¼ Sec. 16, T. 7 N., R. 6 E., MDBM, in Sacramento County.

(24) SE. ¼ of SW. ¼ Sec. 32, T. 1 N., R. 5 W., SBBM; E. ½ Sec. 15, T. 10 N., R. 3 W., SBBM; Sec. 13, Sec. 14, and Sec. 15, NW. ¼ Sec. 22, NE. ½ Sec. 23, N. ½ of NW. ¼ Sec. 24, NE. ¼ Sec. 24, N. ½ of SE. ¼ Sec. 24, and S. ½ of SE. ¼ Sec. 16, T. 9 N., R. 1 E., and W. ½ of SW. ¼ and S. ½ of SE. ¼ Sec. 19, T. 9 N., R. 2 E., SBBM; W. ½ Sec. 28, T. 12 N., R. 2 E., SBBM; SE. ¼ Sec. 31, T. 2 N., R. 9 E., SBBM; Sec. 36, T. 1 S., R. 5 W., SBBM; Sec. 17, T. 6 N., R. 3 W., SBBM; N. ½ Sec. 2, T. 9 N., R. 2 W., SBBM; E. ½ of NE. ¼ Sec. 25, T. 3 N., R. 6 W., SBBM; Lots 1, 3, 4, 5, and 6, Sec. 25, T. 11 N., R. 21 E., SBBM; NW. ¼ Sec. 13, T. 2 S., R. 7 W., SBBM; W. ½ of NE. ¼ Sec. 25, T. 3 N., R. 6 W., SBBM, in San Bernardino County.

(25) SW. ¼ Sec. 30, T. 18 S., R. 1 W., SBBM; NW. ¼ Sec. 36, T. 18 S., R. 2 W., SBBM; SW. ¼ Sec. 14, T. 14 S., R. 3 W., SBBM; NE. ¼ Sec. 19, T. 18 S., R. 1 W., SBBM; NE. ¼ Sec. 25, T. 18 S., R. 2 W., SBBM; W. ½ of NE. ¼ Sec. 19, T. 18 S., R. 1 W., SBBM; Lots 2, 3, and 4, Sec. 12, T. 12 S., R. 3 W., SBBM; S. ½ Sec. 23, T. 10 S., R. 3 E., SBBM; E. ½ of SE. ¼ of SE. ¼ of SW. ¼ Sec. 24, T. 18 S., R. 2 W., SBBM; NW. ¼ of SE. ¼ Sec. 34, T. 12 S., R. 1 E., SBBM; NW. ¼ Sec. 20, T. 10 S., R. 1 E., SBBM; W. ½ of NE. ¼ Sec. 20, T. 18 S., R. 2 W., SBBM; E. ½ Sec. 30, T. 14 S., R. 2 W., SBBM; N. ½ of SE. ¼ Sec. 18, T. 15 S., R. 2 E., SBBM; NW. ¼ of SW. ¼ of NE. ¼ Sec. 25, T. 18 S., R. 2 W., SBBM; NW. ¼ Sec. 33, T. 11 S., R. 4 W., SBBM; NE. ¼ Sec. 28, T. 12 S., R. 3 W., SBBM; W. ½ of NW. ¼ of NW. ¼ Sec. 32, T. 11 S., R. 4 W., SBBM; Lots 1, 2, and 3, NW. ¼ Sec. 28, T. 12 S., R. 2 W., SBBM; NW. ¼ of SW. ¼ of SE. ¼ Sec. 24, T. 16 S., R. 1 W., SBBM; Sec. 24 and Sec. 25, T. 14 S., R. 1 E., SBBM; E. ½ of NW. ¼ and E. ½ of SW. ¼ Sec. 32, T. 11 S., R. 4 W., SBBM; W. ½ of SW. ¼ Sec. 21, T. 10 S., R. 3 W., SBBM; NE. ¼ of NW. ¼ Sec. 19, T. 18 S., R. 1 W., SBBM; Sec. 30, T. 16 S., R. 1 E., SBBM; E. ½ of NE. ¼ of NE. ¼ Sec. 19 and N. ½ of NW. ¼ Sec. 20, T. 18 S., R. 1 W., SBBM; Lots 82 to 89, inclusive, Sec. 24, T. 18 S., R. 2 W., SBBM; NE. ¼ Sec. 28, T. 15 S., R. 1 E., SBBM; E. ½ of SW. ¼ of SE. ¼ of SW. ¼ Sec. 24, T. 18 S., R. 2 W., SBBM; Lots 70, 71, and 103, Sec. 24, T. 18 S., R. 2 W., SBBM; Sec. 14, T. 18 S., R. 6 E., SBBM; SE. ¼ Sec. 29, T. 15 S., R. 1 W., SBBM; SW. ¼ Sec. 24, T. 18 S., R. 2 W., SBBM; SE. ¼ Sec. 22, T. 18 S., R. 1 W., SBBM; NW. ¼ Sec. 25, T. 18 S., R. 2 W., SBBM; SE. ¼ Sec. 27, T. 15 S., R. 1 W., SBBM; and N. ½ Sec. 2, T. 15 S., R. 1 E., SBBM, in San Diego County.

(26) NW. ¼ Sec. 33, T. 5 N., R. 5 E., MDBM; Secs. 20 and 29, T. 2 S., R. 6 E., MDBM; N. ½ Sec. 5 and W. ½ Sec. 4, T. 1 N., R. 6 E., MDBM;

and SE. ¼ Sec. 22, T. 1 N., R. 6 E., MDBM, in San Joaquin County.

(27) S. ½ Sec. 8, T. 26 S., R. 12 E., MDBM; NE. ¼ of NE. ¼ Sec. 15, T. 26 S., R. 12 E., MDBM; Lot 50 of Rancho Corral de Piedro (land grant) lying east of Arroyo Grande Highway; NE. ¼ Sec. 30, T. 27 S., R. 11 E., MDBM; and Lot 19, Block 23 of Atascadero Colony (land grant), in San Luis Obispo County.

(28) SW. ¼ Sec. 7, T. 3 S., R. 5 W., MDBM; SW. ¼ Sec. 12, T. 3 S., R. 6 W., MDBM; SW. ¼ Sec. 11, T. 3 S., R. 6 W., MDBM; S. ½ of SW. ¼ Sec. 36, T. 5 S., R. 4 W., MDBM; SE. ¼ Sec. 14, T. 4 S., R. 6 W., MDBM; NW. ¼ Sec. 25, T. 4 S., R. 6 W., MDBM; NW. ¼ Sec. 32, T. 7 S., R. 3 W., MDBM; NE. ¼ Sec. 26, T. 7 S., R. 3 W., MDBM; SW. ¼ Sec. 20, T. 4 S., R. 6 W., MDBM; NW. ¼ Sec. 28, T. 4 S., R. 6 W., MDBM; SE. ¼ Sec. 13, T. 4 S., R. 6 W., MDBM; NE. ¼ Sec. 25, T. 3 S., R. 6 W., MDBM; and NW. ¼ Sec. 18, T. 3 S., R. 5 W., MDBM, in San Mateo County.

(29) SE. ¼ of SE. ¼ Sec. 34, T. 5 N., R. 28 W., MDBM; NE. ¼ of NW. ¼ Sec. 12, T. 10 N., R. 33 W., MDBM; and that area included within a boundary beginning at the intersection of San Marcus and San Antonio Roads, thence south on San Antonio Road to Foothill Road, thence west ¼ mile on Foothill Road, thence north 1 mile to San Marcus Road, thence east on San Marcus Road to point of beginning, in Santa Barbara County.

(30) NE. ¼ Sec. 14, T. 6 S., R. 1 W., MDBM; NE. ¼ Sec. 22, T. 6 S., R. 1 W., MDBM; that part of NE. ¼ Sec. 9, T. 6 S., R. 2 W., lying east of Sterling Road, south and east of San Francisco Bay, and north of Moffat Field; that part of the NE. ¼ Sec. 9, T. 6 S., R. 2 W., lying west of Sterling Road, east of Bayshore Highway, south of San Francisco Bay, and north of Charleston Avenue; NE. ¼ Sec. 30, T. 8 S., R. 1 E., MDBM; NE. ¼ Sec. 7, T. 8 S., R. 1 W., MDBM; NW. ¼ Sec. 15, T. 8 S., R. 2 W., MDBM; SE. ¼ of T. 5 S., R. 1 W., MDBM; that part of the City of Milpitas lying south of Alviso-Milpitas Road, north of Trimble Road, west of State Highway No. 17, and east of the Eastshore Freeway; NE. ¼ Sec. 15, T. 6 S., R. 1 W., MDBM; SE. ¼ Sec. 16, T. 7 S., R. 3 W., MDBM; NE. ¼ Sec. 19, T. 6 S., R. 1 W., MDBM; NE. ¼ Sec. 34, T. 7 S., R. 1 E., MDBM; NW. ¼ Sec. 31, T. 10 S., R. 4 E., MDBM; and SE. ¼ Sec. 32, T. 8 S., R. 1 E., in Santa Clara County.

(31) Sec. 17, T. 11 S., R. 2 W., MDBM; that area lying south of Old State Highway No. 1, east of Estate Drive, north of State Highway No. 1, and west of Monte Vista Street; that area lying east of Old San Jose Road, and north, south and west of Soquel Creek; and that area lying east of Branchforte Drive, south of Happy Valley Road, west of Arana Gulch Road, and north of DeLavega Park Road, in Santa Cruz County.

(32) Sec. 32, T. 32 N., R. 5 W., MDBM, in Shasta County.

(33) N. ½ Sec. 23 and S. ½ Sec. 14, T. 45 N., R. 7 W., MDBM; and NW. ¼ Sec. 34, T. 40 N., R. 4 E., MDBM, in Siskiyou County.

(34) Secs. 28 and 33, T. 3 N., R. 3 W., MDBM; Secs. 19 and 24, T. 3 N., R. 2 W., MDBM; NW. ¼ Sec. 20 and NW. ¼ Sec. 29, T. 5 N., R. 1 W., MDBM; Sec. 7 and Sec. 18, T. 4 N., R. 2 W., MDBM; SE. ¼ Sec. 30, T. 7 N., R. 1 E., MDBM; Sec. 13, T. 4 N., R. 2 E., MDBM; and SE. ¼ Sec. 13, T. 7 N., R. 1 W., MDBM, in Solano County.

(35) That part of the Rancho Petaluma Grant lying west of Arnold Drive, south of Fowler Creek Road, north of Leveroni Road, and east of Rogers Creek; that part of Rancho Petaluma Grant lying west of Arnold Drive, east of Orange Avenue, south of Craig Avenue, and north of Grove Avenue; that part of Healdsburg Township lying south of Alexander Valley Road, east of U. S. Highway No. 101, and north and west of the Russian River; that part of Secs. 16 and 21, T. 8 N., R. 8 W., MDBM, lying south of Faught Creek and west of Faught Road; that part of Healdsburg Township lying south of Lytton

Road, north and east of Chiquilita Road, and west of U. S. Highway No. 101; NW.  $\frac{1}{4}$  Sec. 30, T. 7 N., R. 9 W., MDBM; that part of Rancho Agua Caliente Grant lying south and east of Arnold Drive, west of State Highway No. 12, and north of Madrone Road; and that part of Rancho Petaluma Grant lying south and east of State Highway No. 37, west of Maffel Lane, and north of Wayne Road, in Sonoma County.

(36) SW.  $\frac{1}{4}$  Sec. 5, T. 5 S., R. 9 E., MDBM; that portion of the NE.  $\frac{1}{4}$  Sec. 11, T. 2 S., R. 10 E., lying south of the Stanislaus River; Sec. 17, T. 4 S., R. 8 E., MDBM; Sec. 13, T. 7 S., R. 8 E., MDBM; NW.  $\frac{1}{4}$  Sec. 25, T. 3 S., R. 8 E., MDBM; and Sec. 21, T. 4 S., R. 8 E., MDBM, in Stanislaus County.

(37) Sec. 8, T. 5 N., R. 6 E., HuBM, in Trinity County.

(38) SW.  $\frac{1}{4}$  Sec. 2 and SW  $\frac{1}{4}$  Sec. 11, T. 18 S., R. 26 E., MDBM; NW.  $\frac{1}{4}$  Sec. 15, T. 20 S., R. 24 E., MDBM; SE.  $\frac{1}{4}$  Sec. 6, T. 18 S., R. 24, MDBM; NW.  $\frac{1}{4}$  Sec. 36, T. 17 S., R. 26 E., MDBM; and SE.  $\frac{1}{4}$  Sec. 11, T. 21 S., R. 29 E., MDBM, in Tulare County.

(39) Secs. 32 and 33, T. 2 N., R. 15 E., MDBM; and Secs. 1 and 2, T. 1 N., R. 14 E., in Tuolumne County.

(40) S.  $\frac{1}{2}$  Sec. 32, T. 3 N., R. 2 W., MDBM; Sec. 16, T. 2 N., R. 22 W., MDBM; N.  $\frac{1}{2}$  Sec. 32, T. 3 N., R. 20 W., MDBM; Sec. 33, T. 4 N., R. 24 W., MDBM; NE.  $\frac{1}{4}$  Sec. 16, NW.  $\frac{1}{2}$  Sec. 15 and SE.  $\frac{1}{4}$  Sec. 9; T. 1 S., R. 20 W., MDBM; Sec. 22, T. 1 N., R. 20 W., MDBM; and Sec. 21, T. 3 N., R. 19 W., MDBM, in Ventura County.

(41) NW.  $\frac{1}{4}$  Sec. 11, T. 9 N., R. 2 E., MDBM; SE.  $\frac{1}{4}$  of NW.  $\frac{1}{4}$  Sec. 30, T. 10 N., R. 2 E., MDBM; and that area included within a boundary beginning at the intersection of County Roads Numbers 124 and 126, extending south  $\frac{1}{4}$  mile, thence west  $\frac{1}{2}$  mile, thence north  $\frac{1}{4}$  mile, thence east to County Road No. 124, and thence southeast along County Road No. 124 to point of beginning, in Yolo County.

(42) That area lying north of the extension of the north boundary of Marysville City Limits to the Yuba River, south of the Hallwood Sand and Gravel Company Road to the Yuba River, west of the Yuba River, and east of State Highway No. 20, in Yuba County.

2. Paragraph (c), relating to Maine, is deleted.

3. Subdivision (viii) of subparagraph (7) of paragraph (d) relating to Plymouth County in Massachusetts, is deleted.

4. Subdivision (i) of subparagraph (7) of paragraph (d) relating to Plymouth County in Massachusetts, is amended to read:

(1) That part of the City of Brockton lying south of Center Street, north of Plain Street, and east of Summer Street.

5. Subdivision (xviii) of subparagraph (8) of paragraph (d) relating to Worcester County in Massachusetts, is deleted.

6. Subdivisions (i) (ii) and (iv) of subparagraph (2) of paragraph (g) relating to Providence County in Rhode Island, are amended to read:

(1) That part of the Town of Cranston lying east of Pippin Orchard Road, west of Seven Mile Road, north of Plainfield Pike, and south of Scituate Avenue; and that part of the Town of Cranston lying south and west of Olney Arnold Road, north of Phenix and Hope Roads, and east of Pippin Orchard Road;

(ii) That part of the Town of Johnston lying east of Simmonsville Avenue, north-west of Scituate Avenue, and south of Sim-

monsville Lake; that part of the Town of Johnston lying east of Old Pocasset Road, west of Atwood Avenue, north of Central Pike, and south of U. S. Route No. 6; that part of the Town of Johnston lying south of Shun Pike, north of Plainfield Pike, west of Taylor Road, and east of Green Hill Road; that part of the Town of Johnston lying south of Central Avenue, north of Shup Pike, west of Cedar Swamp Brook, and east of Peck Hill Road; that part of the Town of Johnston lying south of Hartford and Stevenson Avenues, north of Pine Hill Road, and west of Cross Road; and that part of the Town of Johnston lying south of Cherry Hill Avenue, north of Hartford Avenue, west of Elsie Drive, and east of Atwood Avenue;

(iv) That part of the City of Providence lying east of Hamlin Street, west of Elena Street, north of Olney Street, and south of Mineral Spring Avenue; that part of the City of Providence lying south of Swan Point Cemetery, north of Gulf Avenue, west of the Seekonk River, and east of Grotto Avenue; that part of the City of Providence lying south of Rosner Street, north of Smart Street, west of Woodward Road, and east of Thelma Avenue; that part of the City of Providence lying south and east of Fruit Hill Avenue, and west of Olney Avenue; that part of the City of Providence lying south of Arthur Avenue, north of Gem Street, west of Washington Street, and east of Nemo Street; and that part of the City of Providence lying north of Francis Avenue, west of Pawtucket City Line, and east of Charles Street.

7. A new subdivision (xii) is added to subparagraph (2) of paragraph (g) relating to Providence County in Rhode Island to read:

(xii) That part of the Town of Howard lying south and east of Pontiac Avenue, and north and west of the Pawtuxet River.

**Effective date.** The foregoing amendment shall become effective upon issuance.

The amendment excludes certain areas in California, Maine, Massachusetts, and Rhode Island, from the areas in which vesicular exanthema has been found to exist and in which a quarantine has been established. Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1953 Supp., Part 76, Subpart B, as amended, will not apply to such areas. However, the restrictions pertaining to such movement from nonquarantined areas, contained in said Subpart B, as amended will apply thereto.

The amendment relieves certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, 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 amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 7, 23-Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 111-113, 117, 120, 123, 125)

Done at Washington, D. C., this 1st day of October 1954.

[SEAL] M. R. CLARKSON,  
Acting Administrator,  
Agricultural Research Service.  
[F. R. Doc. 54-7896; Filed, Oct. 6, 1954;  
8:52 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53617]

#### PART 7—CUSTOMS RELATIONS WITH INSULAR POSSESSIONS AND GUANTANAMO BAY NAVAL STATION

#### PART 9—IMPORTATIONS BY MAIL

#### PRODUCTS OF INSULAR POSSESSIONS OTHER THAN PUERTO RICO

In order to provide for uniform customs treatment of articles produced in the insular possessions of the United States, except Puerto Rico, and brought into customs territory of the United States, and to conform to changes in law made by the Customs Simplification Act of 1954, the following amendments are made to the Customs Regulations:

1. Section 7.8 is amended to read as follows:

§ 7.8 *Insular possessions of the United States other than Puerto Rico* (a) When articles coming directly into the United States from an insular possession, other than Puerto Rico, in a shipment valued over \$25 are sought to be admitted free of duty under the provisions of section 301, Tariff Act of 1930, as amended, relating to certain articles produced in such insular possessions,<sup>11</sup> there shall be filed in connection with the entry a certificate of origin covering articles shipped from insular possessions (except Puerto Rico) to the United States, customs Form 3229, signed by the chief or assistant chief customs officer at the port of shipment,<sup>12</sup> showing that such merchandise is the growth or product of such possession, or manufactured or produced in such possession, from materials the growth, product, or manufacture of any such possession or of the United States, or of both, which do not contain foreign materials to the value of more than 50 per centum of their total value. Such certificate shall not be required for any shipment valued at \$25 or less.

(b) When articles coming directly into the United States from an insular possession, other than Puerto Rico, in a shipment valued over \$25 are sought to be admitted free of duty under the provisions of section 301, Tariff Act of 1930, as amended, relating to certain articles returned to the United States,<sup>13</sup> there shall be filed in connection with the entry the following evidence:

(1) A certificate, customs Form 4467, of the collector of customs at the port from which the merchandise was shipped from the United States, except that no such certificate shall be required if the collector is satisfied by reason of the nature of the articles or otherwise that

no drawback of duties or refund or remission of taxes was allowed on the merchandise by reason of such shipment. This certificate shall be issued on application of the importer, or of the collector at the importer's request, and shall be mailed by the issuing officer directly to the port at which it is to be used. If the merchandise was shipped from the port at which entry is made and the fact of shipment appears on the records of the customhouse, the fact of return shall be noted on such record but the filing of the certificate on Form 4467 shall not be required.

(2) A declaration of the shipper in the insular possession in the following form:

I, \_\_\_\_\_ of \_\_\_\_\_, do hereby declare that to the best of my knowledge and belief the articles identified below were sent directly from the United States on \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, of \_\_\_\_\_, (Insular possession) on the \_\_\_\_\_, and that the \_\_\_\_\_ (Name of carrier) articles remained in said insular possession until shipped by me directly to the United States via the \_\_\_\_\_ (Name of carrier) on \_\_\_\_\_, 19\_\_\_\_.

Marks	Numbers	Quantity	Description	Value

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
(Shipper)

Such certificate and declaration shall not be required for shipments valued at \$25 or less, or in any case where the collector is satisfied by reason of the nature of the articles or otherwise that they were shipped directly to the insular possession and were returned therefrom by direct shipment, and that no drawback of duties or refund or remission of taxes was allowed when the articles were shipped from the United States.

(c) When merchandise, excluding any shipments valued at \$25 or less, arrives unaccompanied by a certificate of origin or a declaration of the shipper, or when any other document necessary to complete entry is lacking, a bond for the production thereof may be taken on customs Form 7551, 7553, or other appropriate form, except that a bond for production of a bill of lading shall be taken on customs Form 7581.

(d) In determining whether an article produced or manufactured in any such insular possession contains foreign materials to the value of more than 50 per centum, a comparison shall be made between the actual purchase price of the foreign materials (excluding any material which at the time such article is entered, or withdrawn from warehouse, for consumption in the United States, may be imported into the United States from a foreign country, other than Cuba or the Philippine Republic, free of duty), plus the cost of transportation to such insular possession (but excluding duties and taxes, if any, assessed by the insular possession and any charges which may accrue after landing) and the final ap-

praised value in the United States determined in accordance with section 402, Tariff Act of 1930, as amended, of the article brought into the United States.

(e) An invoice certified by the chief or assistant chief customs officer at the port of shipment in such insular possessions shall be required in connection with the entry of each shipment of dutiable merchandise valued over \$500, except that no such invoice shall be required if the shipment would have been exempt under § 8.15 of this chapter from the requirement of a certified invoice if it had been imported from a foreign country, or when the merchandise is covered by a certificate of origin provided for in paragraph (a) of this section.

(f) Merchandise may be withdrawn from bonded warehouse under section 557, Tariff Act of 1930, as amended, for shipment to the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or the Island of Guam, without payment of duty, or with refund of duty if the duties have been paid thereon, in like manner as for exportation to foreign countries. No drawback may be allowed under section 313, Tariff Act of 1930, as amended, on articles manufactured or produced in the United States and shipped to any insular possession. No drawback of internal-revenue tax is allowable under section 313 of the Tariff Act on articles manufactured or produced in the United States with the use of domestic tax-paid alcohol and shipped to Wake Island, Midway Islands, or Kingman Reef. (See § 22.22 of this chapter.)

(68 Stat. 1139, secs. 309, 313, 482 (f), 557, 46 Stat. 690, as amended, 693 as amended, 720, 744, as amended; 19 U. S. C. 1301, 1309, 1313, 1482 (f), 1557)

2. Sections 7.9 and 7.10 are deleted.  
3. Footnote 15 of Part 7 is deleted. Footnote 14 is renumbered 15 and new footnotes 14 and 16 are appended to paragraphs (a) and (b), respectively, of § 7.8, to read as follows:

"There shall be levied, collected, and paid upon all articles coming into the United States from any of its insular possessions, except Puerto Rico, the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries; except that all articles the growth or product of any such possession, or manufactured or produced in any such possession from materials the growth, product, or manufacture of any such possession or of the United States, or of both, which do not contain foreign materials to the value of more than 50 per centum of their total value, coming into the United States directly from any such possession, \* \* \* shall be admitted free of duty upon compliance with such regulations as to proof of origin as may be prescribed by the Secretary of the Treasury. In determining whether an article produced or manufactured in any such insular possession contains foreign materials to the value of more than 50 per centum, no material shall be considered foreign which, at the time such article is entered, or withdrawn from warehouse, in the United States for consumption, may be imported into the United States from a foreign country, other than Cuba or the Philippine Republic, free of duty." (Sec. 301, Tariff Act of 1930, as amended.)

\* \* \* all articles previously imported into the United States with payment of all

applicable duties and taxes imposed upon or by reason of importation which are shipped from the United States, without remission, refund, or drawback of such duties or taxes, directly to the possession from which it is being returned by direct shipment, shall be admitted free of duty upon compliance with such regulations as to proof of origin as may be prescribed by the Secretary of the Treasury." (Sec. 301, Tariff Act of 1930, as amended.)

(R. S. 251 Sec. 624, 46 Stat. 759; 19 U. S. C. 60, 1624)

4. Section 9.9 is amended by deleting paragraphs (c) and (d) and inserting a new paragraph (c) to read as follows:

(c) A conditionally free shipment from any United States insular possession, except Puerto Rico, valued over \$25 but not over \$250, when accompanied by the documentary evidence required by § 7.8 of this chapter, and any such shipment valued at \$25 or less, may be passed without issuance of a mall entry if the collector is satisfied that the merchandise is entitled to free entry. In the case of each such shipment valued over \$250, formal entry shall be required and the provisions of Parts 7 and 8 of this chapter shall be followed.

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 60, 1624)

New customs Form 3229, prescribed for use by §§ 7.8 and 9.9 of the Customs Regulations, as amended by this decision, will be printed and available for distribution within approximately 90 days from the date hereof. The form will not be salable. Collectors may obtain supplies thereof from the Section of Forms, Customs Information Exchange, 201 Varick Street, New York 14, New York.

[SEAL] RALPH KELLY,  
Commissioner of Customs.

Approved: September 30, 1954.

H. CHAPMAN ROSE,  
Acting Secretary of the Treasury.

[F. R. Doc. 54-7802; Filed, Oct. 6, 1954; 8:54 a. m.]

**TITLE 22—FOREIGN RELATIONS**

**Chapter I—Department of State**

[Dept. Reg. 103.230]

**PART 41—VISAS: DOCUMENTATION OF NON-IMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT**

**TREATY INVESTORS**

Part 41, Chapter I, Title 22 of the Code of Federal Regulations, is amended in the following respects:

1. Paragraph (b) of § 41.76 *Burden of proof and evidence of treaty-investor status*, is amended to read as follows:

(b) An alien applying for a visa as a nonimmigrant under the provisions of section 101 (a) (15) (E) (ii) of the act shall be required to present any evidence deemed necessary by the consular officer to establish that he is entitled to non-immigrant classification under that section. Such alien shall establish specifically that:

(1) He seeks to enter the United States solely for the purpose of developing and directing the operations of an enterprise in the United States: (i) In which he has invested, or is actively in the process of investing, a substantial amount of capital; or (ii) in which his employer has invested, or is actively in the process of investing, a substantial amount of capital: *Provided*, That such employer is a foreign person or organization of the same nationality as the applicant and that the applicant is employed by such person or organization in a responsible capacity or

(2) He seeks to enter the United States as the spouse or child of an alien described in subparagraph (1) of this paragraph; and

(3) He is not applying for a nonimmigrant visa in an effort to evade the quota or other restrictions which are applicable to immigrants;

(4) He intends in good faith, and will be able, to depart from the United States upon the termination of his status; and

(5) The enterprise is one which actually exists or is in active process of formation, and is not a fictitious paper operation.

2. Section 41.77 *Advisory opinions in treaty-investor cases*, is hereby revoked. (Sec. 104, 66 Stat. 174; 8 U. S. C. 1104)

The regulations contained in this order shall become effective upon publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the regulations contained therein involve foreign affairs functions of the United States.

Dated: September 27, 1954.

SCOTT McLEOD,  
Administrator of the Bureau  
of Inspection, Security, and  
Consular Affairs.

[F. R. Doc. 54-7865; Filed, Oct. 6, 1954;  
8:47 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Internal Revenue Service, Department of the Treasury

#### Subchapter A—Income and Excess Profits Taxes

[T. D. 6105; Regs. 111, 118]

#### PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

#### PART 39—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1951

#### COMPUTATION OF, AND CREDITS AGAINST, NET INCOME

Regulations 118 and 111 amended to conform to sections 1 and 3 of Public Law 213 (83d Congress), approved August 7, 1953, relating to the extension of the applicable period of section 22 (b) (13) of the Internal Revenue Code of 1939 and to the definition of dependent.

On April 3, 1954, notice of proposed rule making with respect to amendments conforming the income tax regulations to sections 1 and 3 of Public Law 213

(83d Congress) approved August 7, 1953, was published in the FEDERAL REGISTER (19 F. R. 1909). No suggestions or protests were presented regarding the proposals, and the following amendments to Regulations 118 (26 CFR Part 39) and 111 (26 CFR Part 29) are hereby adopted:

PARAGRAPH 1. Section 39.22 (b) (13) is amended as follows:

(A) By striking the date "January 1, 1954" from section 22 (b) (13) wherever it appears, and by inserting in lieu thereof "January 1, 1955" and

(B) By inserting "sec. 1, Pub. Law 213 (83d Cong.)" before the closing bracket of the historical note following section 22 (b) (13)

PAR. 2. Section 39.22 (b) (13)-1 is amended as follows:

(A) By striking from the heading and from the section the date "January 1, 1954" wherever it appears, and by inserting in lieu thereof "January 1, 1955", and

(B) By striking from the second sentence of paragraph (b) the parenthetical phrase "(including a year after 1953)" and by inserting in lieu thereof "(including a year after 1954)"

PAR. 3. Section 39.25 is amended as follows:

(A) By striking the third sentence from section 25 (b) (3) which sentence reads "For the purposes of determining whether any of the foregoing relationships exist, a legally adopted child of a person shall be considered a child of such person by blood." and by inserting in lieu thereof the following sentence: "For the purposes of determining whether any of the foregoing relationships exist (1) a legally adopted child of a person or (2) a child for which petition for adoption was filed by a person in the appropriate court and denied because of mental incapacity of surviving natural parent to agree to such adoption, shall be considered a child of such person by blood."

and

(B) By inserting "sec. 3, Pub. Law 213 (83d Cong.)" before the closing bracket of the historical note following section 25.

PAR. 4. Section 39.25-2 is amended as follows:

(A) By inserting immediately preceding the first sentence of paragraph (e) the numeral "(1)" and

(B) By striking the sixth sentence of paragraph (e) (1) as so designated in (A) above, which sentence reads "A legally adopted child of a person shall be considered a child of such person by blood." and by inserting in lieu thereof the following sentences: "A legally adopted child of a person, or a child for which petition for adoption has been filed by a person in the appropriate court and denied because of the mental incapacity of the surviving natural parent to agree to such adoption, shall be considered to become a child of such person by blood as of the date on which the decree for adoption is issued, or the petition for adoption is denied because of the mental incapacity of the surviving natural parent to agree to such adoption. For example, during 1952, a calendar

year taxpayer furnished the chief support of a child who had less than \$600 of gross income for that year. A decree of adoption with respect to that child was issued in December 1952. The taxpayer is entitled to an exemption on behalf of the child for the taxable year 1952, provided the other requirements of this subparagraph, such as citizenship or residence of the dependent, are met. On the other hand, if the decree was issued in January, 1953, no exemption with respect to the child would be allowable to the taxpayer for the taxable year 1952. Similarly, if the petition for adoption was denied in December, 1952, because of the mental incapacity of the surviving natural parent to agree to such adoption, the taxpayer would be entitled to an exemption on behalf of the child for the taxable year 1952, provided the requirements of this subparagraph are otherwise met. On the other hand, if such a petition was denied in January, 1953, no exemption would be allowable to the taxpayer with respect to the child for the taxable year 1952. For the purposes of this section a decree of adoption includes an interlocutory decree of adoption, only if under the applicable State law the legal effect of such decree is to declare the child for all intents and purposes to be the child of the person so adopting."

PAR. 5. There is inserted immediately preceding § 29.25-1 the following:

PUBLIC LAW 213, 83D CONGRESS, APPROVED  
AUGUST 7, 1953

SEC. 3. (a) That the third sentence of section 25 (b) (3) of the Internal Revenue Code, relating to the definition of dependent, is amended to read as follows: "For the purposes of determining whether any of the foregoing relationships exist (1) a legally adopted child of a person or (2) a child for which petition for adoption was filed by a person in the appropriate court and denied because of mental incapacity of surviving natural parent to agree to such adoption, shall be considered a child of such person by blood."

(b) The provisions of subsection (a) shall be applicable to taxable years beginning after December 31, 1945.

PAR. 6. Section 29.25-3, as amended by Treasury Decision 5993, approved February 18, 1953, is further amended as follows:

(A) By inserting after the eighth sentence of paragraph (b) which sentence reads "A legally adopted child of a person shall be considered a child of such person by blood." the following sentence: "See paragraph (d) (5) of this section."

(B) By inserting at the end of paragraph (c) the following sentences: "In addition, a child for which petition for adoption was filed by a person in the appropriate court and denied because of the mental incapacity of the surviving natural parent to agree to such adoption shall be considered a child of such person by blood. See paragraph (d) (5) of this section."

and

(C) By deleting the sixth sentence of the first unnumbered subdivision of paragraph (d) (5) (26 CFR 29.25-3 (d) (5) (i)), which sentence reads "A legally adopted child of a person shall be con-

sidered a child of such person by blood." and by inserting in lieu thereof the following sentences: "A legally adopted child of a person, or a child for which petition for adoption has been filed by a person in the appropriate court and denied because of the mental incapacity of the surviving natural parent to agree to such adoption, shall be considered to become a child of such person by blood as of the date on which the decree for adoption is issued, or the petition for adoption is denied because of the mental incapacity of the surviving natural parent to agree to such adoption. For example, during 1948, a calendar year taxpayer furnished the chief support of a child who had less than \$600 of gross income for that year. A decree of adoption with respect to that child was issued in December, 1948. The taxpayer is entitled to an exemption on behalf of the child for the taxable year 1948, provided the other requirements of this subdivision, such as citizenship or residence of the dependent, are met. On the other hand, if the decree was issued in January, 1949, no exemption with respect to the child would be allowable to the taxpayer for the taxable year 1948. Similarly, if the petition for adoption was denied in December, 1948, because of the mental incapacity of the surviving natural parent to agree to such adoption, the taxpayer would be entitled to an exemption on behalf of the child for the taxable year 1948, provided the requirements of this subdivision are otherwise met. On the other hand, if such a petition was denied in January, 1949, no exemption would be allowable to the taxpayer with respect to the child for the taxable year 1948. For the purposes of this section a decree of adoption includes an interlocutory decree of adoption, only if under the applicable State law the legal effect of such decree is to declare the child for all intents and purposes to be the child of the person so adopting."

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] O. GORDON DELE,  
Acting Commissioner  
of Internal Revenue.

Approved: October 1, 1954.

M. B. FOLSOM,  
Acting Secretary of the Treasury.

[F. R. Doc. 54-7904; Filed, Oct. 6, 1954;  
8:54 a. m.]

**TITLE 43—PUBLIC LANDS:  
INTERIOR**

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

Appendix C—Public Land Orders  
[Public Land Order 1014]

**IDAHO**

RESERVING ADDITIONAL PUBLIC LANDS IN CONNECTION WITH NORTH LAKE WILDLIFE MANAGEMENT AREA FORMERLY CALLED NORTH LAKE STATE MIGRATORY WATER FOWL REFUGE, AND REVOKING PUBLIC LAND ORDER NO. 330 OF NOVEMBER 6, 1946

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952, the act of September 2, 1937 (50 Stat. 917; 16 U. S. C. 669-669i) and the act of March 10, 1934 as amended by the act of August 14, 1946 (48 Stat. 401, 60 Stat. 1080; 16 U. S. C. 661-666c), it is ordered as follows:

Subject to valid existing rights, and to the provisions of existing withdrawals, the following-described public lands in Idaho are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use of the Department of Fish and Game of the State of Idaho, in addition to the lands reserved by Public Land Order No. 278 of May 21, 1945, in connection with the North Lake State Migratory Waterfowl Refuge, now called the North Lake Wildlife Management Area, under such conditions as may be prescribed by the Secretary of the Interior:

**BOISE PRINCIPAL MERIDIAN**

- T. 7 N., R. 35 E.,  
Sec. 20, SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
Sec. 29, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 32, Lots 1, 2, 3 and 4.
- T. 6 N., R. 35 E.,  
Sec. 5, Lots 3 and 5;  
Sec. 6, Lots 1, 2, 4, 5 and 6.
- T. 7 N., R. 34 E.,  
Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ ,  
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 6 N., R. 34 E.,  
Sec. 1, Lots 1, 2, 3, 4, 5, 6 and 7;  
Sec. 2, N $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described aggregate 2,392.32 acres.

There is excepted from the withdrawal made by this order the range improvement project, No. 6-C-153, consisting of a range division line fence constructed by the Bureau of Land Management along the north line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  sec. 20, and easterly through the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$  sec. 20, thence continuing easterly along the east-west center lines of secs. 21 and 22, T. 7 N., R. 35 E., B. M. Those portions of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$  sec. 20, T. 7 N., R. 35 E., situated north of the said fence shall be subject at all times to use by the Bureau of Land Management for livestock watering purposes and for such other uses as that Bureau may deem necessary in its administration of Idaho Grazing District No. 3.

This order shall be subject to the transmission line withdrawal of July 9, 1938, for Federal Power Commission Project No. 765, so far as such withdrawal affects the above-described lands.

This order shall take precedence over but not otherwise affect the Departmental order of November 3, 1936, establishing Idaho Grazing District No. 3.

Public Land Order No. 330 of November 6, 1946, reserving a portion of the lands above described for the use of the Department of Agriculture as a winter

food lot area for experimental breeding sheep is hereby revoked.

ORLIE LEWIS,  
Assistant Secretary of the Interior.

OCTOBER 1, 1954.

[F. R. Doc. 54-7863; Filed, Oct. 6, 1954;  
8:46 a. m.]

[Public Land Order 1015]

**ARIZONA**

RESERVING PUBLIC LANDS IN CONNECTION WITH GILA RIVER WATERFOWL AREA PROJECT

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, the act of September 2, 1937 (50 Stat. 917; 16 U. S. C. 669-669i) and the act of March 10, 1934, as amended by the act of August 14, 1946 (48 Stat. 401, 60 Stat. 1080; 16 U. S. C. 661-666c) it is ordered as follows:

Subject to valid existing rights and to existing withdrawals for power purposes, the following-described public lands in Maricopa County, Arizona, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Arizona Game and Fish Commission in connection with the Gila River Waterfowl Area Project, under such conditions as may be prescribed by the Secretary of the Interior:

**GILA AND SALT RIVER MERIDIAN**

- T. 1 N., R. 1 W.,  
Sec. 34, N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 35, S $\frac{1}{2}$ .
- T. 1 N., R. 2 W.,  
Sec. 34, Lot 5.
- T. 1 S., R. 2 W.,  
Sec. 3, Lots 1, 2, S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ,  
Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ .
- T. 1 S., R. 3 W.,  
Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 11, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$   
NW $\frac{1}{4}$ ,  
Sec. 17, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 18, Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$   
SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 1 S., R. 4 W.,  
Sec. 13, S $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 19, S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 20, S $\frac{1}{2}$ S $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 21, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ,  
S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 22, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$   
SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ ,  
Sec. 27, SW $\frac{1}{4}$ ,  
Sec. 28, NW $\frac{1}{4}$ , S $\frac{1}{2}$ ,  
Sec. 29, N $\frac{1}{2}$ N $\frac{1}{2}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 30, Lots 1, 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , SE $\frac{1}{4}$   
SE $\frac{1}{4}$ .
- T. 1 S., R. 5 W.,  
Sec. 25, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 26, S $\frac{1}{2}$ ,  
Sec. 27, NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 33, E $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ .

T. 2 S., R. 5 W.,

Sec. 4, Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ,  
Sec. 21, E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ .

The areas described aggregate 6,896.14 acres.

The lands shall continue to be administered for grazing purposes by the Bureau of Land Management until such time as they are needed for the purposes for which they are reserved.

This order shall take precedence over, but shall not otherwise affect Departmental order of July 14, 1938, establishing Arizona Grazing District No. 3, so far as it affects the above-described lands.

ORME LEWIS,  
Assistant Secretary of the Interior

OCTOBER 1, 1954.

[F. R. Doc. 54-7864; Filed, Oct. 6, 1954;  
8:47 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

[Service Order 898, Amdt. 1]

#### PART 95—CAR SERVICE—

##### CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD CO.

At a session of the Interstate Commerce Commission Division 3, held at its office in Washington, D. C., on the 1st day of October A. D. 1954.

Upon further consideration of Service Order No. 898 (19 F. R. 5112) and good cause appearing therefor: *It is ordered*, That:

Section 95.898, Service Order No. 898, be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) Expiration date: This section shall expire at 11:59 p. m., January 10, 1955, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p. m., October 10, 1954.

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

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

By the Commission, Division 3.

[SEAL] GEORGE W LAIRD,  
Secretary.

[F. R. Doc. 54-7893; Filed, Oct. 6, 1954;  
8:52 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF THE TREASURY

#### Internal Revenue Service

#### [ 26 CFR Parts 81, 86 ]

#### ESTATE AND GIFT TAXES

##### ABATEMENT OF JEOPARDY ASSESSMENTS

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 thirty 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 1029 and 3791 of the Internal Revenue Code (53 Stat. 157, 467 26 U. S. C. 1029, 3791)

[SEAL]

O. GORDON DELK,  
Acting Commissioner  
of Internal Revenue.

In order to conform Regulations 105 (26 CFR Part 81) and Regulations 108 (26 CFR Part 86) to Public Law 274 (83d Congress) approved August 14, 1953, relating to the abatement of jeopardy assessments, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after section 872 and before section 874 of the Internal Revenue Code which precede § 81.74 of Regulations 105 and preceding § 86.43 of Regulations 108 the following:

PUBLIC LAW 274 (83D CONGRESS) [APPROVED  
AUGUST 14, 1953]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That \* \* \**

(b) Sections 872 and 1013 (relating to the abatement of jeopardy assessments of estate and gift taxes, respectively) are hereby amended by adding at the end of each of such sections the following new subsection:

(j) *Abatement if jeopardy does not exist.* The Secretary may abate the jeopardy assessment if he finds that jeopardy does not exist. Such abatement may not be made after a decision of The Tax Court of the United States in respect of the deficiency has been rendered or, if no petition is filed with The Tax Court of the United States, after the expiration of the period for filing such petition. The period of limitation on the making of assessments and the beginning of distraint or a proceeding in court for collection, in respect of any deficiency, shall be determined as if the jeopardy assessment so abated had not been made, except that the running of such period shall in any event be suspended for the period from the date of such jeopardy assessment until the expiration of the tenth day after the day on which such jeopardy assessment is abated.

(c) The amendments made by this Act shall be applicable to jeopardy assessments made or in existence on the date of enactment of this Act or which are thereafter made.

PAR. 2. Section 81.74 of Regulations 105, as amended by Treasury Decision 6034, approved July 29, 1953, is further amended as follows:

(A) By changing the heading thereof to read as follows: "Assessments—(a) *In general.*"

(B) By adding at the end of the first paragraph of (a) the following: "For abatement of jeopardy assessments where jeopardy does not exist, see paragraph (b) of this section."

(C) By adding at the end of such section the following:

(b) *Abatement of jeopardy assessments where jeopardy does not exist.*  
(1) The district director may abate a jeopardy assessment which existed on August 14, 1953, or which is made on or after such date, if it is shown to his satisfaction that jeopardy does not exist. An abatement may not be made under this paragraph after a decision of the Tax Court in respect of the deficiency has been rendered, or, if no petition is filed with such Court, after the expiration of the period for filing such petition.

(2) The abatement of a jeopardy assessment, because jeopardy does not exist, will have the effect of abating any proceedings to collect the tax so assessed. The district director may then proceed to assess and collect a deficiency in the manner authorized by law as if the jeopardy assessment so abated had not existed. If a notice of deficiency had been sent to the taxpayer prior to the abatement of the jeopardy assessment, whether such notice was sent before or after the making of the assessment, the abatement of such assessment will not affect the validity of the notice or of any proceedings for redetermination based thereon. The period of limitation on the making of assessments and the beginning of distraint or a proceeding in court for collection in respect of any deficiency shall be determined as if the jeopardy assessment so abated had not been made, except that the running of such period shall in any event be suspended for the period from the date of such jeopardy assessment until the expiration of the tenth day after the date on which such jeopardy assessment is abated. The provisions of this paragraph may be illustrated by the following example.

*Example.* On February 15, 1954, twenty-eight days before the three-year statutory period of limitations on assessments would otherwise have expired, a jeopardy assessment was made in respect of a proposed deficiency. On April 2, 1954, before the mailing of the notice of deficiency provided for by section 872 (b), this assessment was abated. By virtue of this paragraph, the period of limitations for the making of an assessment did not expire prior to May 10, 1954, i. e., the thirty-eighth day after the date of the

abatement. If the notice of deficiency provided for in section 872 (b) had been sent prior to the abatement, the running of the statute of limitations on assessments would have been suspended pursuant to the provisions of section 875.

(3) Request for abatement of a jeopardy assessment, because jeopardy does not exist, should be filed with the district director and must state fully the reasons for the request and must be supported by such evidence as will enable the district director to determine that the collection of the deficiency is not in jeopardy. See section 872 (c) and the first paragraph of § 81.74 (a) with respect to the abatement of jeopardy assessments which are excessive in amount.

PAR. 3. Section 81.92 of Regulations 105 is amended by adding at the end thereof the following: "See, however, § 81.74 with respect to requests for the abatement of jeopardy assessments."

PAR. 4. Section 86.43 of Regulations 108, as amended by Treasury Decision 5503, approved March 20, 1946, is further amended as follows:

(A) By changing the heading thereof to read as follows: "Jeopardy assessments—(a) In general."

(B) By adding at the end of the second paragraph of (a) the following: "For abatement of jeopardy assessments where jeopardy does not exist, see paragraph (b) of this section."

(C) By adding at the end of such section the following:

(b) *Abatement of jeopardy assessments where jeopardy does not exist.*  
(1) The district director may abate a jeopardy assessment which existed on August 14, 1953, or which is made on or after such date, if it is shown to his satisfaction that jeopardy does not exist. An abatement may not be made under this paragraph after a decision of the Tax Court in respect of the deficiency has been rendered or, if no petition is filed with such Court, after the expiration of the period for filing such petition.

(2) The abatement of a jeopardy assessment, because jeopardy does not exist, will have the effect of abating any proceedings to collect the tax so assessed. The district director may then proceed to assess and collect a deficiency in the manner authorized by law as if the jeopardy assessment so abated had not existed. If a notice of deficiency had been sent to the taxpayer prior to the abatement of the jeopardy assessment, whether such notice was sent before or after the making of the assessment, the abatement of such assessment will not affect the validity of the notice or of any proceedings for redetermination based thereon. The period of limitation on the making of assessments and the beginning of distraint or a proceeding in court for collection in respect of any deficiency shall be determined as if the jeopardy assessment so abated had not been made, except that the running of such period shall in any event be suspended for the period from the date of such jeopardy assessment until the expiration of the tenth day after the date on which such jeopardy assessment is abated. The provisions of this para-

graph may be illustrated by the following example.

*Example.* On February 15, 1954, twenty-eight days before the three-year statutory period of limitations on assessments would otherwise have expired, a jeopardy assessment was made in respect of a proposed deficiency. On April 2, 1954, before the mailing of the notice of deficiency provided for by section 1013 (b), this assessment was abated. By virtue of this paragraph, the period of limitations for the making of an assessment did not expire prior to May 10, 1954, i. e., the thirty-eighth day after the date of the abatement. If the notice of deficiency provided for in section 1013 (b) had been sent prior to the abatement, the running of the statute of limitations on assessments would have been suspended pursuant to the provisions of section 1017.

(3) Request for abatement of a jeopardy assessment, because jeopardy does not exist, should be filed with the district director and must state fully the reasons for the request and must be supported by such evidence as will enable the district director to determine that the collection of the deficiency is not in jeopardy. See section 1013 (c) and the second paragraph of § 86.43 (a) with respect to the abatement of jeopardy assessments which are excessive in amount.

PAR. 5. Section 86.44 of Regulations 108 is amended by adding to the end thereof the following: "See, however, § 86.43 with respect to requests for the abatement of jeopardy assessments."

[F. R. Doc. 54-7903; Filed, Oct. 6, 1954; 8:54 a. m.]

## United States Coast Guard

### I 33 CFR Part 1 I

I 46 CFR Parts 1, 10, 12, 136, 137, 154 I

[CGFR 54-36]

#### ESTABLISHMENT OF FEES FOR COPYING AND CERTIFYING CERTAIN RECORDS OR FOR DUPLICATE DOCUMENTS OR CERTIFICATES

##### NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003) that the Commandant, United States Coast Guard, is considering the establishment, pursuant to the provisions of Title V of the Independent Offices Appropriation Act of 1952 (65 Stat. 290, 5 U. S. C. 140) and Bureau of the Budget Circular No. A-28, dated January 23, 1954, of a schedule of fees for the services of copying, certifying, or validating of certain records in the United States Coast Guard and the fees for issuing duplicate copies of certificates or documents.

2. All persons who desire to submit views, data or comments with respect to the proposed schedule of fees may submit them in writing in duplicate for receipt prior to October 25, 1954, by the Commandant (CAM), Coast Guard Headquarters, Washington 25, D. C. Written comments shall identify the fee or fees in question and shall include the

name, business firm or organization (if any), and the address of the submitter.

3. It is proposed to add regulations to 33 CFR Part 1 and 46 CFR Part 1 and to amend 46 CFR Parts 10, 12, 136, 137, and 154 as necessary to provide for the imposition and collection of the fees proposed to be established. The regulations relating to the transactions affected are cited in the list and such regulations may be amended to include an appropriate reference to the new regulations should the latter sections be added as proposed. The fees will be in accordance with the size and volume of the work involved. If it is to the advantage of the Federal Government and permissible by law, the fee may consist of the cost of actual time and expense involved in supervising the reproduction of the record or document by a private concern authorized by the Coast Guard. The proposed establishment of fees for certain described types of records will not authorize or give a right to private individuals to demand transcripts of records where the Coast Guard has found such transcription not necessary in performance of official business.

4. It is proposed to add regulations to 33 CFR Part 1 and 46 CFR Part 1 to provide for the imposition and collection of fees (where an original record or document is made) for carbon copies, photostatic copies, or copies by any other duplicating process which may be made by the Coast Guard, of the following:

a. Record of suspension and revocation proceedings under 46 CFR Part 137, including exhibits, charts, etc.. \$0.50 for a carbon copy of each page 8 by 10½ inches in size; \$0.50 for each sheet of photostat or other copy process used, 18 by 24 inches or smaller in size; \$1.00 for each sheet of photostat or other copy process used larger than 18 by 24 inches in size.

Note: One carbon copy of the record and photostats of exhibits, if material, are furnished appellant without cost.

b. Record of marine casualty under 46 CFR Part 136, including exhibits, charts, etc.. \$0.50 for a carbon copy of each page 8 by 10½ inches in size; \$0.50 for each sheet of photostat or other copy process, 18 by 24 inches or smaller, in size; \$1.00 for each sheet of photostat or other copy process used larger than 18 by 24 inches in size.

c. Merchant vessel log book entries (each request for) \$0.50 for each entry.

d. Shipping articles, excerpts from (each request for) \$0.25 for each excerpt with a minimum fee of \$0.50.

e. Shipping articles, photostats of: \$1.00 for each sheet of photostat used.

f. Official documents or records, such as logs of Coast Guard units, sketches, charts, course recorder graphs, assistance reports, weather data reports, etc., desired or required in civil proceedings or for other purposes, excerpts from or photostatic copies of: \$0.50 for each page 18 by 24 inches or smaller; \$1.00 for each page larger than 18 by 24 inches in size.

5. For the certification and validation of any copy of a record or document, including excerpts from a record or docu-

ment, covered by paragraph 4, the fee shall be \$1.00 for each certification or validation with appropriate seal, or \$0.50 for each certification or validation without appropriate seal.

6. The fees to obtain duplicate copies of certain merchant marine certificates or documents are to be as follows:

a. Duplicate certificate of registry as staff officer (46 CFR 10.25-7 (1)) \$1.50.

b. Duplicate continuous discharge book (46 CFR 12.02-23 (b)) \$1.50.

c. Duplicate merchant mariner's document (46 CFR 12.02-23 (b)) \$1.50.

d. Duplicate certificate of discharge (46 CFR 12.02-23 (b)) \$0.35 for the first copy and \$0.10 for each additional copy requested at the same time.

e. Transcript of service (46 CFR 154.07) \$0.25 for each entry.

7. It is contemplated that the schedule of fees will be revised biennially and adjustments made when necessary to conform the fees charged to actual experience in the light of new or changed circumstances.

Dated: September 21, 1954.

[SEAL] A. C. RICHMOND,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

Approved: September 30, 1954.

H. CHAPMAN ROSE,  
Acting Secretary of the Treasury.

[F. R. Doc. 54-7901; Filed, Oct. 6, 1954;  
8:53 a. m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### [ 7 CFR Part 931 ]

[Docket No. AO 229-A2]

#### MILK IN CEDAR RAPIDS-IOWA CITY MARKETING AREA

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

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900) notice is hereby given of a public hearing to be held in the Court Room, City Hall, May's Island, Cedar Rapids, Iowa, beginning at 10:00 a. m., c. s. t., October 13, 1954.

*Subject and issue involved in the hearing.* This public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk in the Cedar Rapids-Iowa City milk marketing area and to the provisions specified in the proposals listed below or some other provisions appropriate to the terms of the Agricultural Marketing Agreement Act of 1937 which will best tend to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937.

Amendments to the order (No. 31) as amended, were proposed as follows:

Proposed by the Johnson County Cooperative Dairy Marketing Association:

1. Change from a market-wide pool to an individual-handler pool, or in the alternative,

2. Provide separate pooling for Cedar Rapids and Iowa City,

3. Increase the price of Class III milk. Proposed by H. J. Dane:

4. Amend § 931.11 to provide that two or more producers processing and marketing their milk cooperatively shall be considered a producer-handler.

Proposed by the Eastern Iowa Milk Producers Association:

5. Amend § 931.50 (a) to provide that the price for Class I milk shall be the price for Class II milk plus \$1.65 during the entire year.

Proposed by Tony Friedman:

6. Amend § 931.76 to provide that the assessment for marketing services be reduced from 5 cents to not more than 3 cents nor less than 2 cents, and that such assessment be levied only during the months of January and December.

7. Change from a market-wide to an individual-handler pool.

Copies of this notice of hearing may be procured from the Market Administrator, 409 O. R. C. Building, Cedar Rapids, Iowa, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: October 1, 1954, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,  
Deputy Administrator

[F. R. Doc. 54-7895; Filed, Oct. 6, 1954;  
8:52 a. m.]

## Commodity Exchange Authority

#### [ 17 CFR Parts 1, 8 ]

#### WOOL IN WOOL TOP REGULATIONS AND IN GENERAL REGULATIONS-UNDER COMMODITY EXCHANGE ACT

#### NOTICE OF PROPOSED AMENDMENTS

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) notice is hereby given that the Secretary of Agriculture, under the authority contained in the Commodity Exchange Act (7 U. S. C. 1-17a) as amended by section 710 of Public Law 690, 83d Congress, approved August 28, 1954 (68 Stat. 913) is considering the amendment of Parts 1 and 8 of the regulations under the Commodity Exchange Act (17 CFR Parts 1 and 8, as amended) as follows:

1. By inserting "wool," after the comma following "Irish potatoes" in the definition of "commodity" in § 1.3 (e)

2. By inserting "Wool and" before "Wool Tops" in the caption of Part 8.

3. By amending § 8.00 to read as follows:

§ 8.00 *Definitions:* "Cash wool" "spot wool" "cash wool tops" "spot wool tops." The term "cash wool" shall have the same meaning as the term "spot wool," and the term "cash wool tops" shall have the same meaning as the term

"spot wool tops." These terms shall refer to transactions in actual wool and wool tops, respectively, as distinguished from wool futures and wool top futures.

4. By inserting "wool or" before "wool tops" in the first and third sentences of § 8.01.

5. By inserting "wool and" before "wool tops" in the second sentence of § 8.01.

6. By amending § 8.01 (c) and (d) to read, respectively, as follows:

(c) The quantity of wool and wool tops bought and the quantity sold on such contracts during the period covered by the report; and

(d) The quantity of wool and wool tops delivered and the quantity received on such contracts during the period covered by the report.

7. By inserting "wool or" before "wool top" in the first sentence of each of §§ 8.04, 8.10, 8.14, and 8.22.

8. By inserting "wool or" after "any" in the phrase "any wool top future," wherever such phrase appears in the second sentence of § 8.10 and the first sentence of § 8.23.

9. By inserting "wool and" after "open contracts in" in the second sentence of § 8.10.

10. By inserting "wool and" before "wool top" in § 8.11 (a) (1) and before "wool tops" in § 8.11 (a) (3) and (4)

11. By inserting "wool and" after "all open contracts in" in the first sentence of § 8.23.

12. By inserting "applicable" before "amount" in the first sentence of each of §§ 8.04, 8.05, 8.10, and 8.14.

13. By amending §§ 8.20 and 8.21 to read, respectively, as follows:

§ 8.20 *Amounts fixed for reporting on Form 801.* For the purpose of §§ 8.04 and 8.05, the amounts specified for reporting accounts on Form 801 are, respectively, for wool, 150,000 pounds (clean content), and for wool tops, 125,000 pounds, but such specified amounts shall not apply to special calls issued under authority of § 8.22.

§ 8.21 *Amounts fixed for reporting on Form 803.* For the purpose of §§ 8.10 and 8.14, the amounts fixed by the Secretary of Agriculture, under authority of section 41 (2) of the Commodity Exchange Act, for reporting on Form 803 are, respectively, for wool, 150,000 pounds (clean content), and for wool tops, 125,000 pounds.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendments should file the same with the Administrator, Commodity Exchange Authority, United States Department of Agriculture, Washington 25, D. C., not later than the tenth day following the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 1st day of October, 1954.

[SEAL] EARL L. BUTZ,  
Assistant Secretary.

[F. R. Doc. 54-7877; Filed, Oct. 6, 1954;  
8:49 a. m.]

**Commodity Stabilization Service**  
**[ 7 CFR Parts 723, 725, 726, 727 ]**

**CIGAR-FILLER, CIGAR-FILLER AND BINDER, BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, AND MARYLAND TOBACCO**

**NOTICE OF DETERMINATIONS TO BE MADE WITH RESPECT TO TOBACCO MARKETING QUOTAS FOR THE 1955-56 MARKETING YEAR**

Pursuant to the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture is preparing to proclaim national marketing quotas for cigar-filler tobacco, cigar-filler and binder tobacco, burley tobacco, flue-cured tobacco, fire-cured tobacco, dark air-cured tobacco, Virginia sun-cured tobacco, and Maryland tobacco, for the 1955-56 marketing year, determine the amount of the national marketing quota for each such kind of tobacco, apportion the national marketing quotas among the several States, and convert the State marketing quotas into State acreage allotments.

The Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1312 (a)) provides that the Secretary of Agriculture shall proclaim a national marketing quota for each marketing year for each kind of tobacco for which a national marketing quota was proclaimed for the immediately preceding marketing year. The act (7 U. S. C. 1301 (b) (15)) defines "tobacco" as each one of the kinds of tobacco listed below comprising the types specified as classified in Service and Regulatory Announcement Numbered 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the Department:

Flue-cured tobacco, comprising types 11, 12, 13, and 14;

Fire-cured tobacco, comprising types 21, 22, 23, and 24;

Dark air-cured tobacco, comprising types 35 and 36;

Virginia sun-cured tobacco, comprising type 37;

Burley tobacco, comprising type 31;

Maryland tobacco, comprising type 32;

Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 45, 46, 51, 52, 53, 54, and 55;

Cigar-filler tobacco, comprising type 41.

The act provides that any one or more of the types comprising any such kind of tobacco shall be treated as a "kind of tobacco" for the purposes of this act if the Secretary finds that there is a difference in supply and demand conditions as among such types of tobacco which results in a difference in the adjustments needed in the marketings thereof in order to maintain supplies in line with demand. Pursuant to this authority the Secretary has determined (15 F. R. 8214) that type 46 tobacco shall be treated as a separate kind of tobacco for purposes of marketing quotas and price supports on the 1951 and subsequent crops of such tobacco.

The act (7 U. S. C. 1313 (i)) provides that notwithstanding any other provision of the act, whenever after investigation the Secretary determines with respect to any kind of tobacco that a

substantial difference exists in the usage or market outlets for any one or more of the types comprising such kind of tobacco and that the quantity of tobacco of such type or types to be produced under the marketing quotas and acreage allotments established pursuant to this section would not be sufficient to provide an adequate supply for estimated market demands and carry-over requirements for such type or types of tobacco, the Secretary shall increase the marketing quotas and acreage allotments for farms producing such type or types of tobacco in the preceding year to the extent necessary to make available a supply of such type or types of tobacco adequate to meet such demands and carry-over requirements. The increases in farm marketing quotas and acreage allotments shall be made on the basis of the production of such type or types of tobacco during the period of years considered in establishing farm marketing quotas and acreage allotments for such kind of tobacco. The additional production authorized by this subsection shall be in addition to the national marketing quota established for such kind of tobacco pursuant to section 312 of this act. The increase in acreage under this subsection shall not be considered in establishing future State or farm acreage allotments.

National marketing quotas were proclaimed for the 1954-55 marketing year as follows: Cigar-filler tobacco and cigar-filler and binder tobacco—18 F. R. 6443; Burley tobacco and flue-cured tobacco—18 F. R. 7653; fire-cured tobacco, dark air-cured tobacco, and Virginia sun-cured tobacco—18 F. R. 7653, 19 F. R. 202, and 19 F. R. 1814; and Maryland tobacco—18 F. R. 6446 and 18 F. R. 6558.

The act (7 U. S. C. 1312 (a)) provides that the Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the total quantity of tobacco which may be marketed, which will make available during such marketing year a supply of tobacco equal to the reserve supply level. The act provides further that the amount of the 1955-56 national marketing quota may, not later than March 1, 1955, be increased by not more than 20 per centum if the Secretary determines that such increase is necessary in order to meet market demands or to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level. The act (7 U. S. C. 1301 (b)) defines the "total supply" of tobacco for any marketing year as the carryover at the beginning of the marketing year (or on January 1 of such marketing year in the case of Maryland tobacco) plus the estimated production in the United States during the calendar year in which such marketing year begins. "Reserve supply level" is defined as the normal supply plus 5 per centum thereof. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption and 65 per centum of a normal year's exports. A "normal year's domestic consumption" is defined as the yearly average quantity

produced in the United States and consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the ten marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

The act (7 U. S. C. 1312 (b)) requires that within 30 days after a national marketing quota is proclaimed for the 1955-56 marketing year for cigar-filler tobacco, fire-cured tobacco, dark air-cured tobacco, and Maryland tobacco, the Secretary shall conduct a referendum of farmers who are engaged in the production of the 1954 crop of each of such kinds of tobacco to determine whether such farmers are in favor of or opposed to such quota. If more than one-third of the farmers voting in the referendum oppose such quota, the quota shall not be effective thereafter. The Secretary is also required to submit to such farmers the question of whether they favor marketing quotas for a period of three years beginning with the 1955-56 marketing year. If two-thirds of the farmers voting on this question favor quotas for such three-year period, the Secretary is required to proclaim marketing quotas for such period. A separate referendum will be held for each of such kinds of tobacco and the results of any referendum will not affect the results of any other referendum.

Cigar-filler and binder, burley, flue-cured, and Virginia sun-cured tobacco growers favored marketing quotas for the 1955-56 marketing year in referenda held pursuant to the act (7 U. S. C. 1312 (b)) as follows: Cigar-filler and binder tobacco—18 F. R. 8474, burley tobacco—17 F. R. 11737; flue-cured tobacco—17 F. R. 7613; and Virginia sun-cured tobacco—17 F. R. 11380.

The act (7 U. S. C. 1313 (a)) requires the Secretary to apportion the national marketing quota, less the amount to be allotted under subsection (c) of section 1313 (small farms and "new" farms) among the several States on the basis of the total production in each State during the five calendar years immediately preceding the calendar year in which the quota is proclaimed, with such adjustments as are determined to be necessary to make correction for abnormal conditions of production, for small farms, and for trends in production, giving due consideration to seed bed and other plant diseases during such five-year period. The act (7 U. S. C. 1313 (g)) authorizes the Secretary to convert State marketing quotas into State acreage allotments on the basis of average yield per acre for the State during the five years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production.

In making the determinations of the amounts of the national marketing quotas, the apportionment of the quotas among the several States, and the con-

version of State marketing quotas into State acreage allotments, consideration will be given to any data, views and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All submissions must be post-marked not later than 15 days from the

date of publication of this notice in the FEDERAL REGISTER in order to be considered.

Issued at Washington, D. C., this 1st day of October 1954.

[SEAL] WALTER C. BERGER,  
Acting Administrator

[F. R. Doc. 54-7898; Filed, Oct. 6, 1954;  
8:53 a. m.]

Inquiries regarding these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 352 New Federal Building, Sacramento, California.

L. T. HOFFMAN,  
State Supervisor

[F. R. Doc. 54-7858; Filed, Oct. 6, 1954;  
8:45 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS.

An application, serial number Fairbanks 010912, for the withdrawal from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, of the lands described below was filed on April 10, 1954, by the Department of the Army.

The purposes of the proposed withdrawal: Radio Facilities.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Area Administrator, Area 4, Bureau of Land Management, Department of the Interior, at Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

Two tracts of land located adjacent to the village of Barrow, Alaska, more particularly described as follows:

##### PARCEL No. 1

Starting at Corner No. 5, U. S. S. 2244, Tract B; thence S. 74°24' W., 130.52 feet; thence S. 13°02' E., 454.15 feet; thence N. 76°58' E., 357.50 feet to the true point of beginning; thence S. 13°02' E., 150 feet; thence N. 76°58' E., 200 feet; thence N. 13°02' W., 150 feet; thence S. 76°58' W., 200 feet to the true point of beginning, containing 0.70 acre.

##### PARCEL No. 2

Starting at the true point of beginning of Parcel No. 1; thence N. 76°58' E., 375.68 feet to the true point of beginning of Parcel No. 2; thence S. 32°18' E., 4,833.33 feet; thence N. 57°42' E., 100 feet; thence N. 32°18' W., 4,766.67 feet; thence S. 76°58' E., 102.64 feet

to the true point of beginning of Parcel No. 2, containing approximately 11.02 acres.

LOWELL M. PUCKETT,  
Area Administrator

[F. R. Doc. 54-7862; Filed, Oct. 6, 1954;  
8:46 a. m.]

[Doc. III—California State Office]

#### CALIFORNIA

#### RESTORATION ORDER UNDER FEDERAL POWER ACT

SEPTEMBER 29, 1954.

Pursuant to determination of the Federal Power Commission, DA-802-California, dated August 26, 1953, and in accordance with authority delegated to me by the Director, Bureau of Land Management, by section 2.5 of Order No. 541, dated April 21, 1954 (19 F. R. 2473, 2476) it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, Lot 4, section 28, T. 16 N., R. 6 E., M. D. M., Yuba County, California, so far as it is withdrawn or reserved for power purposes, is hereby open to disposition, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818) as amended.

The subject land is withdrawn in Power Site Classification No. 183, approved July 9, 1927.

The lands described shall be subject to application by the State of California for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act as amended.

This restoration, being made in furtherance of an indemnity State selection under the act of February 28, 1891 (26 Stat. 796; 43 U. S. C. 851) is not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747-43 U. S. C. 279-284) as amended, granting preference rights to veterans of World War II and others.

The restored lands, having been found suitable by appropriate investigation for indemnity State selection, are classified simultaneously with the time of their restoration for conveyance to the State of California under indemnity State selection.

#### CALIFORNIA

#### SMALL TRACT CLASSIFICATION ORDER

SEPTEMBER 28, 1954.

1. Pursuant to authority delegated to me by the Director, Bureau of Land Management, under section 2.5 of Order No. 541, dated April 21, 1954 (19 F. R. 2473, 2476), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described lands in the Los Angeles land district, embracing approximately 280 acres,

#### CALIFORNIA SMALL TRACT CLASSIFICATION No. 428

For lease and sale for homesite purposes only:

T. 9 N., R. 2 W., S. B. M.,  
Sec. 10, SE¼, NE¼SW¼, S½SW¼.

The lands are located three miles southwest of the town of Barstow, in San Bernardino County, California. Access is good from U. S. Highway 60 which passes about one-quarter mile to the north. Topography of the land is rolling and there is a gradual slope northward, toward the Mojave River. It appears that domestic water can be obtained from wells of moderate depth. Nearby public lands have been classified for homesite purposes for the last several years.

2. As to applications regularly filed prior to 11:20 a. m., December 10, 1952, which describe tracts in accordance with the provisions contained herein, this order shall become effective upon the date it is signed.

3. This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act, as follows:

a. *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph, either at or before 10:00 a. m. on the 35th day after the date of this order, shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

b. Date for non-preference-right filings. Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed, either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

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

5. All of the lands will be leased in tracts of approximately two and one-half acres, with approximate dimensions of 330 x 330 feet, each tract forming an aliquot part of the section in accordance with the official survey thereof.

6. Preference right leases referred to in paragraph 2 will be issued only if the tract applied for conforms to or is amended to conform to the area, dimensions, and form specified in paragraph 5.

7. Leases will issue for a period of three years at an annual rental of \$5.00, payable for the entire lease period in advance of issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$125.00 per tract. Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of issuance.

8. Tracts will be subject to all existing rights-of-way and to additional rights-of-way, 33 feet in width on, or as near as practicable to, the boundaries thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government or the State, county, or municipality in which the tract is situated, or by any agent thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

9. All inquiries relating to the above described lands should be addressed to the Manager, Land Office, Bureau of Land Management, Room 1512, Post Office Building, Los Angeles 12, California.

L. T. HOFFMAN,  
State Supervisor

[F. R. Doc. 54-7859; Filed, Oct. 6, 1954;  
8:45 a. m.]

[Dockets DA-385, DA-429]

OREGON

RESTORATION ORDER UNDER FEDERAL  
POWER ACT

SEPTEMBER 23, 1954.

Pursuant to determinations DA-385 and DA-429, Oregon, of the Federal Power Commission and in accordance with Order No. 541, sections 1.5 (d) and 2.0 (a) of the Director, Bureau of Land Management, approved April 21, 1954, 19 F. R. 2473, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals the lands hereinafter described so far as they are withdrawn and reserved for power purposes are hereby restored to disposition under the public land laws as provided by law, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. sec. 818), as amended:

WILLAMETTE MERIDIAN

T. 27 S., R. 12 W.,  
Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
W $\frac{1}{2}$ W $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

T. 37 S., R. 6 W.,  
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described contain an aggregate of 440 acres. The described lands in section 35 are reconveyed Coos Bay Wagon Road grant land, with present cover of approximately 260 acres of hardwood and coniferous seedlings and saplings and some scattered old-growth coniferous trees. The described lands in section 13 are revested Oregon and California railroad grant lands, with present cover of brush and scattered pine seedlings and saplings. The lands are classified as grazing and agricultural in character and suitable for disposal primarily through land exchange.

While any application which is filed will be considered on its merits, it is unlikely that any part of the restored lands will be classified for any use or disposal other than that shown above. No application for the lands may be allowed under the homestead, small tract, desert land, or any other nonmineral public land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

The lands described shall be subject to application by the State of Oregon for a period of ninety days from date of publication of this order in the FEDERAL REGISTER for right-of-way for public highways or as a source of materials for construction and maintenance of such highways, subject to section 24 of the Federal Power Act, as amended. This order shall not otherwise affect the status of the lands until 10:00 a. m. on the 91st day after the date of publication of this order in the FEDERAL REGISTER. At that time, the lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws and the 90-day preference filing period of veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Information showing the periods during which and conditions under which veterans and others may file application for these lands may be obtained on request from the Land Office, Portland, Oregon.

G. H. SHARRER,  
State Supervisor

[F. R. Doc. 54-7861; Filed, Oct. 6, 1954;  
8:46 a. m.]

WASHINGTON

SMALL TRACT CLASSIFICATION ORDER NO. 6

SEPTEMBER 28, 1954.

1. Pursuant to authority delegated to the State Supervisors by section 2.5 of Redelegation Order No. 541, issued April 21, 1954 by the Director, Bureau of Land Management, the following described lands are hereby classified for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended by the Act of June 8, 1954 (68 Stat. 239), for home site purposes:

WILLAMETTE MERIDIAN

T. 9 N., R. 28 E.,

Sec. 8, Lot 3, SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$   
NW $\frac{1}{4}$ .

The lands described comprise 104 small tracts and contain a total of 259.15 acres.

2. The lands are located approximately three miles west of the city of Richland, Washington. The topography is level to rolling and the lands have an elevation of 600 feet. The annual precipitation average is nine inches and the temperature varies from a summer high of 100 degrees to a winter low of zero.

3. The lands will be leased and sold in approximately 2½ acre tracts of one tract to each successful applicant. Access to public highways from the tracts will be afforded by a reservation of rights of way along the boundary of each tract for road or public utility facilities which will not exceed 33 feet in width and as shown on the layout plats of the area.

4. This order shall not become effective to change the status of the lands until 10:00 a. m. on the 35th day after the date of this order. At that time the land shall, subject to valid existing rights, become subject to application as follows:

(a) *Ninety-one-day period for preference-right filings.* For a period of 91 days commencing at the hour and on the date specified above, the lands affected by this order shall be subject to application by qualified veterans of World War II and the Korean conflict. All applications filed under this paragraph, either on or before 10:00 a. m. on the 35th day after the date of this order, shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the 35th day shall be considered in the order of filing.

(b) Commencing at 10:00 a. m. on the 126th day after the date of this order any lands remaining shall become subject to application under the Small Tract Act by the public generally. All such

applications filed, either on or before 10:00 a. m. on the 126th day, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

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

5. Leases for homesites will be issued for a period of three years at an annual rental of \$15, payable in advance for the entire lease period. Leases for the homesites will provide option to purchase at the appraised values ranging from \$50 to \$100. Before purchases may be made, the leases must have been in effect for a period of one year, and the tract must have actually been used and improved for the purposes for which the lease is issued.

In the event the right to purchase has been exercised prior to the expiration of the three year leasable period, the unearned rental paid will be applied to the purchase price. The United States reserves the right to reject any application to purchase and to cancel any lease if the property under application has been used or developed in such a manner as to detract from the value of the remaining tracts for the purposes for which they are classified.

6. Inquiries relative to these lands should be addressed to the Manager, Land Office, Bureau of Land Management, Federal Building, Spokane, Washington.

J. M. HONEYWELL,  
State Supervisor

[F. R. Doc. 54-7860; Filed, Oct. 6, 1954;  
8:45 a. m.]

## FEDERAL POWER COMMISSION

[Docket Nos. G-2399, G-2409, G-2458,  
G-2465, G-2491]

NORTHERN NATURAL GAS CO.

NOTICE OF POSTPONEMENT OF HEARING

SEPTEMBER 30, 1954.

Upon consideration of the request of Counsel for Northern Natural Gas Company, filed September 28, 1954, for postponement of hearing now scheduled to commence on October 12, 1954, in the above-designated matters;

Notice is hereby given that the hearing in these matters is postponed to 10:00 a. m., November 15, 1954, in the

Commission's hearing room, 441 G Street NW., Washington, D. C.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 54-7867; Filed, Oct. 6, 1954;  
8:47 a. m.]

[Docket No. G-3175]

PHILLIPS PETROLEUM CO.

ORDER SUSPENDING PROPOSED RATE  
INCREASES

On August 31, 1954, Phillips Petroleum Company (Phillips) filed 44 contracts with amendments for the sale of natural gas containing rates in effect on June 7, 1954. These rate filings have been designated as Rate Schedules 1 through 45, inclusive, and are accepted for filing. (The identification of these Rate Schedules is shown in Appendix A hereto.)

Simultaneously with the filing of its basic Rate Schedules, Phillips filed proposed rate increases with a proposed effective date of September 1, 1954, the purpose of which is to provide for the reimbursement by the buyers under the respective Rate Schedules for an increase in the Texas Production Tax, these Supplemental Rate Schedules being identified in Appendix B hereto. The requirement of 30-days notice for such increases has been waived and such rate increases have been allowed to take effect as of the requested date.

At the same time it filed 12 proposed rate increases with proposed effective dates of September 1, 1954, the purpose of which is to recover under the rate schedules an increase in the Texas Production Tax and at the same time to establish a new method of computation of the amount of such tax increase to be recovered, these Supplemental Rate Schedules being identified in Appendix C hereto. It appears that in this change in method of computing the tax recovery Phillips may be undertaking to collect monies for taxes it does not pay and is not obligated to pay under contract. Such proposed increases have not been shown to be justified and will be suspended pending hearings.

Phillips has also proposed four rate increases pursuant to schedules of periodic increases provided in the basic rate contracts, these Supplemental Rate Schedules being identified in Appendix D hereto. Phillips has not filed any substantive support for these proposed rate increases, but merely states such increases are to be made in accordance with the terms of its contract.

Since the ruling by the United States Supreme Court on June 7, 1954 in Phillips Petroleum Company v. Wisconsin, 347 U. S. 672, that Phillips is a natural-gas company subject to the Natural Gas Act in certain respects, and the issuance of the Court's mandate in accordance therewith, Phillips has endeavored to comply with the requirements of that statute and the regulations of the Commission thereunder. However, the increases proposed in the Supplemental Rate Schedules identified in Appendices C and D hereto have not been justified and raise problems which have not been

heretofore decided but which are related to the treatment to be accorded escalation clauses referred to in our order in Docket No. R-137 upon which oral argument will be heard on November 4, 1954. In the absence of proper justification, these particular increases will be suspended and brought up for consideration as soon as possible.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the act, concerning the lawfulness of:

Supp. 13 to Rate Schedule No. 5.  
Supp. 8 to Rate Schedule No. 18.  
Supp. 3 to Rate Schedule No. 20.  
Supp. 11 to Rate Schedule No. 20.  
Supp. 2 to Rate Schedule No. 28.  
Supp. 10 to Rate Schedule No. 31.  
Supp. 3 to Rate Schedule No. 40.  
Supp. 1 to Rate Schedule No. 8.  
Supp. 14 to Rate Schedule No. 5.  
Supp. 5 to Rate Schedule 9.  
Supp. 6 to Rate Schedule 10.  
Supp. 5 to Rate Schedule 19.  
Supp. 2 to Rate Schedule 21.  
Supp. 13 to Rate Schedule 32.  
Supp. 4 to Rate Schedule 33.  
Supp. 1 to Rate Schedule No. 7.

and that said proposed changes be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of rates, charges, and classifications contained in the aforesaid Rate Schedules as proposed to be amended.

(B) Pending such hearing and decision thereon, Phillips'

Supp. 13 to Rate Schedule No. 5.  
Supp. 8 to Rate Schedule No. 18.  
Supp. 3 to Rate Schedule No. 20.  
Supp. 11 to Rate Schedule No. 20.  
Supp. 2 to Rate Schedule No. 28.  
Supp. 10 to Rate Schedule No. 31.  
Supp. 3 to Rate Schedule No. 40.  
Supp. 1 to Rate Schedule No. 8.  
Supp. 14 to Rate Schedule No. 5.  
Supp. 5 to Rate Schedule No. 9.  
Supp. 6 to Rate Schedule No. 10.  
Supp. 5 to Rate Schedule No. 10.  
Supp. 2 to Rate Schedule No. 21.  
Supp. 13 to Rate Schedule No. 32.  
Supp. 4 to Rate Schedule No. 33.  
Supp. 1 to Rate Schedule No. 7.

are hereby suspended and the use thereof deferred until further order of the Commission, but not for more than five months from the adoption of this order, or until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) 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 30, 1954.

Issued: October 1, 1954.

By the Commission.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

APPENDIX A

Rate Schedule No.	Date of basic contract	Purchaser
1-A	Apr. 11, 1950	United Gas Pipe Line Co.
2-A	Mar. 5, 1952	Texas Eastern Trans. Corp.
3	May 15, 1951	Tennessee Gas Trans. Co.
5	Apr. 5, 1943	Panhandle Eastern Pipe Line Co.
6	June 30, 1952	Arkansas Louisiana Gas Co.
7	Jan. 1, 1953	El Paso Natural Gas Co.
8	Jan. 8, 1953	El Paso Natural Gas Co.
9	Aug. 31, 1948	El Paso Natural Gas Co.
10	Nov. 24, 1948	El Paso Natural Gas Co.
11	Jan. 1, 1953	Lone Star Gas Co.
12	Jan. 1, 1953	Lone Star Gas Co.
13	Jan. 31, 1953	United Gas Pipe Line Co.
14	July 13, 1953	Lone Star Gas Co.
15	Apr. 7, 1953	Lone Star Gas Co.
17	Jan. 23, 1950	Texas Illinois Nat. Gas P. L. Co.
18	Feb. 8, 1952	Permian Basin Pipeline Co.
19	Dec. 11, 1951	Consolidated Gas Utilities Co.
20	Jan. 29, 1953	Tennessee Gas Transmission Co.
21	Jan. 27, 1953	Colorado Interstate Gas Co.
22	Nov. 1, 1951	Mississippi River Fuel Corp.
23	July 1, 1952	Texas Gas Transmission Corp.
24	Jan. 1, 1953	Northern Natural Gas Co.
25	Sept. 15, 1953	Texas Eastern Transmission Corp.
26	May 26, 1950	Northern Natural Gas Co.
27	Apr. 3, 1950	Texas Illinois Natural Gas P. L. Co.
28	Jan. 1, 1953	Northern Natural Gas Co.
29	Feb. 23, 1954	Tennessee Gas Transmission Co.
30	Mar. 21, 1952	Tennessee Gas Transmission Co.
31	Sept. 26, 1950	Arkansas Louisiana Gas Co.
32	Oct. 13, 1945	El Paso Natural Gas Co.
33	Jan. 1, 1948	El Paso Natural Gas Co.
34	Jan. 13, 1954	Tennessee Gas Transmission Co.
35	Jan. 15, 1951	Shell Oil Co.
36	Jan. 13, 1954	Tennessee Gas Transmission Co.
37	Nov. 15, 1953	Texas Eastern Transmission Corp.
38	Oct. 29, 1949	Transcontinental Gas P. L. Corp.
39	Apr. 28, 1953	Tennessee Gas Transmission Co.
40	May 9, 1952	El Paso Natural Gas Co.
41	Jan. 5, 1954	Texas Illinois Nat. Gas Pipeline Co.
42	July 1, 1952	Texas Gas Corp.
43	Jan. 29, 1953	Tennessee Gas Transmission Co.
44	June 23, 1949	Gulf Oil Corporation.
45	Jan. 1, 1953	Lone Star Gas Co.
46	Feb. 26, 1951	El Paso Natural Gas Co.

APPENDIX B

Rate schedule	Supplement No.	Description
1-A	2	Notice of change.
2-A	5	Do.
3	4	Do.
6	3	Do.
11	1	Do.
12	1	Do.
13	20	Do.
14	2	Do.
15	3	Do.
17	1	Do.
22	1	Do.
23	2	Do.
24	2	Do.
25	3	Do.
27	3	Do.
28	1	Do.
29	3	Do.
30	3	Do.
31	9	Do.
34	1	Do.
35	1	Do.
36	2	Do.
37	3	Do.
38	5	Do.
39	2	Do.
40	2	Do.
41	2	Do.
42	3	Do.
43	2	Do.
44	2	Do.
45	2	Do.

APPENDIX C

Rate schedule	Supplement No.	Description
5	13	Letter of July 12, 1954.
	14	Notice of change.
7	1	Do.
8	1	Do.
9	6	Do.
10	6	Do.
18	8	Do.
19	6	Do.
20	3	Do.
21	2	Do.
32	13	Do.
33	4	Do.

APPENDIX D

Rate schedule	Supplement No.	Description
26	11	Notice of change.
23	2	Do.
31	10	Do.
46	3	Do.

[F. R. Doc. 54-7878; Filed, Oct. 6, 1954; 8:50 a. m.]

[Docket No. G-3176]

PHILLIPS PETROLEUM CO.

ORDER ACCEPTING RATE SCHEDULES FOR FILING AND SUSPENDING CERTAIN SUPPLEMENTS THERETO

Phillips Petroleum Company (Phillips) on August 31, 1954, submitted for filing a basic contract dated December 11, 1945, and 11 amendatory agreements thereto, relating to the sale of natural gas to Michigan Wisconsin Pipeline Company. The basic contract has been designated as Phillips Petroleum Company FPC Gas Rate Schedule No. 4 and the amendatory agreements have been assigned the supplement numbers set forth in Appendix A, attached hereto and incorporated herein.

At the same time Phillips also submitted for filing Supplement No. 1 to Supp. 6 and Supplement No. 1 to Supp. No. 7 to its FPC Gas Rate Schedule No. 4, constituting notices of change based upon the increase in the Texas Gas Production Tax, effective September 1, 1954. These proposed changes purport to increase and change the method of computing the amount of tax reimbursement to be paid by Michigan Wisconsin after September 1, 1954.

As revealed by the computations submitted with its filings, Phillips interprets its FPC Gas Rate Schedule No. 4 and the supplements thereto to provide rates as of June 7, 1954, averaging 9.37958 cents per Mcf of gas delivered from its Stratford Acreage and 9.44231 cents per Mcf of gas delivered from its Dedicated Acreage.

In deriving the average rates referred to above, Phillips has purported to adjust the minimum contract prices of 8.9330 cents per Mcf for gas from the Stratford Acreage and 7.5930 cents per Mcf of gas from the Dedicated Acreage effective June 7, 1954, to give effect to the inflation adjustment clause in the contract on the basis of an assumed rev-

enue of 35 cents per Mcf for Michigan Wisconsin.

Since the decision by the United States Supreme Court on June 7, 1954, in Phillips Petroleum Company v. Wisconsin, that Phillips is a natural-gas company subject to the Natural Gas Act and the issuance of the Court's mandate in accordance therewith. Phillips has endeavored to comply with the requirements of that statute and the regulations of the Commission thereunder. However, the increases proposed in the supplements referred to below have not been justified and raise problems not finally determined.

The rate increases proposed by Phillips in Supplement Nos. 8 and 11 to Phillips FPC Gas Rate Schedule No. 4 and Supplement No. 1 to Supplement No. 6 and Supplement No. 1 to Supplement No. 7 to its FPC Gas Rate Schedule No. 4 have not been shown to be justified and may be unjust, unreasonable and otherwise unlawful. Furthermore, the rate increases proposed in Supplement Nos. 8 and 11 relate to matters considered in Opinion No. 275, In the Matter of Michigan Wisconsin Pipe Line Company, Docket Nos. G-1678 and G-1996, and accompanying order issued July 30, 1954. On September 27, 1954, upon consideration of the application of Michigan Wisconsin Pipe Line Company for modification of Opinion No. 275 and accompanying order, the Commission granted such application to the extent only that it requested a reconsideration of that opinion and order upon the present record. In the determination of the issues thus raised, consideration must be given to the proper rates for gas purchased by Michigan Wisconsin from Phillips, and it is proper and in the public interest that pending such reconsideration the rate increases filed by Phillips applicable to gas purchased by Michigan Wisconsin be suspended.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, that Phillips FPC Gas Rate Schedule No. 4 and the supplements thereto listed in Appendix A, except Supplement Nos. 8 and 11, be accepted for filing; and that the Commission enter upon a hearing pursuant to the authority contained in section 4 of the Natural Gas Act concerning the lawfulness of the rates and charges contained in Phillips FPC Gas Rate Schedule No. 4, as supplemented, as proposed to be further supplemented by Supplement Nos. 8 and 11 and Supplement Nos. 1 to Supplements Nos. 6 and 7, and that pending hearing and decision thereon, the aforesaid supplements be suspended as hereinafter provided and ordered.

The Commission orders:

(A) Phillips FPC Gas Rate Schedule No. 4 and the supplements thereto listed in Appendix A, except Supplement Nos. 8 and 11, be and the same hereby are accepted for filing.

(B) A public hearing be held at a date to be set by further order concerning

the lawfulness of the rates, charges, classifications and services contained in Phillips FPC Gas Rate Schedule No. 4, as supplemented, as proposed to be further supplemented by Supplement Nos. 8 and 11 and Supplement No. 1 to Supplements Nos. 6 and 7.

(C) Pending such hearing and decision thereon, the proposed rates and charges contained in Supplement Nos. 8 and 11 and Supplement No. 1 to Supplements Nos. 6 and 7 to Phillips FPC Gas Rate Schedule No. 4, hereby are suspended and their use deferred until February 1, 1955, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(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.

(E) This order is without prejudice to any findings or orders which have been or may hereafter be made by this Commission in Docket No. G-1148, or in any other proceeding now pending or hereafter instituted by or against Phillips.

Adopted: September 30, 1954.

Issued: October 1, 1954.

By the Commission.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

APPENDIX A--PHILLIPS PETROLEUM COMPANY--FPC GAS RATE SCHEDULE NO. 4

SALE TO MICHIGAN WISCONSIN PIPE LINE COMPANY

Description and date of instrument	Rate schedule designation	
	Rate schedule	Supplement
Contract, Dec. 11, 1945.....	4	
Letter, Dec. 11, 1945.....	4	1
Sup. Agm't, Oct. 16, 1946.....	4	2
Sup. Agm't, Aug. 9, 1948.....	4	3
Letter, June 16, 1949.....	4	4
Letter, Sept. 16, 1949.....	4	5
Sup. Agm't, Dec. 1, 1949 (dedicated acreage).....	4	6
Sup. Agm't, Dec. 1, 1949 (Stratford acreage).....	4	7
Letter, Oct. 30, 1951.....	4	8
Letter, Sept. 8, 1952.....	4	9
Sup. Agm't, Oct. 7, 1952.....	4	10
Letter, Jan. 15, 1953.....	4	11

[F. R. Doc. 54-7880; Filed, Oct. 6, 1954; 8:50 a. m.]

DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of Accounts.

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1954 Supp. 105]

REINSURANCE CORP. OF NEW YORK

ACCEPTABLE REINSURING COMPANIES ON FEDERAL BONDS

OCTOBER 4, 1954.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company as a reinsuring company only on Federal bonds under Treasury Department Circular No. 297, July 15, 1922, as amended, 31 CFR Part 223. An underwriting limitation of

\$867,000.00 has been established for the company.

The Reinsurance Corporation of New York, New York, N. Y.

[SEAL] A. N. OVERBY,  
Acting Secretary of the Treasury.

[F. R. Doc. 54-7899; Filed, Oct. 6, 1954; 8:53 a. m.]

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1954 Supp. 104]

NATIONAL REINSURANCE CORP.

ACCEPTABLE REINSURING COMPANIES ON FEDERAL BONDS

OCTOBER 4, 1954.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company as a reinsuring company only on Federal bonds under Treasury Department Circular No. 297, July 15, 1922, as amended, 31 CFR Part 223. An underwriting limitation of \$733,000.00 has been established for the company.

National Reinsurance Corporation, New York, N. Y.

[SEAL] A. N. OVERBY,  
Acting Secretary of the Treasury.

[F. R. Doc. 54-7900; Filed, Oct. 6, 1954; 8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1623]

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 1st day of October A. D. 1954.

The Philadelphia-Baltimore 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, Inc., 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 15, 1954, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis

of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7869; Filed, Oct. 6, 1954; 8:48 a. m.]

[File No. 7-1650]

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 1st day of October A. D. 1954.

The Los Angeles 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, Inc., 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 15, 1954, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7868; Filed, Oct. 6, 1954; 8:47 a. m.]

[File No. 7-1651]

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 1st day of October A. D. 1954.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities and 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, Inc., a security listed and registered on the New York Stock Exchange.

urities 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, Inc., 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 15, 1954, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7870; Filed, Oct. 6, 1954;  
8:48 a. m.]

[File No. 7-1654]

CANADIAN WILLISTON MINERALS, LTD.

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 1st day of October A. D. 1954.

The Philadelphia-Baltimore 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 Capital Stock, .06¢ Par Value, of Canadian Williston Minerals, Ltd., a security listed and registered on the American 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 20, 1954, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter,

this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission,

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7875; Filed, Oct. 6, 1954;  
8:49 a. m.]

[File No. 31-618]

ONEIDA LTD.

ORDER GRANTING EXEMPTION

OCTOBER 1, 1954.

Oneida Ltd. ("Oneida") having filed an application under section 3 (a) (3) of the Public Utility Holding Company Act of 1935 ("act") for exemption from the provisions of the act; and

Due notice of the filing of the application having been given, and a hearing not having been ordered by, or requested of, the Commission; and

The Commission having examined the application and the statements therein contained; and

It appearing that Oneida is a New York corporation engaged in the manufacture of silver plate, sterling, and stainless steel tableware, and certain defense products; that it proposes to acquire all of the common stock (326 shares of \$100 par value each) of the Sherrill-Kenwood Power & Light Company ("Sherrill-Kenwood") a New York corporation organized in June 1953 for the purpose of acquiring the property and assets of The Kenwood Electric Light Company ("Kenwood"), a proprietorship engaged in furnishing electric service in the City of Sherrill and in parts of the City of Oneida and the Town of Vernon, contiguous communities in the State of New York in the area surrounding Oneida's manufacturing plant; and that upon the consummation of the transactions Sherrill-Kenwood will be an electric utility company, as defined in section 2 (a) (3) of the act, and Oneida will be a holding company as defined in section 2 (a) (7) of the act; and

Oneida having stated that it purchases from Niagara Mohawk Power Company, a non-affiliate, large quantities of electric energy for use in its manufacturing plant, and that the proposed acquisition of Sherrill-Kenwood is to insure the continuation of an existing arrangement under which Oneida, in order to procure its electric energy requirements more economically, purchases electric energy in excess of its own requirements and sells the surplus to Kenwood for resale to residential and commercial customers in the area adjacent to Oneida's plant; and

It further appearing that the acquisition of the assets of Kenwood by Sherrill-Kenwood, and the issuance by Sherrill-Kenwood of 326 shares of \$100 par value common stock and the acquisition thereof by Oneida have been authorized by the New York Public Service Commission; and

It further appearing that there is substantial doubt whether the application for exemption meets the standards of section 3 (a) (3) of the act and the Commission deeming it appropriate to consider such application under the standards of section 3 (a) (1) of the act; and

The Commission having found that Oneida and Sherrill-Kenwood are predominantly intrastate in character as to their public-utility business and carry on such business in a single state in which both are organized, and the Commission having further found that the granting of the requested exemption will not be detrimental to the public interest or the interest of investors or consumers:

It is ordered, That the application of Oneida for exemption of itself as a holding company, and its subsidiary as such, be, and the same hereby is, granted pursuant to section 3 (a) (1) of the act, effective forthwith upon the acquisition by Oneida of the common stock of Sherrill-Kenwood.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7872; Filed, Oct. 6, 1954;  
8:48 a. m.]

[File No. 70-3295]

CENTRAL POWER AND LIGHT CO.

NOTICE OF PROPOSED ACQUISITION OF NOTES  
OF ASSOCIATE COMPANY

OCTOBER 1, 1954.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") by Central Power and Light Company ("Central") a public-utility subsidiary of Central and South West Corporation, a registered holding company. Applicant has designated sections 9 (a) 10 and 12 (f) of the act and Rules U-41, U-43 and U-45 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central proposes to enter into certain transactions with Compania Electrica de Matamoros, Sociedad Anonima, a Mexican corporation (also known as Matamoros Electric Company, and herein called "Matamoros")

All the outstanding shares of stock of Matamoros are owned by Central and South West Corporation. Matamoros is a corporation organized and existing under the laws of Mexico. It owns and operates an electric distribution system in Matamoros, Mexico, and a transmission line across the Rio Grande connecting on the north side of the river in the State of Texas with Central's electric transmission system, and is engaged primarily in furnishing electric service in Matamoros, Mexico. Matamoros derives no part of its income, directly or indirectly, from sources within the United States and is not a public-utility com-

pany operating in the United States. It has no subsidiaries and does not own any public-utility company or holding company operating, directly or indirectly, in the United States and by order of this Commission dated February 5, 1942, is exempt from all provisions of the act applicable to it as a subsidiary of a registered holding company.

Central proposes to acquire five (5) notes payable of Matamoros aggregating \$98,534.53 in principal amount, each dated September — 1954, and bearing interest at the rate of 8 percent per annum from date. One of said notes will be in the principal sum of \$19,706.53, due September 15, 1955; and the other four notes will be in the principal sum of \$19,707 each, due, respectively, on the 15th day of September, 1956 to 1959, inclusive. Said notes will be issued by Matamoros and accepted by Central in payment of (a) the purchase price (\$70,594.53, representing the cost to Central) of certain substation equipment, materials and related facilities owned by Central, which Central has agreed to sell to Matamoros, and (b) a portion (\$27,940) of the cost to Central of certain poles, line materials and supplies heretofore delivered by Central to Matamoros.

It is stated that no State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. No fees or commissions have been or are to be paid and it is estimated that expenses relating to the transactions will be nominal.

Notice is further given that any interested person may, not later than October 15, 1954, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such a request, the nature of his interest and the issues of fact or law raised by said application 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 said date, said application, as filed or as amended, may be granted 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 Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7871; Filed, Oct. 6, 1954;  
8:48 a. m.]

[File No. 812-865]

NORTHEAST CAPITAL CORP.

ORDER CONTINUING PERIOD OF EXEMPTION

OCTOBER 1, 1954.

Northeast Capital Corporation ("Northeast"), a New York corporation, having filed an application on February 4, 1954, pursuant to section 3 (b) (2) of the Investment Company Act of 1940 ("act") for an order declaring that it

is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities, and under such section the filing of such application having exempted Northeast from all provisions of the act applicable to investment companies as such for a period of sixty days, or through April 5, 1954, and the Commission having previously granted request by Northeast extending the period of such exemption until October 1, 1954; and

Northeast having requested that a further extension of such period of temporary exemption be granted until December 1, 1954, and having represented, in connection with such request for extension, that it does not contemplate during that period the taking of any action which would require prior approval of the Commission if it were registered under the act, and having agreed that in the event it does propose any such transaction, it will give the Commission 10 days' notice thereof and comply with any directions issued by the Commission with respect thereto, as more fully set forth in such request; and

It appearing to the Commission that on the basis of the request and in the light of the representations and undertakings made by Northeast, good cause exists for granting the further extension as requested;

It is ordered, That the period of exemption granted to Northeast pursuant to section 3 (b) (2) of the act be and hereby is extended until December 1, 1954, unless the Commission shall prior thereto enter an order on the application.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 54-7873; Filed, Oct. 6, 1954;  
8:49 a. m.]

[File No. 70-3296]

ATTLEBORO ELECTRIC CO. ET AL.

NOTICE OF FILING REGARDING ISSUE AND SALE BY SUBSIDIARIES OF PROMISSORY NOTES TO BANKS AND TO PARENT COMPANY

OCTOBER 1, 1954.

In the matter of Attleboro Electric Company, Essex County Electric Company, the Lowell Electric Light Corporation, Mystic Valley Gas Company, New England Power Company, Northampton Electric Lighting Company, Northern Berkshire Electric Company, Norwood Gas Company, Quincy Electric Company, Suburban Electric Company, Wachusett Gas Company, Weymouth Light and Power Company, Worcester County Electric Company, New England Electric System; File No. 70-3296.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("the act") by New England Electric System ("NEES") a registered holding company, and its above-named public-utility subsidiary companies (hereinafter individually referred to as "Attle-

boro" "Essex" "Lowell", "Mystic", "NEPCO" "Northampton" "Northern", "Norwood" "Quincy", "Suburban", "Wachusett" "Weymouth" and "Worcester" and collectively referred to as "the borrowing companies") NEES and the borrowing companies have designated sections 7, 10 and 12 of the act and Rules U-42 (b) (2), U-43 and U-45 (b) (1) promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

The borrowing companies propose to issue during the period from October 1, 1954, through December 31, 1954, short-term unsecured promissory notes (a) to banks in the aggregate principal amount of \$2,125,000 and (b) to NEES in the aggregate principal amount of \$14,800,000 or a total of \$16,925,000. Each of the notes proposed to be issued will mature on March 31, 1955, and, except as hereinafter described, if issued by an electric company, will bear interest at the prime rate at the time of issuance thereof, and, if issued by a gas company, at such interest rate plus  $\frac{1}{4}$  of 1 percent. It is stated that the present prime rate is 3 percent. Mystic, Norwood and Wachusett are gas companies and the other borrowing companies are electric companies.

Any note proposed to be issued by a borrowing company to NEES for the purpose of prepaying any then outstanding note payable to a bank, will bear interest at the same interest rate as the note to be prepaid until the due date of the prepaid note or at the prime interest rate (plus  $\frac{1}{4}$  of 1 percent in the case of gas companies) on the issue date thereof, whichever is lower, and thereafter at the prime rate at the time of issuance or at such rate plus  $\frac{1}{4}$  of 1 percent depending on whether the issuer is an electric or gas company.

The following table shows for each borrowing company (1) the aggregate amount of notes proposed to be issued to banks and to NEES, and (2) the estimated amount of short-term debt to be outstanding with banks and with NEES at December 31, 1954.

	Aggregate amount of notes proposed to be issued		Estimated amount of short-term debt to be outstanding at Dec. 31, 1954	
	Banks	NEES	Banks	NEES
Attleboro.....	.....	\$200,000	.....	\$1,150,000
Essex.....	.....	800,000	.....	800,000
Lowell.....	\$1,300,000	.....	\$5,000,000	.....
Mystic.....	700,000	.....	850,000	.....
NEPCO.....	.....	1,500,000	.....	1,500,000
Northampton.....	75,000	.....	375,000	.....
Northern.....	.....	1,410,000	.....	1,410,000
Norwood.....	.....	70,000	.....	630,000
Quincy.....	.....	1,680,000	.....	1,680,000
Suburban.....	.....	1,500,000	.....	1,500,000
Wachusett.....	50,000	.....	100,000	.....
Weymouth.....	.....	2,150,000	.....	2,150,000
Worcester.....	.....	5,400,000	.....	5,400,000
Total.....	2,125,000	14,800,000	6,325,000	10,125,000

The proceeds to be derived from the issuance of the proposed notes will be used by the borrowing companies to pay then outstanding notes or to pay for construction expenditures.

The joint application-declaration states that incidental services in con-

nection with the proposed note issues will be performed at cost by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed \$100 for NEES and each borrowing company, or an aggregate of \$1,400.

The joint application-declaration further states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

NEES and the borrowing companies request that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than October 13, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law, if any, raised by the said joint application-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 said date, said joint application-declaration, as filed or as amended, may be granted and 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. 54-7874; Filed, Oct. 6, 1954;  
8:49 a. m.]

**CIVIL AERONAUTICS BOARD**

[Docket No. 1706 et al.]

PAN AMERICAN WORLD AIRWAYS, INC., AND TRANS WORLD AIRLINES, INC., REOPENED TRANSATLANTIC FINAL MAIL RATE CASE

NOTICE OF PREHEARING CONFERENCE

The Board by Order No. E-8672, dated September 29, 1954, has reopened the above-entitled proceeding for further hearing on the limited issue of the extent to which operating divisions of Pan American World Airways, Inc. and Trans World Airlines, Inc., other than the transatlantic divisions, may have available excess earnings for offset against the subsidy requirements of the transatlantic division. Notice is hereby given that a prehearing conference in this matter is hereby assigned to be held on October 18, 1954, at 10:00 a. m., e. s. t., in Room 2070, Temporary Building No. 5, Sixteenth and Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen.

Dated at Washington, D. C., October 4, 1954.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner

[F. R. Doc. 54-7894; Filed, Oct. 6, 1954;  
8:52 a. m.]

**INTERSTATE COMMERCE COMMISSION**

[4th Sec. Application 29748]

SULPHUR FROM CLEMENS, TEX., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

OCTOBER 4, 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: Sulphur, carloads.

From: Clemens, Texas.

To: Points in 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. 4020, supp. 105.

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. 54-7881; Filed, Oct. 6, 1954;  
8:50 a. m.]

[4th Sec. Application 29749]

PULPBOARD AND FIBREBOARD FROM EVADALE, TEX., TO OFFICIAL AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

OCTOBER 4, 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: Pulpboard and fibreboard, carloads.

From Evadale, Texas.

To: Points in official and Illinois territories.

Grounds for relief: Rail competition, circuitry, market compensation, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 4075, supp. 16.

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. 54-7883; Filed, Oct. 6, 1954;  
8:51 a. m.]

[4th Sec. Application 29750]

PHOSPHATE ROCK FROM FLORIDA TO MANY, LA., AND WALNUT RIDGE, ARK.

APPLICATION FOR RELIEF

OCTOBER 4, 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 schedules listed below.

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

From: Mines in Florida.

To: Many, La., and Walnut Ridge, Ark.

Grounds for relief: Rail competition, circuitry, rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: Seaboard Air Line Railroad Company, I. C. C. No. A-8153, supp. 98; Atlantic Coast Line Railroad Company, I. C. C. No. B-3232, supp. 109.

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. 54-7883; Filed, Oct. 6, 1954;  
8:51 a. m.]

[4th Sec. Application 29751]

VARIOUS COMMODITIES FROM POINTS IN  
NEW ENGLAND TO SOUTHERN TERRITORY  
AND RICHMOND, VA.

APPLICATION FOR RELIEF

OCTOBER 4, 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 C. W. Boin and C. R. Goldrich, Agents, for carriers parties to schedules shown in exhibit A of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Various commodities, carloads.

From: Points in New England territory.

To: Points in southern territory; also Richmond, Va.

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

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. 54-7884; Filed Oct. 6, 1954;  
8:51 a. m.]

[4th Sec. Application 29752]

PHOSPHATIC FERTILIZER SOLUTION FROM  
RIDGEWOOD, FLA., TO BALTIMORE, MD.

APPLICATION FOR RELIEF

OCTOBER 4, 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: Phosphatic fertilizer solution (containing not more than 55 percent of anhydrous phos-

phoric acid by weight) ammoniated or not ammoniated, in tank-car loads.

From: Ridgewood, Fla.

To: Baltimore, Maryland.

Grounds for relief: Rail competition, circuitry, and market competition.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1366, supp. 33.

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. 54-7885; Filed, Oct. 6, 1954;  
8:51 a. m.]

[4th Sec. Application 29753]

PHOSPHATE ROCK FROM FLORIDA TO  
PRAIRIE DU CHIEN, WIS.

APPLICATION FOR RELIEF

OCTOBER 4, 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 schedules listed below.

Commodities involved: Phosphate rock, crude other than ground phosphate rock, slush and floats, and soft phosphate, carloads.

From: Mines in Florida.

To: Prairie du Chien, Wis.

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

Schedules filed containing proposed rates: Seaboard Air Line Railroad Company, I. C. C. No. A-8153, supp. 98; Atlantic Coast Line Railroad Company, I. C. C. No. B-3232, supp. 109.

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 emer-

gency 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. 54-7886; Filed, Oct. 6, 1954;  
8:51 a. m.]

[4th Sec. Application 29754]

MOLDING SAND FROM SAULSBURY, TENN.,  
TO AUGUSTA, ILL., AND DARIEN, WIS.

APPLICATION FOR RELIEF

OCTOBER 4, 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: Sand, molding, carloads.

From: Saulsbury, Tenn.

To: Augusta, Ill., and Darien, Wis.

Grounds for relief: Rail competition, circuitry, rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1315, supp. 80.

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. 54-7887; Filed, Oct. 6, 1954;  
8:51 a. m.]

[4th Sec. Application 29755]

COAL FROM WEST VIRGINIA AND KENTUCKY  
TO TERRE HAUTE, IND.

APPLICATION FOR RELIEF

OCTOBER 4, 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 Roy S. Kern, Agent, for carriers parties to schedule listed below.

Commodities involved: Coal, and coal briquettes, carloads.

From: Mines and stations on the Chesapeake and Ohio Railway Company in West Virginia, Kentucky, etc.

To: Terre Haute, Ind.

Grounds for relief: Rail competition, circuitry, market competition, and to maintain grouping.

Schedules filed containing proposed rates: Chesapeake and Ohio Railway Company, I. C. C. No. 13164, Supp. 27.

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. 54-7888; Filed, Oct. 6, 1954;  
8:52 a. m.]

[4th Sec. Application 29756]

**MOTOR-RAIL RATES IN THE EAST;  
SUBSTITUTED SERVICE  
APPLICATION FOR RELIEF**

OCTOBER 4, 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 New York, New Haven and Hartford Railroad Company and Porto Transport, Inc.

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

Between: New Haven, Conn., on the one hand, and Harlem River, N. Y., Elizabeth or Edgewater, N. J., on the other.

Grounds for relief: Competition with motor carriers.

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

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

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Secretary.

[F. R. Doc. 54-7889; Filed, Oct. 6, 1954;  
8:52 a. m.]

[4th Sec. Application 29757]

**MOTOR-RAIL RATES IN THE EAST;  
SUBSTITUTED SERVICE  
APPLICATION FOR RELIEF**

OCTOBER 4, 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 New York, New Haven and Hartford Railroad Company and Cooper's Express, Inc.

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

Between: Providence, R. I., or Worcester, Mass., on the one hand, and Harlem River, N. Y., Elizabeth or Edgewater, N. J., on the other; also between Lowell, Mass., and Harlem River, N. Y.

Grounds for relief: Competition with motor carriers.

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. 54-7890; Filed, Oct. 6, 1954;  
8:52 a. m.]

[4th Sec. Application 29758]

**MOTOR-RAIL RATES IN THE EAST;  
SUBSTITUTED SERVICE  
APPLICATION FOR RELIEF**

OCTOBER 4, 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 New York, New Haven and Hartford Railroad Company, and New York & Worcester Express, Inc.

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

Between: Worcester, Mass., on the one hand, and Harlem River, N. Y., Elizabeth or Edgewater, N. J., on the other.

Grounds for relief: Competition with motor carriers.

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. 54-7891; Filed, Oct. 6, 1954;  
8:52 a. m.]

[4th Sec. Application 29759]

**MOTOR-RAIL RATES IN THE EAST;  
SUBSTITUTED SERVICE  
APPLICATION FOR RELIEF**

OCTOBER 4, 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 New York, New Haven and Hartford Railroad Company and Highway Express Co., Inc.

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

Between: New Haven, Conn., on the one hand, and Harlem River, N. Y., Elizabeth or Edgewater, N. J., on the other, also between New Haven, Conn., and Boston, Mass.

Grounds for relief: Competition with motor carriers.

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. 54-7893; Filed, Oct. 6, 1954;  
8:52 a. m.]

