



FEDERAL REGISTER

VOLUME 18

NUMBER 142

Washington, Wednesday, July 22, 1953

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10472

ESTABLISHING THE NATIONAL AGRICULTURAL ADVISORY COMMISSION

WHEREAS a prosperous agriculture is fundamental to the national interest and general welfare; and

WHEREAS the development of sound Federal farm policies and the effective administration of Federal agricultural programs are high national duties; and

WHEREAS the better formulation of farm policies and the improved administration of agricultural programs would be furthered by the establishment of a commission composed of farmers and others closely connected with agriculture to render advice to the Secretary of Agriculture:

NOW THEREFORE, by virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. There is hereby established the National Agricultural Advisory Commission, hereinafter referred to as the Commission, which shall be composed of eighteen members who shall be appointed by the President, not more than nine of whom shall be members of a single political party. At least twelve of the members of the Commission shall be representative farmers. The members of the Commission shall be appointed with a view toward granting appropriate representation to the several geographic sections of the United States. Of the members first appointed one-third shall be for a term ending January 31, 1955, one-third for a term ending January 31, 1956, and one-third for a term ending January 31, 1957. Successors shall be appointed for a term of three years. The chairman of the Commission shall be designated by the President.

SEC. 2. The Commission shall from time to time, upon the request of the Secretary of Agriculture, hereinafter referred to as the Secretary, (a) review the policies and administration of farm programs within the jurisdiction of the Department of Agriculture, or any part of such policies and administration, and such related matters as the Secretary shall determine, and (b) advise the Secretary in regard thereto. The Commission shall meet at such times and

places as the Secretary shall designate. The Secretary shall arrange at least one meeting of the Commission during each quarter of each calendar year.

SEC. 3. Pending the availability of a specific appropriation for the expenses of the Commission, no Federal funds shall be expended in connection with the Commission.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
July 20, 1953.

[F. R. Doc. 53-6497; Filed, July 20, 1953;
2:43 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Effective upon publication in the FEDERAL REGISTER, the position listed below is excepted from the competitive service under Schedule C.

§ 6.323 *Department of Health, Education, and Welfare—(a) Office of the Secretary.* * * *

(4) Publications Writer.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,
Executive Assistant.

[F. R. Doc. 53-6449; Filed, July 21, 1953;
8:52 a. m.]

Chapter III—Foreign and Territorial Compensation

Subchapter C—Civil Service Commission

PART 350—TERRITORIAL POST DIFFERENTIALS AND TERRITORIAL COST-OF-LIVING ALLOWANCES

PUERTO RICO AND VIRGIN ISLANDS

Effective upon publication in the FEDERAL REGISTER or at any subsequent date

(Continued on p. 4249)

CONTENTS

THE PRESIDENT

Executive Order	Page
Establishing the National Agricultural Advisory Commission.....	4247

EXECUTIVE AGENCIES

Agriculture Department
See Production and Marketing Administration.

Alien Property Office

Notices:

Vested property, intention to return:	
Andresen, Halvor Tobias	
Heyerdahl.....	4269
Garro, Nunzia.....	4269
Hartmann, Nelly.....	4269
Kaplan, Margarete.....	4269
Pulvermann, Curt.....	4269
Skanes, Henry Olaf.....	4270

Army Department
See Engineers Corps.

Civil Aeronautics Board

Notices:

Central Airlines Inc., and Braniff Airways, Inc., investigation of service to Muskogee, Okla., and Fayetteville, Ark., prehearing conference.....	4259
---	------

Civil Service Commission

Rules and regulations:

Competitive service, exceptions from; Department of Health, Education, and Welfare.....	4247
Territorial post differentials and territorial cost-of-living allowances; Puerto Rico and Virgin Islands.....	4247

Defense Department

Delegation of authority to Secretary with respect to acquisition of special-purpose space by lease for five years (see General Services Administration)

Rules and regulations:

Armed Services Procurement Regulations; miscellaneous amendments.....	4256
---	------

Defense Mobilization Office

Notices:

Foreign petroleum supply request to participate in voluntary agreement.....	4262
---	------



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CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 6 (\$1.50); Title 14: Part 400-end (Revised Book) (\$3.75); Title 32: Parts 1-699 (\$0.75); Title 38 (\$1.50); Title 43 (\$1.50); Title 46: Part 146-end (\$2.00)

Previously announced: Title 3 (\$1.75); Titles 4-5 (\$0.55); Title 7: Parts 1-209 (\$1.75), Parts 210-899 (\$2.25), Part 900-end (Revised Book) (\$6.00); Title 8 (Revised Book) (\$1.75); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 15 (\$0.75); Title 16 (\$0.65); Title 17 (\$0.35); Title 18 (\$0.35); Title 19 (\$0.45); Title 20 (\$0.60); Title 21 (\$1.25); Titles 22-23 (\$0.65); Title 24 (\$0.65); Title 25 (\$0.40); Title 26: Parts 80-169 (\$0.40), Parts 170-182 (\$0.65), Parts 183-299 (\$1.75); Title 26: Part 300-end, Title 27 (\$0.60); Titles 28-29 (\$1.00); Titles 30-31 (\$0.65); Title 32: Part 700-end (\$0.75); Title 33 (\$0.70); Titles 35-37 (\$0.55); Title 39 (\$1.00); Titles 40-42 (\$0.45); Titles 44-45 (\$0.60); Title 46: Parts 1-145 (Revised Book) (\$5.00); Titles 47-48 (\$2.00); Title 49: Parts 1-70 (\$0.50), Parts 71-90 (\$0.45), Parts 91-164 (\$0.40), Part 165-end (\$0.55); Title 50 (\$0.45)

Order from
Superintendent of Documents, Government
Printing Office, Washington 25, D. C.

CONTENTS—Continued

Engineers Corps	Page
Rules and regulations:	
Flood control regulations; Savage River Dam and Reservoir	4257
Federal Power Commission	
Notices:	
Hearings:	
El Paso Natural Gas Co.	4261
Grant Lake Electric Power Co., Inc.	4261
Hope Natural Gas Co.	4260
Oroville - Wyandotte Irrigation District	4261
Public Power and Water Corp.	4261
Southern Counties Gas Co. of California	4259
Southern Natural Gas Co. (4 documents)	4260, 4261
South Georgia Natural Gas Co.	4259
Federal Trade Commission	
Rules and regulations:	
National Stores; cease and desist order	4254
General Services Administration	
Notices:	
Secretary of Defense; delegation of authority with respect to acquisition of special-purpose space by lease for five years	4261
Immigration and Naturalization Service	
Notices:	
Organization statement; designation of representative pursuant to Public Law 86	4269
Rules and regulations:	
Documentary requirements for admission of immigrants, nonimmigrants and certain inadmissible aliens; waivers	4251
Naturalization of persons serving in the Armed Forces of the United States after June 24, 1950	4253
Interior Department	
See Land Management Bureau.	
Interstate Commerce Commission	
Notices:	
Applications for relief:	
Billets, iron or steel, from: Certain States to Owensboro and Steelton, Ky.	4267
Steelton, Minn., to Cleveland, Ohio	4268
Cigarettes and manufactured tobacco between points in the South	4267
Denatured alcohol and related articles from Port Neches, Tex., to points in official, Illinois, and western trunk-line territories	4268
Scrap paper from the Southwest to Lowell, Mass.	4267
Railway mail pay; reopening of hearing	4268
Transportation of hay, feed, and livestock in disaster areas; reduced rates	4268

CONTENTS—Continued

Interstate Commerce Commission—Continued	Page
Rules and regulations:	
Control or consolidation of motor carriers or their properties; list of forms; filing of application forms and protests to granting thereof	4257
Justice Department	
See also Alien Property Office; Immigration and Naturalization Service.	
Land Management Bureau	
Notices:	
Arizona; filing of plat of survey	4258
Production and Marketing Administration	
Rules and regulations:	
Pears, fresh Bartlett, plums and Elberta peaches grown in California, regulation by grades and sizes (4 documents)	4249-4251
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
American Gas and Electric Co. et al.	4262
Appalachian Electric Power Co. et al.	4266
Cities Service Co. et al.	4264
General Public Utilities Corp. et al.	4263
New England Gas and Electric Assn. et al.	4266
Ohio Power Co.	4267
State Department	
Rules and regulations:	
Visas: Documentation of non-immigrant aliens under the Immigration and Nationality Act; waiver of documentary requirements	4255
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 3	Page
Chapter II (Executive orders)	
10472	4247
Title 5	
Chapter I.	
Part 6	4247
Chapter III.	
Part 350	4247
Title 7	
Chapter IX.	
Part 936 (4 documents)	4249-4251
Title 8	
Chapter I.	
Part 211	4251
Part 212	4251
Part 410	4253
Part 411	4253
Part 450	4253
Title 16	
Chapter I:	
Part 3	4254

CODIFICATION GUIDE—Con.

Title 22	Page
Chapter I.	
Part 41.....	4255
Title 32	
Chapter IV.	
Part 406.....	4256
Part 407.....	4256
Part 413.....	4256
Title 33	
Chapter II.	
Part 208.....	4257
Title 49	
Chapter I.	
Part 7.....	4257
Part 180.....	4257

not later than the beginning of the first pay period which begins after the date of publication in the FEDERAL REGISTER, as elected by each department or agency, §§ 350.10 and 350.11 are amended as set out below.

1. An item for Puerto Rico and the Virgin Islands is added to § 350.10 as follows:

§ 350.10 *Places and rates at which territorial post differentials shall be paid.*
* * *

Puerto Rico and Virgin Islands of the United States: 15 percent of rate of basic compensation.

2. In § 350.11 *Places and rates at which territorial cost-of-living allowances shall be paid* the item which reads "Puerto Rico and Virgin Islands of the United States: 25 percent of rate of basic compensation" is revoked.

(Sec. 202, Part II, E. O. 10,000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WIL C. HULL,
Executive Assistant.

[F. R. Doc. 53-6430; Filed, July 21, 1953; 8:48 a. m.]

TITLE 7—AGRICULTURE

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

[Plum Order 7, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums

of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237· 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Wickson plums grown in the State of California.

It is, therefore, ordered as follows:
The provisions in paragraph (b) of § 936.452 (Plum Order 7; 18 F. R. 3523) are hereby amended to read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 13, 1953, and ending at 12:01 a. m., P. s. t., November 1, 1953, no shipper shall ship from any shipping point during any day any package or container of Wickson plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage, and a tolerance of ten (10) percent for hail damage not considered serious damage, both of such tolerances to be in addition to the tolerances for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack if said quantity does not exceed eleven and eleven one-hundredths (11.11) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) Section 936.143 of the rules and regulations, as amended (7 CFR 936.100 et seq., 18 F. R. 712, 2839) sets forth the requirements with respect to the inspection and certification of shipments of plums. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(5) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142 of the aforesaid amended rules and regulations; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of Plum Order 7; or (2) as releasing or extinguishing any violation of said Plum Order 7 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 692c)

Done at Washington, D. C., this 17th day of July 1953, to become effective at 12:01 a. m., P. s. t., July 18, 1953.

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

[F. R. Doc. 53-6465; Filed, July 21, 1953; 8:57 a. m.]

[Plum Order 10, Amdt. 2]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitations of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237-5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Duarte plums grown in the State of California.

It is, therefore, ordered as follows:

The provisions in paragraph (b) of § 936.455 (Plum Order 10; 18 F. R. 3525; 3828) are hereby amended to read as follows:

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 18, 1953, and ending at 12:01 a. m., P. s. t., November 1, 1953, no shipper shall ship from any shipping point during any day any package or container of Duarte plums unless:

(i) Such plums grade at least U. S. No. 1 with a tolerance of ten (10) percent for defects not considered serious damage, and a tolerance of ten (10) percent for hail damage not considered serious damage, both of such tolerances to be in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 5 standard pack.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 5 standard pack if said quantity does not exceed eleven and eleven one-hundredths (11.11) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 5 standard pack, as aforesaid.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) Section 936.143 of the rules and regulations, as amended (7 CFR 936.100 et seq., 18 F. R. 712, 2839) sets forth the

requirements with respect to the inspection and certification of shipments of plums. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(5) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) 7 CFR 51.360; "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142 of the aforesaid amended rules and regulations; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of Plum Order 10; or (2) as releasing or extinguishing any violation of said Plum Order 10 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

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

Done at Washington, D. C., this 17th day of July 1953, to become effective at 12:01 a. m., P. s. t., July 18, 1953.

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

[F. R. Doc. 53-6466; Filed, July 21, 1953;
8:57 a. m.]

[Plum Order 12, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS,
AND ELBERTA PEACHES GROWN IN CALI-
FORNIA

REGULATION BY GRADES AND SIZES

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936) regulating the handling of fresh Bartlett, pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making pro-

cedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237-5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Becky Smith plums grown in the State of California.

It is, therefore, ordered as follows:

The provisions in paragraph (b) of § 936.458 (Plum Order 12; 18 F. R. 3925) are hereby amended to read as follows:

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., July 18, 1953 and ending at 12:01 a. m., P. s. t., November 1, 1953, no shipper shall ship any package or container of Becky Smith plums unless:

(i) Such plums grade at least U. S. No. 1, and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack if said quantity does not exceed eleven and eleven one-hundredths (11.11) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) Section 936.143 of the rules and regulations, as amended (7 CFR 936.100 et seq., 18 F. R. 712, 2839), sets forth the requirements with respect to the inspection and certification of shipments of plums. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(5) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) 7 CFR 51.360; "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142 of the aforesaid amended rules and regulations; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of Plum Order 12; or (2) as releasing or extinguishing any violation of said Plum Order 12 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

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

Done at Washington, D. C., this 17th day of July 1953, to become effective at 12:01 a. m., P. s. t., July 18, 1953.

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

[F. R. Doc. 53-6467; Filed, July 21, 1953; 8:57 a. m.]

[Plum Order 17, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

Findings. (1) Pursuant to the marketing agreements, as amended, and Order No. 36, as amended (7 CFR Part 936) regulating the handling of fresh Bartlett pears, plums, and Elberta Peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitations of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237-5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act

of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Late Santa Rosa plums grown in the State of California.

It is, therefore, ordered as follows: The provisions in paragraph (b) of § 938.463 (Plum Order 17; 18 F. R. 4057) are hereby amended to read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 18, 1953, and ending at 12:01 a. m., P. s. t., November 1, 1953, no shipper shall ship from any shipping point during any day any package or container of Late Santa Rosa plums unless:

(i) Such plums grade at least U. S. No. 1 with a tolerance of fifteen (15) percent for defects not considered serious damage, and a tolerance of ten (10) percent for hail damage not considered serious damage, both of such tolerances to be in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 5 standard pack.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 5 standard pack if said quantity does not exceed eleven and eleven one-hundredths (11.11) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 5 standard pack, as aforesaid.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) Section 936.143 of the rules and regulations, as amended (7 CFR 936.100 et seq., 18 F. R. 712, 2839) sets forth the requirement with respect to the inspection and certification of shipments of plums. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(5) As used herein, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) 7 CFR 51.360; "standard pack" shall have the applicable mean-

ings of the terms "standard pack" and "equivalent size" as when used in § 936.142 of the aforesaid amended rules and regulations; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of Plum Order 17; or (2) as releasing or extinguishing any violation of said Plum Order 17 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

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

Done at Washington, D. C., this 17th day of July 1953, to become effective at 12:01 a. m., P. s. t., July 18, 1953.

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

[F. R. Doc. 53-6463; Filed, July 21, 1953; 8:58 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

PART 212—DOCUMENTARY REQUIREMENTS FOR NON-IMMIGRANTS: ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

WAIVER OF DOCUMENTARY REQUIREMENTS

The following amendments to Parts 211 and 212, Chapter I, Title 8 of the Code of Federal Regulations, are hereby prescribed:

1. Section 211.4 is amended by redesignating present paragraph (b) as paragraph (c) and by adding a new paragraph (b) which, when taken with the introductory material, shall read as follows:

§ 211.4 *Immigrants not required to present passports.* Aliens of the following-described classes (including alien crewmen) who apply for admission to the United States as immigrants, and who are otherwise admissible, are not required to present passports:

(b) An immigrant who is the spouse or child of a United States citizen: *Provided*, That such immigrant (1) is the beneficiary of a petition approved under the provisions of section 205 (b) of the Immigration and Nationality Act; (2) is a stateless person or is applying for a visa outside the country of his nationality, and (3) establishes that he is unable to obtain a passport. An immigrant who is a national of a Communist-controlled country and who is applying for a visa outside of such country, may, for

the purposes of this paragraph, be considered unable to obtain a passport if, because of his opposition to Communism, he is unwilling to apply to the government of such country for a passport.

2. Section 212.3 is amended to read as follows:

§ 212.3 *Nonimmigrants not required to present passports, visas, or border-crossing identification cards.* The provisions of section 212 (a) (26) of the Immigration and Nationality Act and of this chapter relating to the requirement of passports, visas, and border-crossing identification cards for nonimmigrants, have been waived by the Secretary of State and the Attorney General, acting jointly in pursuance of the authority contained in section 212 (d) (4) of the Immigration and Nationality Act, in the cases of aliens (including alien crewmen) who fall within any of the following-described categories and who are otherwise qualified for admission as nonimmigrants under the applicable provisions of the immigration laws:

(a) A Canadian citizen who has his residence in Canada and who makes application for admission into the United States (1) from Canada, or (2) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands, or (3) from, and after a visit solely to, some place in the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel.

(b) A British subject who has his residence in Canada and who makes application for admission into the United States (1) from Canada, or (2) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands, or (3) from, and after a visit solely to, some place in the Western Hemisphere if such subject departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel.

(c) A Mexican national who:

(1) Is a military or civilian official or employee of the Mexican national government, or of a Mexican state or municipal government, or a member of the family of any such official or employee, and who makes application for admission into the continental United States from Mexico on personal or official business or for pleasure; or

(2) Makes application to pass in immediate and continuous transit through the continental United States from one place in Mexico to another by means of a transportation line which crosses the border between the United States and Mexico; or

(3) Is a member of a fire-fighting group entering the United States in connection with fire-fighting activities.

(d) International Boundary and Water Commission officers, employees, and other personnel entering the United States in the performance of their official duties, and Mexican nationals employed directly or indirectly on the construction, operation, or maintenance of works in the United States undertaken in accordance with the treaty concluded on

February 3, 1944, between the United States and Mexico, and entering the United States temporarily in connection with such employment.

(e) An alien who is being transported by railroad or air in immediate and continuous transit through the United States directly from one part of Canada, or Mexico to another, without stopover, in accordance with the terms of a contract, including a bonding agreement, entered into by the transportation line and the Attorney General under the provisions of section 238 (d) of the Immigration and Nationality Act: *Provided*, That at all times such alien is in transit through the United States, and is not aboard an aircraft which is in flight through the United States, he shall be in the custody of an officer of the United States: *And provided further* That if such alien is in transit through the United States by railroad, he may be in such other custody as may be approved by the Attorney General.

(f) An alien not within the purview of paragraph (e) of this section who is being transported in immediate and continuous transit through the United States without stopover from one foreign place to another in accordance with the terms of a contract, including a bonding agreement, entered into by a transportation line and the Attorney General under the provisions of section 238 (d) of the Immigration and Nationality Act, to insure such immediate and continuous transit through, and departure from, the United States en route to a specifically designated foreign country: *Provided*, That such alien is in possession of a travel document which is valid for his entry into a foreign country for a period of not less than 60 days after the date of immediate and continuous transit through the United States: *And provided further* That at all times such alien is not aboard an aircraft which is in flight through the United States, he shall be in the custody of an officer of the United States.

(g) An alien who is a passenger aboard a vessel or aircraft of a transportation line which is signatory to a contract, including a bonding agreement, entered into between such line and the Attorney General under the authority of section 238 (d) of the Immigration and Nationality Act to guarantee the passage through the United States in immediate and continuous transit of aliens destined to foreign countries, and who makes application for admission into Hawaii, Puerto Rico, or the Virgin Islands for a period of not more than twenty-four hours: *Provided*, That at all times such alien is not aboard the vessel or aircraft and is within the territorial limits of Hawaii, Puerto Rico, or the Virgin Islands he shall be in the custody of an officer of the United States or such other custody as may be approved by the Attorney General.

3. Section 212.5 is amended to read as follows:

§ 212.5 *Nonimmigrants required to present passports but not visas or border-crossing identification cards.* The pro-

visions of section 212 (a) (26) of the Immigration and Nationality Act and of this chapter relating to the requirement of visas and border-crossing identification cards for nonimmigrants have been waived by the Secretary of State and the Attorney General, acting jointly in pursuance of the authority contained in section 212 (d) (4) of the Immigration and Nationality Act, in the cases of aliens (including alien crewmen) who fall within any of the following-described categories and who are otherwise qualified for admission as nonimmigrants under the applicable provisions of the immigration laws:

(a) A Canadian citizen who has his residence in Canada, who makes application for admission into the United States, and who is returning to Canada from any country or place (1) other than foreign contiguous territory or adjacent islands, or (2) other than the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel.

(b) A British subject who has his residence in British territory in the West Indies and who makes application for admission into Puerto Rico or the Virgin Islands of the United States.

(c) A French national who has his residence in French territory in the West Indies and who makes application for admission into Puerto Rico or the Virgin Islands of the United States.

(d) A Netherlands subject who has his residence in Netherlands territory in the West Indies and who makes application for admission into Puerto Rico or the Virgin Islands of the United States.

(e) Nationals of foreign contiguous territory or adjacent islands who make application for admission into the United States as seasonal or temporary workers under specific legislation enacted by the Congress and in accordance with international arrangements concluded upon the basis of such legislation.

(f) A national of Cuba who is an official of the Cuban Immigration Service, who makes continuous round trips on regularly scheduled steamships between Havana, Cuba, and Miami, Florida, for the purpose of inspecting passengers, and who makes application for admission into the United States in connection with such employment.

(g) A British subject who has his residence in, and arrives in the United States directly from, the Cayman Islands, and who, in making application for admission into the United States, presents a certificate from the Clerk of Court of the Cayman Islands stating what, if anything, the Court's criminal records show concerning such subject, and a certificate from the Office of Commissioner of the Cayman Islands stating what, if anything, its records show with respect to such subject's political associations or affiliations.

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103)

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

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relieve restrictions and are clearly advantageous to persons affected thereby.

Dated: July 17, 1953.

HERBERT BROWNELL, Jr.,
Attorney General.

Recommended: June 12, 1953.

ARGYLE R. MACKAY,
Commissioner of Immigration
and Naturalization.

[F. R. Doc. 53-6514; Filed, July 21, 1953;
9:00 a. m.]

Subchapter C—Nationality Regulations

PART 410—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES WHO SERVED AFTER JUNE 24, 1950, AND BEFORE JULY 1, 1955, WHO ARE WITHIN THE JURISDICTION OF A NATURALIZATION COURT

PART 411—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES WHO SERVED AFTER JUNE 24, 1950, AND BEFORE JULY 1, 1955, WHO ARE NOT WITHIN THE JURISDICTION OF A NATURALIZATION COURT

Subchapter D—Immigration and Naturalization Forms

PART 450—FORMS

NATURALIZATION OF PERSONS SERVING IN THE ARMED FORCES OF THE UNITED STATES AFTER JUNE 24, 1950

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 410—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES WHO SERVED AFTER JUNE 24, 1950, AND BEFORE JULY 1, 1955, WHO ARE WITHIN THE JURISDICTION OF A NATURALIZATION COURT

Part 410 is added to read as follows:

SUBPART A—SUBSTANTIVE PROVISIONS

Sec.
410.1 Residence, physical presence, and lawful entry.

SUBPART E—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

410.11 Procedural requirements.

AUTHORITY: §§ 410.1 and 410.11 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply 67 Stat. 103.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 410.1 *Residence, physical presence, and lawful entry.* A person of the class described in Public Law 86, 83d Congress (67 Stat. 103) who is within the jurisdiction of any naturalization court, and who was lawfully admitted to the United States for permanent residence at any time prior to the filing of a peti-

tion for naturalization, whether or not such admission occurred before or after service in the armed forces, is not required to establish any specified period of residence or physical presence within the United States or any State at any time prior or subsequent to the filing of the petition for naturalization, or prior or subsequent to entering the armed forces. A person who was lawfully admitted to the United States for other than permanent residence, is not required to establish any specified period of residence or physical presence within the United States or any State prior or subsequent to the filing of a petition for naturalization, except that such a person shall establish that he was physically present within the United States for a single period of at least one year immediately preceding entry into the armed forces.

SUBPART E—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 410.11 *Procedural requirements.* A person of the class described in § 410.1 shall submit to the Service an application to file a petition for naturalization on Form N-495, in accordance with the instructions contained therein. The duly authenticated copy of the record of the executive or military department to prove service in the armed forces shall be requested by the applicant on Form N-426, in triplicate, and submitted to the Service with the application to file a petition for naturalization. The petition for naturalization shall be filed on Form N-496, in duplicate. The petition shall be verified, but for no specified period of time, by at least two United States citizen witnesses, as provided in § 334.21 of this chapter.

PART 411—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES WHO SERVED AFTER JUNE 24, 1950, AND BEFORE JULY 1, 1955, WHO ARE NOT WITHIN THE JURISDICTION OF A NATURALIZATION COURT

Part 411 is added to read as follows:

SUBPART A—SUBSTANTIVE PROVISIONS [RESERVED]

SUBPART D—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

Sec.
411.11 Procedural requirements.
411.12 Petition for naturalization; disposition.
411.13 Change of name.
411.14 Denial of petition for naturalization.
411.15 Certificate of naturalization.

AUTHORITY: §§ 411.11 to 411.15 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply 67 Stat. 103.

SUBPART A—SUBSTANTIVE PROVISIONS [RESERVED]

SUBPART E—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 411.11 *Procedural requirements.* A person of the class described in Public Law 86, 83d Congress (67 Stat. 103), who is not within the jurisdiction of any naturalization court, shall submit an application to file a petition for naturalization on Form N-495, in accordance with the instructions contained therein. The

petition for naturalization shall be filed on Form N-497, in duplicate, with the duly designated representative of the Immigration and Naturalization Service. The petition shall be verified by at least two United States citizen witnesses, as provided in § 334.21 of this chapter, who shall also testify at the final hearing unless excused therefrom as provided in § 335b.1 (d) of this chapter. The petition shall contain the jurat and order admitting the petitioner to citizenship, executed by the designated representative. If the petitioner and witnesses appeared before and were examined by such representative before filing the petition, the representative shall sign the certificate of examination contained in the petition. The provisions of § 410.1 of this chapter shall be applicable to persons applying for naturalization under this part.

§ 411.12 *Petition for naturalization—disposition.* Petitions for naturalization shall be numbered consecutively in the order in which they are filed with the designated representative, and the original and duplicate shall bear the same number. Upon final action thereon by the designated representative, the original and duplicate petition, the application, and supporting documents shall be transmitted to the Commissioner. Each duplicate petition shall thereafter be transmitted by the Commissioner to the clerk of the United States District Court having jurisdiction over the district designated by the petitioner and shall be filed alphabetically by the clerk as a part of the records of the court and in a series separate from other petitions. Each original petition, application, and supporting documents shall be filed permanently as a part of the records of the Service.

§ 411.13 *Change of name.* At the time and as a part of the naturalization of any person under this part, the designated representative may, in his discretion, upon the prayer of the petitioner included in the petition for naturalization enter an order granting the prayer for a change of name. If the prayer is granted, the following endorsement shall be placed on the reverse side of the original and duplicate certificate of naturalization and the stubs thereof: "Name changed from _____ as a part of the naturalization" inserting in full the original name of the petitioner. The certificate of naturalization shall be issued and signed by the petitioner in the name as changed.

§ 411.14 *Denial of petition for naturalization.* When a designated representative denies a petition for naturalization, he shall enter an order of denial on Form N-493, in duplicate, setting forth the ground or grounds therefor. The original and duplicate order shall be transmitted to the Commissioner with the original and duplicate petition for naturalization, and the duplicate order shall thereafter be transmitted to the clerk of court with the duplicate petition, and filed therewith, as provided in § 411.12. The clerk of court shall index such petition and order. The original order shall be filed permanently as a part of the records of the Service.

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6017]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL STORES

Subpart—*Advertising falsely or misleadingly*: § 3.15 *Business status, advantages, or connections*—Producer status of dealer or seller—*Manufacturer*—Size and extent; § 3.70 *Fictitious or misleading guarantees*; § 3.75 *Free goods or services*; § 3.155 *Prices*—Exaggerated as regular and customary · § 3.200 *Sample, offer or order conformance*; § 3.215 *Seals or emblems of investigation, test and approval*; § 3.235 *Source or origin*—Maker—Place—*Imported products or parts as domestic*; § 3.265 *Tests and investigations*. Subpart—*Appropriating trade name or mark wrongfully*: § 3.295 *Appropriating trade name or mark wrongfully*—Product. Subpart—*Misbranding or mislabeling*: § 3.1325 *Source or origin*—Maker or seller—Place—*Imported product or parts as domestic*. Subpart—*Misrepresenting oneself and goods*—Goods: § 3.1745 *Source or origin*—Maker—Place—*Imported product or parts as domestic*. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 3.1860 *Imported product or parts as domestic*. Subpart—*Offering unfair improper and deceptive inducements to purchase or deal*: § 3.1955 *Free goods*; § 3.1980 *Guarantee, in general*; § 3.2060 *Sample, offer or order conformance*; § 3.2065 *Seals or emblems of investigation, test, and approval*. Subpart—*Passing off*: § 3.2105 *Passing off*. Subpart—*Simulating competitor or another or product thereof*: § 3.2245 *Trade name of competitor's or other's product*. Subpart—*Using misleading name*—Goods: § 3.2345 *Source or origin*—Maker—Place—*Foreign product or parts as domestic*. In connection with the offering for sale, sale and distribution of sewing machine heads or sewing machines in commerce, (1) offering for sale, selling or distributing foreign-made sewing machine heads, or sewing machines of which foreign-made heads are a part, without clearly and conspicuously disclosing on the heads the country of origin thereof; (2) using the word "Eureka" or any simulation thereof, as a trade or brand name to designate, describe, or refer to respondents' sewing machines or sewing machine heads, or represent, through the use of any other words or in any other manner, that respondents' sewing machines or sewing machine heads are made by anyone other than the actual manufacturers; (3) representing that sewing machines are offered for sale when such offer is not a bona fide offer to sell the machines so offered; (4) representing, directly or by implication, that any product sold by respondents has been tested or approved or awarded a seal of approval unless said product has actually been tested by some responsible, competent, and impartial testing organization and has been approved or awarded a seal of approval based upon such tests; (5) representing,

directly or by implication, that certain amounts are the prices of respondents' sewing machines when such amounts are in excess of the prices at which their said sewing machines are ordinarily sold in the usual and regular course of business; (6) representing, directly or by implication, that respondents' sewing machine heads or sewing machines are guaranteed for five years or for any other period of time, or that they are otherwise guaranteed, unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed; (7) representing, through the use of advertising of the word "factory", or any other word or term of similar import or meaning, or in any other manner, that said respondents are the manufacturers of the sewing machine heads or sewing machines sold by them, unless and until such respondents actually own and operate, or directly and absolutely control, a factory wherein said products are manufactured by them; (8) representing that a buttonhole attachment or any other attachment is given free with the purchase of a sewing machine; and (9) misrepresenting the number of stores operated by respondents or otherwise misrepresenting the extent of their business; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprot or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Ell Tempkin et al. d. b. a. National Stores, Los Angeles, Calif., Docket 6017, June 24, 1953.]

In the Matter of Ell Tempkin and Allen Gordon, Copartners, Doing Business as National Stores

This proceeding was instituted by complaint which charged respondents with the use of unfair and deceptive acts and practices and unfair methods of competition in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, as announced by the Commission's "Notice", dated June 30, 1953, through the consent settlement procedure provided in Rule V of the Commission's Rules of Practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on June 24, 1953, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

The time for filing report of compliance pursuant to the aforesaid order runs from the date of service hereof.

Said order to cease and desist, thus entered of record, following the findings as to the facts¹ and conclusion,¹ reads as follows:

It is ordered, That the respondents, Ell Tempkin and Allen Gordon, individually and as copartners, doing business as National Stores, or doing business under any other name or names, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of sewing machine heads or sewing machines in commerce,

¹ Filed as part of the original document.

§ 411.15 *Certificate of naturalization*. When a person of the class described in this part has duly taken and subscribed to the oath of allegiance and the order of admission has been executed by the designated representative, a certificate of naturalization shall be issued by such representative on Form N-498, in duplicate. The certificates and the stub of the original shall be signed by the petitioner. The designated representative shall sign the original and duplicate certificates in his own handwriting and enter on the stubs thereof all the essential facts set forth in the certificate. Both copies of the certificate, including the stubs, shall be prepared in one operation on a typewriter with the use of carbon paper. The original certificate shall be delivered to the naturalized person and the duplicate certificate and the stubs of the original and duplicate certificate shall be transmitted to the Commissioner. The duplicate stub shall thereafter be transmitted by the Commissioner to the clerk of court with the duplicate petition, as provided in § 411.12. The clerk of court shall file the duplicate stubs alphabetically as an index card in an upright file, or in a three-by-five-inch card drawer.

PART 450—FORMS

Section 450.1, *Prescribed forms*, is amended, by adding the following-described forms:

N-495, Application to File Petition for Naturalization (under act of June 30, 1953, Pub. Law 86, 83d Cong., by a member or former member of the armed forces).

N-496, Petition for Naturalization (under act of June 30, 1953, Pub. Law 86, 83d Cong., by a member or former member of the armed forces).

N-497, Petition for Naturalization (under act of June 30, 1953, Pub. Law 86, 83d Cong., by members of armed forces outside the United States).

N-498, Certificate of Naturalization.

N-499, Order of Designated Representative Denying Petition for Naturalization.

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

This order shall be considered effective as of June 30, 1953. The regulations prescribed by the order are necessary for carrying out the provisions of Public Law 86, 83d Congress (67 Stat. 108) which became effective on June 30, 1953. Compliance with 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 is impracticable and contrary to the public interest in this instance, since such compliance would unduly delay and impede the administration of Public Law 86.

Dated: July 15, 1953.

HERBERT BROWNELL, Jr.,
Attorney General.

Recommended: July 9, 1953.

ARGYLE R. MACKAY,
Commissioner of Immigration
and Naturalization.

[F. R. Doc. 53-6462; Filed, July 21, 1953; 8:56 a. m.]

as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Offering for sale, selling or distributing foreign-made sewing machine heads, or sewing machines of which foreign-made heads are a part, without clearly and conspicuously disclosing on the heads the country of origin thereof.

2. Using the word "Eureka," or any simulation thereof, as a trade or brand name to designate, describe, or refer to their sewing machines or sewing machine heads, or represent, through the use of any other words or in any other manner, that their sewing machines or sewing machine heads are made by anyone other than the actual manufacturers.

3. Representing that sewing machines are offered for sale when such offer is not a bona fide offer to sell the machines so offered.

4. Representing, directly or by implication, that any product sold by them has been tested or approved or awarded a seal of approval unless said product has actually been tested by some responsible, competent and impartial testing organization and has been approved or awarded a seal of approval based upon such tests.

5. Representing, directly or by implication, that certain amounts are the prices of their sewing machines when such amounts are in excess of the prices at which their said sewing machines are ordinarily sold in the usual and regular course of business.

6. Representing, directly or by implication, that their sewing machine heads or sewing machines are guaranteed for 5 years or for any other period of time, or that they are otherwise guaranteed, unless the nature and extent of the guaranty and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

7. Representing, through the use of advertising of the word "factory," or any other word or term of similar import or meaning, or in any other manner, that said respondents are the manufacturers of the sewing machine heads or sewing machines sold by them, unless and until such respondents actually own and operate, or directly and absolutely control, a factory wherein said products are manufactured by them.

8. Representing that a buttonhole attachment or any other attachment is given free with the purchase of a sewing machine.

9. Misrepresenting the number of stores operated by them or otherwise misrepresenting the extent of their business.

It is further ordered, That the respondents, Eli Tempkin and Allen Gordon, co-partners doing business as National Stores, shall within sixty days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

The foregoing consent settlement is hereby accepted by the Federal Trade

Commission and ordered entered of record on this the 24th day of June 1953.

Issued: June 30, 1953.

By direction of the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 53-6463; Filed, July 21, 1953; 8:57 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 108.169]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT

WAIVER OF DOCUMENTARY REQUIREMENTS

The following amendments to Part 41, Chapter I, Title 22 of the Code of Federal Regulations, are hereby prescribed:

1. Section 41.6 *Nonimmigrants not required to present passports, visas, or border-crossing identification cards* is amended to read as follows:

§ 41.6 *Nonimmigrants not required to present passports, visas, or border-crossing identification cards.* The provisions of section 212 (a) (26) of the act relating to the requirement of passports, visas, and border-crossing identification cards for nonimmigrants, either do not apply as provided by law, or are waived in the cases of aliens (including alien crewmen) who fall within any of the following-described categories and who are otherwise qualified for admission as nonimmigrants under the applicable provisions of the immigration laws:

(a) A Canadian citizen who has his residence in Canada and who makes application for admission into the United States (1) from Canada; or (2) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (3) from, and after a visit solely to, some place in the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel.

(b) A British subject who has his residence in Canada and who makes application for admission into the United States (1) from Canada; or (2) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (3) from, and after a visit solely to, some place in the Western Hemisphere if such subject departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel.

(c) A Mexican national who:

(1) Is a military or civilian official or employee of the Mexican national government, or of a Mexican state or municipal government, or a member of the family of any such official or employee, and who makes application for admission into the continental United States from Mexico on personal or official business or for pleasure; or

(2) Makes application to pass in immediate and continuous transit through the continental United States from one

place in Mexico to another by means of a transportation line which crosses the border between the United States and Mexico; or

(3) Is a member of a fire-fighting group entering the United States in connection with fire-fighting activities.

(d) International Boundary and Water Commission officers, employees, and other personnel, entering the United States in the performance of their official duties, and Mexican nationals employed directly or indirectly on the construction, operation, or maintenance of works in the United States undertaken in accordance with the treaty concluded on February 3, 1944, between the United States and Mexico, and entering the United States temporarily in connection with such employment.

(59 Stat. 1252)

(e) An alien who is being transported by railroad or air in immediate and continuous transit through the United States directly from one part of Canada or Mexico to another, without stopover, in accordance with the terms of a contract, including a bonding agreement, entered into by the transportation line and the Attorney General under the provisions of section 238 (d) of the act: *Provided,* That at all times such alien is in transit through the United States, and is not aboard an aircraft which is in flight through the United States, he shall be in the custody of an officer of the United States: *And provided further,* That if such alien is in transit through the United States by railroad, he may be in such other custody as may be approved by the Attorney General.

(f) An alien not within the purview of paragraph (e) of this section who is being transported in immediate and continuous transit through the United States without stopover from one foreign place to another in accordance with the terms of a contract, including a bonding agreement, entered into by a transportation line and the Attorney General, under the provisions of section 238 (d) of the act, to insure such immediate and continuous transit through, and departure from, the United States en route to a specifically designated foreign country: *Provided,* That such alien is in possession of a travel document which is valid for his entry into a foreign country for a period of not less than 60 days after the date of immediate and continuous transit through the United States: *And provided further,* That at all times such alien is not aboard an aircraft which is in flight through the United States he shall be in the custody of an officer of the United States.

(g) An alien member of the armed forces of the United States who (1) is in the uniform of, or who bears documents identifying him as a member of, such armed forces, (2) has not been lawfully admitted for permanent residence, and (3) makes application for admission into the United States under official orders or permit of such armed forces.

(Sec. 224, 69 Stat. 232; 8 U. S. C. 1354)

(h) An American Indian born in Canada having at least 50 per centum of blood of the American Indian race, and passing the borders of the United States. (Sec. 289, 66 Stat. 234; 8 U. S. C. 1359)

(i) An alien who is a passenger aboard a vessel or aircraft of a transportation line which is signatory to a contract, including a bonding agreement, entered into between such line and the Attorney General under the authority of section 238 (d) of the act to guarantee the passage through the United States in immediate and continuous transit of aliens destined to foreign countries, and who makes application for admission into Hawaii, Puerto Rico, or the Virgin Islands for a period of not more than twenty-four hours: *Provided*, That at all times such alien is not aboard the vessel or aircraft and is within the territorial limits of Hawaii, Puerto Rico, or the Virgin Islands he shall be in the custody of an officer of the United States or such other custody as may be approved by the Attorney General.

(Sec. 212, 66 Stat. 187, 8 U. S. C. 1182)

2. Section 41.7 *Nonimmigrants required to present passports but not visas or border-crossing identification cards* is amended to read as follows:

§ 41.7 *Nonimmigrants required to present passports but not visas or border-crossing identification cards.* The provisions of section 212 (a) (26) of the act relating to the requirement of visas and border-crossing identification cards for nonimmigrants are waived in the cases of aliens (including alien crewmen) who fall within any of the following-described categories and who are otherwise qualified for admission as nonimmigrants under the applicable provisions of the immigration laws:

(a) A Canadian citizen who has his residence in Canada, who makes application for admission into the United States, and who is returning to Canada from any country or place (1) other than foreign contiguous territory or adjacent islands, or (2) other than the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel.

(b) A British subject who has his residence in British territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(c) A French national who has his residence in French territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(d) A Netherlands subject who has his residence in Netherlands territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(e) Nationals of foreign contiguous territory or adjacent islands who make application for admission into the United States as seasonal or temporary workers under specific legislation enacted by the Congress and in accordance with international arrangements concluded upon the basis of such legislation.

(f) A national of Cuba who is an official of the Cuban Immigration Service, who makes continuous round trips on regularly scheduled steamships between Havana, Cuba and Miami, Florida, for the purpose of inspecting passengers, and who makes application for admission into the United States in connection with such employment.

(g) A British subject who has his residence in, and arrives in the United States directly from, the Cayman Islands and who, in making application for admission into the United States, presents a certificate from the Clerk of Court of the Cayman Islands stating what, if anything, the Court's criminal records show concerning such subject, and a certificate from the Office of Commissioner of the Cayman Islands stating what, if anything, its records show with respect to such subject's political associations or affiliations.

(Sec. 212, 66 Stat. 187; 8 U. S. C. 1182)

(Secs. 103, 104, 66 Stat. 173, 174; 8 U. S. C. 1103, 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: July 3, 1953.

[SEAL] JOHN FOSTER DULLES,
Secretary of State.

Dated: July 17, 1953.

HERBERT BROWNELL, Jr.,
Attorney General.

[F. R. Doc. 53-6488; Filed, July 21, 1953; 8:58 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IV—Joint Regulations of the Armed Forces

Subchapter A—Armed Services Procurement Regulation

MISCELLANEOUS AMENDMENTS

The following amendments are made to the Armed Services Procurement Regulation:

PART 406—CONTRACT CLAUSES AND FORMS

Section 406.103-22, Compliance with Ceiling Prices, deleted. Deletion of this section removes the requirement for insertion of the "Compliance with Ceiling Prices" clause in contracts.

PART 407—TERMINATION OF CONTRACTS

Amended § 407.706 (e) (2) makes the suggested subcontract termination clause consistent with prime contract clauses with respect to the nonallowance of profit in settlements by formula determination if it appears that the subcontractor would have sustained a loss on the entire subcontract had it been completed. Section 407.706 (e) (2) is amended as follows:

§ 407.706 *Subcontract termination clause.* * * *

(e) * * *

(2) In respect of the work terminated as permitted by this clause, the total (without duplication of any items) of (i) the cost of such work, including initial costs and preparatory expenses allocable thereto, exclusive of any costs attributable to supplies paid or to be paid for under paragraph (e) (1) hereof; and (ii) the cost of settling and paying claims arising out of the termination of work under subcontracts or orders as provided in paragraph (b) (5) above, exclusive of the amounts paid or payable on account of supplies or materials delivered or services furnished by the subcontractor prior to the effective date of the Notice of Termination of work under this contract, which amounts shall be included in the cost on account of which payment is made under subdivision (1) above; and (iii) a sum equal to 2 percent of the part of the amount determined under subdivision (1) which represents the cost of articles and materials not processed by the seller plus a sum equal to 3 percent of the remainder of such amount, but the aggregate of such sum shall not exceed 6 percent of the whole of the amount determined under subdivision (1) above, which amount for the purpose of this subdivision (iii) shall exclude any charges for interest on borrowings; *Provided, however*, That if it appears that the seller would have sustained a loss on the entire contract had it been completed, no profit shall be included or allowed under this subdivision (iii) and an appropriate adjustment shall be made reducing the amount of the settlement to reflect the indicated rate of loss.

PART 413—INSPECTION AND ACCEPTANCE

Amendments to paragraphs 301 (a) and 303.1 (c) of Appendix B, Manual for Control of Government Property in Possession of Contractors, adopt for Department of Defense-wide application, Departmental procedures which require Contractors to furnish property record receipts for Contractor-acquired Government industrial facilities in support of claims for reimbursement. The procedure does not apply, at this time, to (i) non-profit research and development contracts or (ii) situations where title to or a lien upon property is acquired by the Government solely by reason of partial, advance or progress payments. The aforementioned paragraphs are amended to read as follows:

NOTE: This manual (Appendix B) is published immediately following Appendix A under § 413.008.

APPENDIX B—MANUAL FOR CONTROL OF GOVERNMENT PROPERTY IN POSSESSION OF GOVERNMENT CONTRACTORS

* * * PART III—RECORDS TO BE MAINTAINED

301. *General.* (a) In order satisfactorily to perform work under a Government contract, a Contractor must maintain some form of control records for all Government Property, whether furnished to or acquired by a Contractor for the account of the Government. It is the Government's policy to designate and use such records as the official contract records, and not to maintain duplicate property control records, other than those required by paragraph 303, and other than industrial facility records. With respect to industrial facilities, additional records shall be maintained by the Property Administrator or higher headquarters, as may be required by the respective Departments pursuant to paragraph 303.1 (c). Exceptions

to the above policy may be authorized by the respective Departments in special circumstances, such as where the administrative expense of maintaining Government personnel at the Contractor's plant or providing frequent official visits to the plant would exceed the cost of maintaining Government records or otherwise not be in the best interest of the Government.

303. Records to be maintained by Government personnel.

303.1 Records of specific contracts where property is involved. * * *

(c) The Contractor shall furnish the Property Administrator a written receipt for all Government-furnished property. The Contractor shall also furnish to the Property Administrator for Contractor-acquired Government industrial facilities a property or historical record, or other evidence of receipt, as prescribed by the Contracting Officer in accordance with Departmental procedures. When practicable, the Contracting Officer will request that this evidence of receipt be submitted upon physical receipt of the industrial facilities. This evidence of receipt for Contractor-acquired Government industrial facilities shall be used to verify to the extent relevant the Contractor's application for payment (public voucher). This verification (or certification) shall be performed by the Disbursing Officer or the Property Administrator. If Departmental procedures provide that the Property Administrator will verify the Contractor's application for payment prior to presentation to the Disbursing Officer, the Property Administrator will retain the evidence of receipt and immediately forward the application for payment to the Disbursing Officer. The Contracting Officer, in accordance with Departmental procedures, shall require the Contractor to provide the evidence of receipt for Contractor-acquired Government industrial facilities not later than the time he submits his application for payment. The Property Administrator shall maintain for each contract a file of documents evidencing receipt of Government-furnished property and Contractor-acquired Government industrial facilities. However, in lieu of the Property Administrator maintaining records on the Contractor-acquired Government industrial facilities, Departmental procedures may provide for maintaining such records at a higher level.

(R. S. 161; 5 U. S. C. 22. Interpret or apply 62 Stat. 21; 41 U. S. C. Sup. 151-161)

J. C. HOUSTON, Jr.,
Special Assistant to the Secretary.

[F. R. Doc. 53-6422; Filed, July 21, 1953; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 7—LIST OF FORMS, PART II, INTERSTATE COMMERCE ACT

Subchapter B—Carriers by Motor Vehicles

PART 180—CONTROL OR CONSOLIDATION OF MOTOR CARRIERS OR THEIR PROPERTIES

NOTICES OF FILING OF APPLICATIONS FORMS BMC-44, BMC-45, AND BMC-46, AND PROTESTS TO THE GRANTING THEREOF

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 1st day of July A. D. 1953.

The matter of notices designated Form BMC-15A (§ 7.15a) prescribed by order entered December 27, 1951 (17 F. R. 234) and protests against applications Forms BMC-44, BMC-45, and BMC-46, being under consideration:

It is ordered, That Part 7 is hereby revised as follows:

§ 7.15a *BMC-15A (Revised)*. Notice of filing of applications for authority under sections 5 and 210a (b) Interstate Commerce Act, referred to in Part 180 hereof.

It is further ordered, That Part 180 is hereby amended by adding the following:

§ 180.70 *Protests against applications*. (a) Protests to the granting of an application under section 5, Interstate Commerce Act, for authority to consolidate, merge, purchase, or lease operating rights and properties, or any part thereof, of a motor carrier, or to acquire control of a motor carrier or motor carriers through ownership of stock or otherwise—

(1) Shall be served upon applicants, and the original and two copies of the protest shall be filed with the Commission;

(2) Must be filed with the Commission within 20 days from the date the application is filed, and failure to file a protest will be construed as a waiver of opposition and participation in the proceeding, unless a public hearing is held; and

(3) Shall set forth specifically the grounds upon which the protest is made, including a request for public hearing, if one is desired, and contain a concise statement of the interest of protestant in the proceeding. Any protest so filed shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests containing merely general allegations may be rejected.

(b) An application under section 5 may be set for hearing whether or not a protest is filed, and it may not be set for hearing, within the discretion of the Commission, even though a protest is filed.

(c) When an application under section 5 is disposed of without a formal hearing, petitions for reopening and reconsideration will not be entertained by persons who are not parties to the proceeding.

(d) An application for approval under section 210a (b) Interstate Commerce Act, of the temporary operation of motor-carrier properties sought to be acquired under a separately filed application under section 5, may be disposed of without allowing time for the filing of protests, but if a protest is received prior to action being taken, it will be considered.

And it is further ordered, That this order shall become effective on the 1st day of September A. D. 1953.

(24 Stat. 383, as amended, 49 Stat. 546, as amended; 49 U. S. C. 12, 304. Interpret or

apply secs. 1, 5, 24 Stat. 373, as amended, 329, as amended, 49 Stat. 544, as amended, 555, as amended; 49 U. S. C. 1, 5, 303, 312)

By the Commission, Division 4.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-6446; Filed, July 21, 1953; 8:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

SAVAGE RIVER DAM AND RESERVOIR

Pursuant to the provisions of section 7 of the act of Congress approved December 22, 1944 (58 Stat. 890; 33 U. S. C. 709) and to the applicable provisions of Section 10 of the act of Congress approved July 24, 1946 (60 Stat. 641, 645) § 208.16 is hereby prescribed to govern the use of the storage capacity in the Savage River Reservoir on Savage River, Garrett County, Maryland, and the operation of Savage River Dam for authorized purposes.

§ 208.16 *Savage River Dam and Reservoir Savage River Garrett County, Maryland*. The Upper Potomac River Commission through its Reservoir Operation Supervisor hereinafter referred to as the Operation Supervisor shall operate the Savage River Dam and Reservoir as follows:

(a) The storage in the Savage River Reservoir shall be regulated to conform with the Storage Reservation Diagram, Figure 208.16 (a) and as described in detail in the current Reservoir Regulation Manual for Savage River Dam. The current manual is dated January 1953 and is on file in the office of the District Engineer, Washington District, Corps of Engineers, Washington 25, D. C. and with the Upper Potomac River Commission.

(b) Releases from the Savage River Reservoir shall be regulated so as to maintain downstream flows, in so far as possible, within the following limits:

(1) The flow in Savage River below the dam shall be not less than 10 cubic feet per second nor more than 5,000 cubic feet per second.

(2) The flow in the North Branch of the Potomac at Luke, Md., gaging station shall be not less than 93 cubic feet per second nor more than 13,000 cubic feet per second.

(c) In the event that the reservoir level rises above curve A of Figure 208.16 (a) subsequent operation of the reservoir shall be such as to return the level expeditiously to the prescribed storage without exceeding, if possible, the criteria stated in paragraph (b) of this section and in no event to cause the maximum subsequent release from the reservoir to exceed the estimated maximum flow that would have occurred under the conditions which existed prior to the construction of the dam.

(d) Nothing in the regulations in this section shall be construed to require dangerously rapid changes in magnitudes of releases or in any way to impair the rights of present water users to an amount of water at least equal to the amount available prior to the construction of the dam.

(e) The dam, its appurtenant structures, and the reservoir area shall be maintained by the Upper Potomac River Commission in its original condition in accordance with maintenance instructions issued by the District Engineer, Corps of Engineers, in charge of the locality.

(f) The Operation Supervisor shall furnish to the District Engineer, Corps of Engineers, in charge of the locality, such reports on the operation and con-

dition of the dam and hydrological data as called for in the Reservoir Regulation Manual or in subsequent instructions.

(g) The regulations in this section are subject to temporary modification by the District Engineer, Corps of Engineers, in charge of the locality, if found necessary in time of emergency. Request for and action on such modification may be made by any available means of communication and the action taken by the District Engineer shall be confirmed in writing under date of the same day to the Upper Potomac River Commission.

[Regs., 24 June 1953, ENGWE] (58 Stat. 890, 60 Stat. 641, 645; 33 U. S. C. 709)

[SEAL] Wm. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[E:1839; Group 254]

ARIZONA

NOTICE OF FILING OF PLAT OF SURVEY

JULY 14, 1953.

Notice is given that the plat of survey accepted May 21, 1953, of T. 4 N., R. 20 W., G. & S. R. M., Arizona, will be officially filed in the Land and Survey Office at Phoenix, Arizona, effective at 10:30 a. m. on the 35th day after the date of this notice:

GILA AND SALT RIVER MERIDIAN, ARIZONA

- T. 4 N., R. 20 W.,
- Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All), Sec. 1;
- Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All), Sec. 2;
- Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (All), Sec. 3;
- All Secs. 10, 11, 12, 13, 14, 15, 23, 24, 25, 32, 33, 34, 35 and 36;
- Lot 1, SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$, SW $\frac{1}{4}$ (All), Sec. 22;
- Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$, SW $\frac{1}{4}$ (All), Sec. 26;
- Lots 1, 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, NW $\frac{1}{4}$ (All), Sec. 27;
- Lots 5, 6, 7, 8, E $\frac{1}{2}$, Sec. 31.

The area described aggregates 13,153.81 acres.

Available data indicates that a large portion of the northern part of the land is mountainous, with rocky soil, and the southern part is mostly rolling with gravelly soil.

No applications may be allowed under the homestead, small tract, desert land, or any other non-mineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

The N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31 is in Material Site Right-of-Way, Phoenix 082347; N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, is in Material Site Right-of-Way, Phoenix 084059, the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, is in Material Site Right-of-Way, Phoenix 082270, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ south of highway, Sec. 32, is in Material Site Right-of-Way, Phoenix 085745, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ north of highway, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ north of highway, Sec. 33, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ south of highway, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ south of highway, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, is in Material Site Right-of-Way, Arizona 04415; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, is in Material Site Right-of-Way, Phoenix 082260; the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ south of highway, Sec. 35; the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ south of highway, Sec. 36, is in Material Site Right-of-Way, Arizona 04428; and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, is in Material Site Right-of-Way, Phoenix 082271, all of the Arizona State Highway Department.

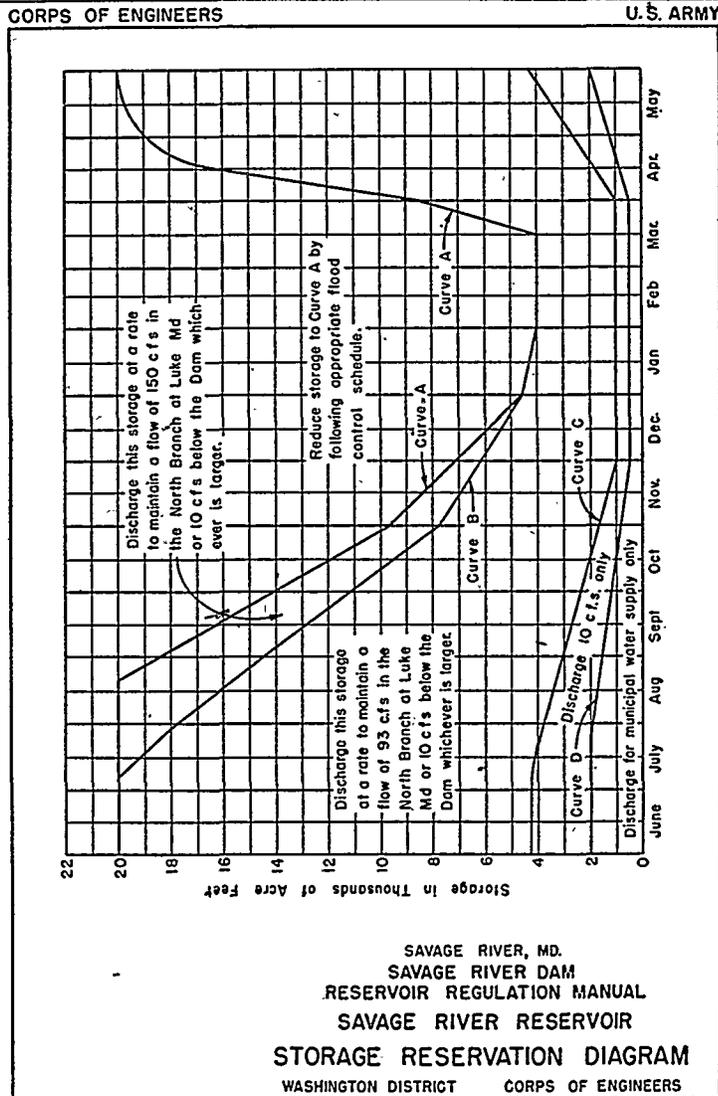


FIGURE 208.16 (a)

Small Tract Applications cannot be filed on these lands.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 632a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284) as amended, subject to the requirements of applicable law; and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:30 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:30 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:30 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:30 a. m. on the 126th day after the date of this notice, 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 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.

Applications for these lands, which shall be filed in the Land and Survey

Office, Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Phoenix, Arizona.

THOS. F. BRITT,
Manager.

[F. R. Doc. 53-6450; Filed, July 21, 1953; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5632 et al.]

CENTRAL AIRLINES, INC., AND BRANIFF AIRWAYS, INC., INVESTIGATION OF SERVICE TO MUSKOGEE, OKLA., AND FAYETTEVILLE, ARK.

NOTICE OF PREHEARING CONFERENCE

In the matter of the joint application of the City of Fayetteville, Ark., and the Fayetteville Chamber of Commerce for the authorization of air service to Fayetteville, Ark.

In the matter of the application of Central Airlines, Inc., for an amendment of its certificate of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

In the matter of the application of Braniff Airways, Inc., for an order authorizing temporary suspension of service at Muskogee, Okla., on routes Nos. 9 and 26.

In the matter of an investigation of service to Muskogee, Okla., and Fayetteville, Ark.

Notice is hereby given that a prehearing conference in the above-entitled matters is assigned to be held on July 29, 1953, at 10:00 a. m., e. d. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

Dated at Washington, D. C., July 17, 1953.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 53-6463; Filed, July 21, 1953; 8:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1915]

SOUTH GEORGIA NATURAL GAS CO.

ORDER FIXING DATE OF REHEARING

The Commission by order adopted June 25, 1953, issued June 29, 1953,

granted the application for rehearing filed by South Georgia Natural Gas Company on June 2, 1953. That order provides that the rehearing at date and place to be fixed by further order, shall be limited to the extent that the record in this proceeding may be modified by the matters arising since the original hearing and the decision of the Commission issued May 4, 1953, as enumerated in the order granting rehearing.

The Commission orders:

(A) Further hearing in this docket in accordance with the Commission's order issued June 29, 1953, be held on August 10, 1953, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

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

Adopted: July 15, 1953.

Issued: July 16, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6431; Filed, July 21, 1953; 8:48 a. m.]

[Docket No. G-2182]

SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

ORDER FIXING DATE OF HEARING

On June 1, 1953, Southern Counties Gas Company of California (Applicant), a California corporation with its principal office in Los Angeles, California, filed application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of 72,000 feet of 24-inch and 1,000 feet of 22-inch pipeline from Applicant's existing 30-inch main pipeline at the Brea-Olinda pressure limiting station to Santa Ana, California, and measuring and regulation equipment at the Brea-Olinda tap and regulation equipment at Orange, California, for the transportation and sale of natural gas subject to the jurisdiction of the Commission, as described in the application on file with the Commission, and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 20, 1953. (18 F. R. 3572).

The Commission orders:

NOTICES

(1) Pursuant to the authority conferred in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on July 30, 1953, at 9:45 a.m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

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

Adopted: July 15, 1953.

Issued: July 16, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6432; Filed, July 21, 1953;
8:48 a. m.]

[Docket No. G-2189]

HOPE NATURAL GAS Co.

NOTICE OF APPLICATION

JULY 16, 1953.

Take notice that Hope Natural Gas Company (Applicant) a West Virginia corporation, having its principal place of business at 445 West Main Street, Clarksburg, West Virginia, filed on June 16, 1953, an application for authorization, pursuant to section 7 (b) of the Natural Gas Act, to abandon certain of its compressor stations, namely, its Scott's Run Station, Schultz Station, Weston Station, Spruce Fork Station, and Jack Evans Station, all located in West Virginia.

Applicant represents that the proposed abandonment of facilities will result in no abandonment or curtailment of service in Applicant's own production, its purchase of gas from others, or in its sales of gas in interstate or intrastate business.

The exhaustion of local gas fields handled by these stations and the disconnection and re-connection to other field lines of all field suction lines formerly feeding these stations are given as reasons for the abandonments.

Protests or petitions to intervene may be filed with the Federal Power Commission, 441 G Street NW., Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6433; Filed, July 21, 1953;
8:49 a. m.]

[Docket No. G-2196]

SOUTHERN NATURAL GAS Co.

NOTICE OF APPLICATION

JULY 16, 1953.

Take notice that Southern Natural Gas Company (Applicant) a Delaware corporation, having its principal place of business at the Watts Building, Birmingham, Alabama, filed on June 22, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain facilities for the transportation of natural gas in interstate commerce. Applicant also seeks authorization pursuant to section 7 (b) of the Natural Gas Act to abandon certain other facilities.

The facilities for which Applicant seeks authorization to construct and operate are (1) 9.5 miles of 6 $\frac{3}{4}$ -inch pipeline from a point on Applicant's 16-inch South Line near Thomaston, Georgia, to the vicinity of its Thomaston metering station where it will connect with its existing Thomaston line, and (2) additional pressure regulators in Applicant's existing Thomaston line at Thomaston, Barnesville, and Beacon Light, Georgia. It is proposed that the facilities will increase delivery capacity to South Atlanta by 6,272 Mcf per day.

The estimated cost of the facilities is \$207,100, which Applicant proposes to pay for out of funds on hand.

The facility for which Applicant seeks authorization for abandonment is its Beacon Light compressor station, which it proposes to dismantle and salvage at an estimated value of \$17,464.

Protests or petitions to intervene may be filed with the Federal Power Commission, 441 G Street NW., Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6434; Filed, July 21, 1953;
8:49 a. m.]

[Docket No. G-2203]

SOUTHERN NATURAL GAS Co.

NOTICE OF APPLICATION

JULY 16, 1953.

Take notice that Southern Natural Gas Company (Applicant) a Delaware corporation, having its principal place of business at the Watts Building, Birmingham, Alabama, filed on June 29, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain facilities for the transportation of natural gas in interstate commerce.

The facilities for which Applicant seeks authorization to construct and operate are approximately 2.034 miles of 12 $\frac{3}{4}$ -inch loop line extending parallel to Applicant's 10-inch Macon line, from

Bass Junction southeasterly to the point of interconnection of the Macon line and Atlanta Gas Light Company's Plant Arkwright tap line all in the State of Georgia. It is proposed that the new facilities will improve off-peak operating conditions on the Macon line and permit the delivery of 4,552 Mcf per day of additional off-peak surplus of the North Line gas into the Macon vicinity when Applicant's South Line facilities authorized in Docket No. G-1907 are completed.

The estimated capital cost of the proposed facilities is \$66,800 which Applicant proposes to pay for out of funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, 441 G Street NW., Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of August, 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6435; Filed, July 21, 1953;
8:49 a. m.]

[Docket No. G-2204]

SOUTHERN NATURAL GAS Co.

NOTICE OF APPLICATION

JULY 16, 1953.

Take notice that Southern Natural Gas Company (Applicant) a Delaware corporation, having its principal place of business at the Watts Building, Birmingham, Alabama, filed on June 29, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the acquisition and operation of certain facilities for the transportation of natural gas in interstate commerce. Applicant also seeks authorization pursuant to section 7 (b) of the Natural Gas Act to abandon certain other facilities.

The facilities for which Applicant seeks authorization to acquire and operate are Atlanta Gas Light Company's Plant Arkwright tap line, consisting of approximately 5,800 feet of 10 $\frac{3}{4}$ -inch pipe extending eastward from Applicant's Macon line beginning at a point approximately two miles south of Bass Junction. Applicant proposes to pay Atlanta Gas Light Company approximately \$13,852.53 from funds on hand.

The facilities for which Applicant seeks authorization to abandon are (1) its Macon tap line, 1,452 feet in length, consisting of two parallel lines of 10 $\frac{3}{4}$ -inch pipe extending southward from Applicant's Atlanta-Macon line all in the State of Georgia and (2) a portion of its old measuring station site with certain facilities thereon located approximately 1.135 miles south of Applicant's Macon tap line. Applicant proposes to abandon these facilities by sale to Atlanta Gas Light Company for approximately \$9,429.31.

Protests or petitions to intervene may be filed with the Federal Power Commis-

sion, 441 G Street NW., Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6436; Filed, July 21, 1953;
8:49 a. m.]

[Docket No. G-2205]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 16, 1953.

Take notice that on July 1, 1953, El Paso Natural Gas Company (Applicant) a Delaware corporation with its principal office in El Paso, Texas, filed application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes the construction and operation of a tap and regulation equipment at the Wingate Fractionating Plant terminus of its existing Gallup-Wingate pipeline and the sale of natural gas to Southern Union Gas Company for resale to the Rehobeth Mission in McKinley County, New Mexico.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6437; Filed, July 21, 1953;
8:49 a. m.]

[Docket No. G-2207]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 16, 1953.

Take notice that Southern Natural Gas Company (Applicant) a Delaware corporation, having its principal place of business at the Watts Building, Birmingham, Alabama, filed on July 3, 1953, an application for authorization, pursuant to section 7 (b) of the Natural Gas Act, to abandon certain facilities by sale to Alabama Gas Corporation.

The facilities for which Applicant seeks authorization to abandon are (1) its Opelika tap line consisting of 6 $\frac{3}{8}$ -inch pipe extending 1.367 miles northward from its 8-inch Grantville, Georgia, lateral into the City of Opelika, Alabama, and (2) its old measuring and regulating station at the terminus of the Opelika tap line in the City of Opelika. Appli-

cant proposes to sell the facilities to Alabama Gas Corporation for the approximate price of \$5,833.23.

Protests or petitions to intervene may be filed with the Federal Power Commission, 441 G Street NW., Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6438; Filed, July 21, 1953;
8:50 a. m.]

[Project No. 2028]

OROVILLE-WYANDOTTE IRRIGATION DISTRICT

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

JULY 15, 1953.

Public notice is hereby given that Oroville-Wyandotte Irrigation District, of Oroville, California, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for amendment of the license for water-power Project No. 2088 (known as the South Fork Project) located on the South Fork of Feather River and Slate and Lost Creeks in Butte, Plumas, Sierra, and Yuba Counties, California, to provide for inclusion therein of an afterbay dam, to be known as Ponderosa Dam, and to be located near the center of Sec. 33, T. 20 N., R. 6 E., M. D. M., and below the Forbestown Power Plant in Butte County, California, the proposed dam rising from streambed at Elev. 837 to spillway crest at Elev. 955, and forming a reservoir with about 4,250 acre-feet gross capacity, and an effective pondage capacity of about 1,250 acre-feet.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 27th day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6439; Filed, July 21, 1953;
8:50 a. m.]

[Project No. 2121]

PUBLIC POWER AND WATER CORP.

NOTICE OF OPINION NO. 256 AND ORDER

JULY 15, 1953.

Notice is hereby given that on July 15, 1953, the Federal Power Commission issued its opinion and order adopted July 10, 1953, denying application for license in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6423; Filed, July 21, 1953;
8:46 a. m.]

[Project No. 2123]

GRANT LAKE ELECTRIC POWER CO., INC.

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

JULY 15, 1953.

Public notice is hereby given that Grant Lake Electric Power Company, Incorporated, of Anchorage, Alaska, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for preliminary permit for proposed waterpower Project No. 2129 to be located on Grant Creek and Grant Lake, Kenai Peninsula, Third Judicial Division, Territory of Alaska, and consisting of a concrete dam at the outlet of Grant Lake raising its surface level approximately 30 feet; a conduit about 5,000 feet in length; a powerhouse near its confluence with Trail River with an initial installation of 2,000 horsepower, and provision for increasing the installed capacity to 4,000 horsepower. The proposed market for the power from the project is in areas of Moose, Seward, Railbelt South of Anchorage, and Kenai, Alaska. The preliminary permit, if issued, shall be for the sole purpose of maintaining priority of application for a license under the terms of the Federal Power Act for the proposed project.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 31st day of August 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-6440; Filed, July 21, 1953;
8:50 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO ACQUISITION OF SPECIAL-PURPOSE SPACE BY LEASE FOR FIVE YEARS

1. Pursuant to the authority vested in me, as Administrator of General Services, by the provisions of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, as amended (40 U. S. C. 486) authority is hereby delegated to the Secretary of Defense under the act of August 27, 1935, as amended (40 U. S. C. 304c), to perform all functions in connection with the acquisition by lease of approximately 614,000 square feet of depot space in or near Memphis, Tennessee, to accomplish the depot storage mission of the Mallory Air Force Depot, Tennessee.

2. This delegation shall include authority to contract by lease not later than June 30, 1954, and authority thereafter to modify and amend said lease.

3. Prior to the exercise of any option that may be vested in the Government to permit continued occupancy of the premises for a period in excess of the

maximum contractual authority possessed by the Secretary of Defense for leases for this purpose, authority so to do must be obtained from the Administrator of General Services Administration.

4. The authority contained herein may be redelegated.

5. This delegation of authority shall be effective immediately.

EDMUND F. MANSURE,
Administrator

JULY 17, 1953.

[F. R. Doc. 53-6448; Filed, July 20, 1953;
3:36 p. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 53-DPAV-46]

REQUEST TO PARTICIPATE IN VOLUNTARY AGREEMENT RELATING TO FOREIGN PETROLEUM SUPPLY

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in a voluntary agreement entitled "Voluntary Agreement Relating to Foreign Petroleum Supply," dated May 1, 1953, was approved by the Attorney General, after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Director of the Office of Defense Mobilization, and was accepted by the companies listed below.

This voluntary agreement authorizes the formation of a foreign petroleum supply committee and subcommittees to gather for the use of the United States Government such information relating to foreign petroleum operations and to requirements and supplies of petroleum products as may be requested by the Government, and, upon the request of the Government, to consider and make recommendations designed to prevent, eliminate or alleviate shortages of petroleum supplies in friendly foreign nations which threaten to affect or which do affect adversely the defense mobilization interests or programs of the United States. This voluntary agreement has been approved by the Director of the Office of Defense Mobilization and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

Gentlemen:

You are requested to participate in a voluntary agreement entitled "Voluntary Agreement Relating to Foreign Petroleum Supply," dated May 1, 1953, a copy of which is enclosed.

In my opinion your participation will assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultation with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve this voluntary agreement and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon notifying me in writing of your acceptance of this request. Immunity from prosecution under

the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance provided that your acts relative to such participation are within the limits set forth in the voluntary agreement. Your cooperation in this matter will be appreciated.

This will also notify you that the request heretofore transmitted inviting you to participate in the voluntary agreement entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951, has been withdrawn.

Sincerely yours,

ARTHUR S. FLEMMING,
Director.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Arabian American Oil Co., 505 Park Avenue, New York 22, N. Y.
Barber Oil Corp., 30 Rockefeller Plaza, New York 20, N. Y.
Caltex Oil Products Co., 551 Fifth Avenue, New York 17, N. Y.
Creole Petroleum Corp., 350 Fifth Avenue, New York 1, N. Y.
Gulf Oil Corp., Gulf Building, P. O. Box 1166, Pittsburgh, Pa.
Standard Oil Co. of Calif., 225 Bush Street, San Francisco 4, Calif.
Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York 20, N. Y.
Standard-Vacuum Oil Co., 26 Broadway, New York 4, N. Y.
Pacific Western Oil Corp., 417 South Hill Street, Los Angeles, Calif.
Sinclair Oil Corp., 630 Fifth Avenue, New York 20, N. Y.
Socony-Vacuum Oil Co., Inc., 26 Broadway, New York 4, N. Y.
Superior Oil Co., 601 West Fifth Street, Los Angeles, Calif.
The Texas Co., 135 East Forty-second Street, New York 17, N. Y.
Venezuelan Petroleum Co., 600 Fifth Avenue, New York 20, N. Y.

(Sec. 708, 67 Stat. 129, Pub. Law 95, 83d Cong.; E. O. 10467, June 30, 1953, 18 F. R. 3777)

Dated: July 20, 1953.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 53-6498; Filed, July 20, 1953;
2:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-9, 54-155, 59-2, 70-1986]

AMERICAN GAS AND ELECTRIC CO. ET AL.

SUPPLEMENTAL ORDER CONTAINING ADDITIONAL RECITALS IN CONFORMITY WITH INTERNAL REVENUE CODE

JULY 16, 1953.

In the matter of American Gas and Electric Company, File No. 54-155.

In the matter of American Gas and Electric Company, Atlantic City Electric Company, Deepwater Operating Company, South Pennsgrove Realty Company, File Nos. 54-9 and 59-2.

In the matter of American Gas and Electric Company, File No. 70-1986.

The Commission having heretofore approved a plan filed by American Gas and Electric Company ("American Gas"), under section 11 (e) of the Public Utility Holding Company Act of 1935, providing for the divestment by American Gas of its interest in Atlantic City Electric

Company ("Atlantic City") and having found that the transactions proposed in said plan, including, among other things, the transfer to American Gas by the designated scrip agent of cash held by such scrip agent as of the close of business on December 31, 1952, and representing that portion of the proceeds of the Atlantic City common stock, registered in the name of American Gas, sold by the scrip agent after December 30, 1949, in accordance with the said section 11 (e) plan, and not claimed by scrip holders on or before December 31, 1952, are necessary and appropriate to the integration and simplification of the holding company system of which American Gas is a member, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are fair and equitable to the persons affected thereby, and having issued appropriate orders in respect thereof; and

It appearing that the said scrip agent has now transferred to American Gas the amount of \$38,371.29, representing that portion of the proceeds of the Atlantic City common stock, registered in the name of American Gas, sold by the scrip agent after December 30, 1949, in accordance with the said section 11 (e) plan, and not claimed by scrip holders on or before December 31, 1952, and that American Gas now proposes to invest the said \$38,371.29 in additional securities of subsidiary companies comprising its Central System, all as proposed in the said section 11 (e) plan; and

American Gas having requested that the Commission issue a further order containing additional recitations conforming with the requirements of the Internal Revenue Code, as amended, including Section 1808 (f) and Supplement R thereof; and

The Commission deeming it appropriate to grant such request:

It is ordered and recited, That the transactions proposed in the said plan of American Gas, including the receipt by American Gas from the scrip agent of cash in the amount of \$38,371.29, representing that portion of the proceeds of the Atlantic City common stock, registered in the name of American Gas, sold by the scrip agent after December 30, 1949, in accordance with the said section 11 (e) plan, and not claimed by scrip holders on or before December 31, 1952, and the use by American Gas of the said \$38,371.29 so received from the scrip agent to invest in additional securities of subsidiary companies comprising the Central System of American Gas, are necessary and appropriate to the integration and simplification of the holding company system of which American Gas is a member, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-6428; Filed, July 21, 1953;
8:47 a. m.]

[File Nos. 59-32, 70-3050]

GENERAL PUBLIC UTILITIES CORP. ET AL.

NOTICE OF FILING OF REQUEST FOR MODIFICATION OF PREVIOUS ORDER AND OF APPLICATION-DECLARATION PROPOSING MERGER OF SUBSIDIARY COMPANIES AND NOTICE OF AND ORDER CONSOLIDATING PROCEEDING AND FOR HEARING

JULY 16, 1953.

In the matters of General Public Utilities Corporation, File No. 59-32; General Public Utilities Corporation, Associated Electric Company, Pennsylvania Electric Company, Northern Pennsylvania Power Company, File No. 70-3050.

On June 23, 1949 the Commission, pursuant to jurisdiction theretofore reserved in a proceeding instituted by it under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ("act") directed to the predecessors of, and by order dated April 14, 1944 made applicable to, General Public Utilities Corporation ("GPU") ordered (File No. 59-32) the hearings reconvened. Said order also directed that GPU file a statement as to what action GPU deemed necessary and appropriate and which it was prepared to take for the purpose of limiting the operations of its holding company system to a single integrated public-utility system, and such additional systems and other businesses as were retainable under the standards of section 11 (b) (1) of the act.

In response, GPU filed a statement in which, among other things, it asserted that (a) the electric properties owned by Pennsylvania Electric Company ("Penelec") Metropolitan Edison Company ("Meted") New Jersey Power & Light Company ("NJPL") and Jersey Central Power & Light Company ("Jersey Central") constituted a single integrated public-utility system ("Penn-Jersey System") within the definition of section 2 (a) (29) (A) of the act, and (b) the electric properties of Northern Pennsylvania Power Company ("North Penn") and of The Waverly Electric Light and Power Company ("Waverly") constituted either (i) a part of its Penn-Jersey System, or (ii) an additional integrated public-utility system retainable under common control with the Penn-Jersey System pursuant to the standards of section 11 (b) (1) of the act.

Extensive hearings were held upon the issues tendered by the notice and order reconvening the hearings and the statement of GPU in response thereto. Based upon the record made in such proceeding, the Commission issued its Findings and Opinion, dated December 28, 1951, finding, inter alia, that Penelec, Meted, NJPL and Jersey Central constituted a single integrated public-utility system ("Penn-Jersey System") within the meaning of section 2 (a) (29) (A) of the act.

The evidence adduced in the record of said proceeding, however, disclosed that North Penn and Waverly were not physically interconnected, and failed to show that they were economically capable of interconnection, with the Penn-Jersey System, within the meaning of section 2 (a) (29) (A). The evidence

also failed to establish that North Penn and Waverly could not be operated as an independent system without the loss of substantial economies within the meaning of section 11 (b) (1) (A). At the close of the hearings, GPU stated that it would not oppose the entry of an order, recommended by the Division of Public Utilities, approving the retention of the Penn-Jersey System, and directing among other things, the divestment of North Penn and Waverly. Based upon the entire record the Commission found that North Penn and Waverly did not constitute a part of the Penn-Jersey System, and were not retainable as an additional system, and the Commission's order of December 28, 1951, directed, among other things, the divestment by GPU of North Penn and Waverly.

Notice is herein given that GPU has now filed an application-declaration in which, among other things, it requests that the Commission modify its order of December 28, 1951 (Holding Company Act Release No. 10982) insofar as it directs GPU to divest itself of North Penn and Waverly, so as to permit GPU to retain the electric properties of North Penn and of Waverly as a part of the Penn-Jersey System.

As the ground for such request, GPU states that the conditions upon which the December 28, 1951, order was predicated, insofar as they relate to the relationship between North Penn and Waverly, on the one hand, and the Penn-Jersey System on the other hand, do not exist within the meaning of next to the last sentence of section 11 (b) of the act. In support of such request, it is stated that new studies have been made in respect of a long-term program for supplying North Penn's electric energy requirements; that such studies have demonstrated the feasibility of the interconnection of the properties of North Penn and Waverly with that of Penelec, and the effectuation thereby of substantial electric energy supply economies; that based upon such studies, Penelec and North Penn are now engaged in the construction of the requisite interconnecting transmission line and facilities; and that upon the completion of such transmission line and facilities, North Penn's and Waverly's properties will become, and will be normally operated as, a part of the Penn-Jersey System, thereby achieving substantial operating economies.

Notice is hereby further given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by GPU, a registered holding company, Associated Electric Company ("Aelec") a direct subsidiary of GPU and also a registered holding company, Penelec, a public utility company and a direct subsidiary of Aelec, and North Penn, a direct subsidiary of GPU, and a holding company having one public utility subsidiary, Waverly, as to which such parent has been granted an exemption as a holding company under section 3 (a) of the act. Applicants-declarants have designated sections 6 (a), 7, 9 (a) 10, 11 (b) 12 (b), 12 (d) and 20 (a) of the act and Rule U-45 promulgated un-

der the act as applicable to the proposed transactions.

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

It is proposed that North Penn be merged with Penelec. To effectuate the merger the following steps are proposed.

1. GPU will contribute to Aelec all of GPU's holdings, 22,130 shares, of the common stock of North Penn. Upon receipt of the North Penn stock, Aelec will charge its investment account and credit its capital surplus account with an amount equal to GPU's then carrying value of its investment in the North Penn common stock (\$5,580,000 at March 31, 1953 plus subsequent investments in North Penn).

2. Promptly after receipt from GPU of the common stock of North Penn, Aelec will deliver to Penelec all of the common stock of North Penn in exchange for additional shares of common stock of Penelec having an aggregate par value equal to Aelec's then carrying value of its investment in the common stock of North Penn.

3. Upon the acquisition by Penelec from Aelec of the North Penn common stock, North Penn will be merged into Penelec, and the then outstanding indebtedness and obligations of North Penn (including all outstanding bonds and notes) will be assumed by Penelec. Upon the effectuation of the merger, Penelec, the surviving company, will become the owner of all of the property and assets of North Penn, including the common stock of Waverly.

GPU states that it recognizes that, upon the acquisition by Penelec of the common stock of Waverly, GPU will be a holding company in respect of a subsidiary which itself has a subsidiary that is a holding company, which relationship is in contravention of the provisions of section 11 (b) (2) of the act; but that such condition, at its worst, will be only temporary since the ultimate elimination of Aelec is contemplated; that possibly before that time it may become feasible for Penelec to be held directly by GPU and that GPU will consent to the imposition by the Commission in any order of approval appropriate terms and conditions requiring the elimination of such situation within one year.

The application-declaration states that no State commission, other than the Pennsylvania Public Utility Commission and the New York Public Service Commission, has jurisdiction over the proposed transactions; that the Pennsylvania Public Utility Commission has jurisdiction over the proposed acquisition by Penelec of the utility assets of North Penn, and that an application will be made to that Commission for authorization of such acquisition which, under the provisions of section 9 (b) (1) exempts the acquisition from the requirements of sections 9 (a) and 10 of the act; but applicants-declarants request that this Commission assert jurisdiction under Section 11 of the act and approve such acquisition of utility assets,

and, in this connection, it is stated that, if such jurisdiction is asserted and such approval is obtained, no other Federal Commission will have jurisdiction over such transactions.

It appearing to the Commission that a hearing should be held to determine whether the conditions upon which the order of December 28, 1951, insofar as it directed GPU to divest itself of its interest in North Penn and Waverly, do not now exist, and whether said order should be modified as requested; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of the matters set forth in said application-declaration, and that said application-declaration should not be granted and permitted to become effective except pursuant to a further order of this Commission; and

It also appearing to the Commission that the request for modification of the order of December 28, 1951 (File No. 59-32) and the proposals contained in said application-declaration (File No. 70-3050) are related and involve common questions of fact and law that evidence offered in respect of each such matter has a bearing on the other that substantial saving of time and expense will result if the hearings on such matters are consolidated and heard as one, so that the evidence heretofore and hereafter adduced in respect of each matter may be considered as evidence in respect of all such matters;

It is ordered, That the proceedings entitled "In the Matter of General Public Utilities Corporation, File No. 59-32" and the proceeding in respect of the said application-declaration, be consolidated, and that the evidence heretofore and hereafter adduced in respect of each such matter shall be considered in connection with each of such matters for all purposes, without prejudice, however, to the right of the Commission, upon its own motion, or on the motion of any interested party, to strike such portions of the record in prior proceedings in File No. 59-32 as may be deemed irrelevant to the issues and matters herein.

It is further ordered, That a hearing, under the applicable provisions of the act, in the consolidated proceeding be held on September 15, 1953; at 10 a. m., e. d. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 193 will advise as to the room in which such hearing will be held. In the event amendments are filed to the application-declaration during the course of the proceedings, no notice of such amendments will be given unless specifically ordered by the Commission. Any person desiring to be heard or otherwise to participate in the proceedings who has not heretofore entered an appearance herein, is directed to file with the Secretary of the Commission on or before September 11, 1953, a written request as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That Edward C. Johnson, or any other officer or officers designated by the Commission for that

purpose shall preside at such hearing. The officer so designated shall have and exercise all the powers granted the Commission under section 18 (c) of the act, and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation having advised the Commission that it has made a preliminary examination of the request for the modification of the order of December 28, 1951, and the application-declaration, and that on the basis of such examination the following matters and questions are submitted for consideration at such hearing, without prejudice to the submission of further matters and questions upon further examination:

1. Whether the conditions, insofar as they relate to the relationship of North Penn and Waverly, on the one hand, and the Penn-Jersey System of GPU on the other hand, on which the divestment provisions of the order of December 28, 1951, under section 11 (b) (1) were predicated, do not exist; and whether it is appropriate in the public interest and in the interest of investors and consumers that said order be modified in the respects requested.

2. Whether the proposed contribution by GPU, and the acquisition by Aelec, of the common stock of North Penn and Waverly meet the applicable provisions of sections 9 (a) 10, 11 (b) 12 (b) and 12 (f) of the act, and Rules U-43, U-44 and U-45 thereunder.

3. Whether the proposed exchange by Aelec of the common stock of North Penn and Waverly for additional common stock of Penelec of an aggregate par value equal to the carrying value of Aelec's investment in the stock of North Penn meets the applicable provisions of sections 6 (a) 7, 9 (a) 10, 11 (b) 12 (d) and 12 (f) of the act, and Rules U-43 and U-44 thereunder.

4. Whether the Commission should assert jurisdiction under section 11 of the act, as requested, over the proposed acquisition by Penelec of the public utility assets of North Penn, and, if jurisdiction is asserted, whether such proposed acquisition meets the applicable provisions of sections 10, 11 (b) (1) 12 (b) 12 (d) and 12 (f) of the act, and Rules U-43 and U-44 thereunder.

5. Whether the proposed acquisition by Penelec of the common stock of Waverly meets the applicable provisions of sections 10, 12 (d) and 12 (f) of the act, and Rules U-43 and U-44 thereunder.

6. Whether the proposed assumption by Penelec of the outstanding indebtedness of North Penn meets the applicable provisions of sections 6 (a) 7, 12 (b) and 12 (f) of the act.

7. In general, whether the proposed transactions are in the public interest and in the interest of investors and consumers; whether any terms and conditions should be imposed to protect the public interest and the interest of investors and consumers, and to prevent circumvention of the act, and the nature of such terms and conditions.

8. Whether the proposed accounting treatment to record the respective proposed transactions is appropriate and in conformity with sound accounting principles.

9. Whether the fees and expenses to be paid in connection with the proposed transactions are for necessary services and reasonable in amount.

It is further ordered, That particular attention be directed at said hearing to the matters and questions herein stated; that initially there shall be considered the issue of whether the conditions upon which the order of December 28, 1951, was predicated, insofar as they relate to the relationship of North Penn and Waverly, and the Penn-Jersey System of GPU, no longer exist; and, if such conditions are found not existing, consideration shall thereafter be given to the other issues relating to the application-declaration.

It is further ordered, That the Secretary of the Commission shall serve notice of said hearing by mailing copies of this notice and order by registered mail to GPU, Aelec, Penelec and North Penn, to the Pennsylvania Public Utility Commission, the New York Public Service Commission, and to the Federal Power Commission; that notice shall be given to all other persons by publication in the FEDERAL REGISTER; and that a general release of the Commission in respect of the application-declaration and the request for modification of the order of December 28, 1951 be distributed to the press and to the mailing list for releases under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-6427; Filed, July 21, 1953;
8:47 a. m.]

[File Nos. 70-3077, 70-3078]

CITIES SERVICE CO. ET AL.

ORDER AUTHORIZING SALE AND ACQUISITION BY NONAFFILIATED HOLDING COMPANIES OF COMMON STOCKS OF PUBLIC UTILITY COMPANY AND NONUTILITY COMPANY AND BANK BORROWINGS BY ACQUIRING COMPANY

JULY 16, 1953.

In the matter of Cities Service Company, Republic Light, Heat and Power Company, Inc., Gas Advisers, Inc., File No. 70-3078; National Fuel Gas Company, File No. 70-3077.

Cities Service Company ("Cities"), a registered holding company, Republic Light, Heat and Power Company Inc. ("Republic") a public-utility subsidiary of Cities, and Gas Advisers, Inc. ("Gas Advisers") a mutual service company owned by various subsidiaries in the Cities system which are served by said service company, having filed a joint application-declaration, and an amendment thereto, pursuant to sections 11 and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42, U-43 and U-44 promulgated thereunder and National Fuel Gas Company ("National"), a non-affiliated registered holding company, having also filed an application-declaration, and an amendment thereto, pursuant to sections 6, 7, 9, 10 of the act; which several transactions are summarized as follows:

Cities proposes to sell and National proposes to purchase all of the outstanding capital stock consisting of 33,746 shares of common stock, par value \$100 per share, of Republic, a gas utility company operating in the general vicinity of Buffalo, New York, and all of the outstanding capital stock, consisting of 2,000 shares of no par value common stock, of Penn-York Natural Gas Corporation ("Penn-York"), a non-utility natural gas production and transmission company, for an aggregate consideration of \$5,150,000 in cash pursuant to the terms of an agreement dated April 29, 1953. The basic purchase price of \$5,150,000, of which \$4,650,000 represents the purchase price of the Republic stock and \$500,000 the purchase price of the Penn-York stock, is subject to adjustment to reflect changes in the net worth of Republic and Penn-York from December 31, 1952 to the close of the calendar month immediately preceding the sale.

The basic price of the Penn-York stock was agreed upon with the understanding that Penn-York will, prior to the sale, and in addition to its regular quarterly dividends, declare from earned surplus an aggregate of \$350,000 of dividends on its outstanding common stock and issue its promissory notes in said amount to Cities. Also, prior to said sale, Penn-York will amend its Articles of Incorporation so as to increase its authorized common stock from 2,000 to 4,000 shares, and, simultaneously with the sale of Penn-York stock, Penn-York will issue and sell to National 1,400 shares of its newly authorized no par value common stock at \$250 per share, subject to adjustment. Penn-York will use the proceeds of such sale to pay the above-described note for \$350,000.

Cities states that the proposed sale of the common stock of Republic will be in compliance with the Commission's order of May 5, 1944, as modified and clarified by supplemental order dated October 12, 1944, pursuant to section 11 (b) (1) of the act, directing, among other things, that Cities dispose of its interest in Republic.

The net proceeds from the sale of the Republic stock will be applied by Cities to the purchase of additional shares of common stock of its wholly owned subsidiary, Cities Service Oil Company (Pa.)

National owns all or a majority of the stock of certain public-utilities operating gas plants in western New York and western Pennsylvania, and in particular Iroquois Gas Corporation ("Iroquois") and Pennsylvania Gas Company ("Pennsylvania"). It is stated that Republic adjoins the service areas of Iroquois and Pennsylvania and that the principal cities and villages served by Republic and Iroquois are all within one metropolitan area, with the City of Buffalo as its center. Republic now serves both natural and manufactured gas. National intends to change the customers now being served with the manufactured gas to a mixed gas service, similar to that of Iroquois, provided an additional supply of gas is made available to Iroquois. National represents that when conditions are such that service can be rendered at

uniform rates in both Republic and Iroquois territory, it intends to merge the companies into one operating public utility.

It is further stated that the properties of Penn-York are necessary to the operations of Republic as more than three-quarters of Republic's supply of natural gas is received through the facilities of Penn-York. National states that it is contemplated that the properties of Penn-York can eventually be merged in whole or in part with one or more of the subsidiaries in the National system.

Republic presently owns 35 shares of the common stock, par value \$100 per share, of Gas Advisers, and Penn-York owns 10 shares of the common stock with a par value of \$100 per share of Cities Service Petroleum, Inc. ("Petroleum") a subsidiary service company, but not a mutual service company within the meaning of the act. Republic proposes to sell, and Gas Advisers proposes to purchase for retirement, the said 35 shares of Gas Advisers' stock for a consideration of \$3,500 and concurrently therewith the service contract, dated January 1, 1938, between Republic and Gas Advisers will be terminated. Penn-York also proposes to sell, and Petroleum proposes to purchase for its treasury, said 10 shares of Petroleum's stock for a consideration of \$1,000, and concurrently therewith the service contract, dated January 1, 1938, between Penn-York and Petroleum will be terminated.

Prior to the proposed sale, certain agreements were entered into between Cities and Republic and between Cities and Penn-York relating to consolidated Federal income and excess profits tax returns for the years prior to 1950. Republic and Penn-York filed separate Federal income and excess profits tax returns for the years 1950, 1951 and 1952. In order to settle and adjust all liability for Federal income and excess profits taxes of Republic and Penn-York, Cities proposes to enter into tax agreements with said companies, which provide, in substance, for the indemnification of Republic by Cities against any liability for Federal income and excess profits taxes for any period to and including December 31, 1952, and for the indemnification of Penn-York by Cities against any liability for Federal income and excess profits taxes for any period to and including the date of said agreement. Such agreements further provide for the assignment by Republic and Penn-York to Cities of all of their right and interest in any refunds or credits for Federal income and excess profits taxes for said periods. In connection with such indemnification of Republic and Penn-York, Republic and Penn-York agree to pay Cities, on the date of said agreements, the unexpended balance of reserves accrued on their books for Federal income and excess profits taxes in respect of all years to and including the year 1952. In addition, Penn-York agrees to pay Cities the amount of reserves accrued on its books for Federal income and excess profits taxes for the period from January 1, 1953, to date of sale, including an estimated amount to the extent not determinable. Such payments are to be

made in four installments as follows: 45 percent of said sum on March 15, 1954, 45 percent on June 15, 1954, 5 percent on September 15, 1954 and 5 percent on December 15, 1954.

It is stated that the transactions proposed herein by Penn-York and Petroleum are considered to be exempt from the provisions of the act and rules promulgated thereunder by virtue of the provisions of Rule U-3D-15.

Pursuant to a Loan Agreement, dated May 8, 1953, with The Chase National Bank of the City of New York, National proposes to borrow an aggregate amount not to exceed \$5,000,000 on or before October 1, 1953. The loan will be evidenced by a promissory note dated as of the date of such loan, maturing on July 15, 1955 and bearing interest at the rate of 3 percent per annum to and including July 14, 1954 and at the rate of 3 1/4 percent per annum thereafter. In the event of prepayment of the loan from the proceeds, or in anticipation, of any bank borrowing, the company is required to pay a premium of 1/2 of 1 percent of the amount prepaid. National is to pay a commitment fee, computed at the rate of 1/4 of 1 percent per annum, from July 15, 1953, to October 1, 1953, or such other date as the loan is made, whichever is earlier, on the amount of the bank's commitment. National proposes to use the proceeds from the loan, together with the necessary additional funds from its treasury, to purchase the common stocks of Republic and Penn-York.

The Public Service Commission of New York has authorized the acquisition by National of the common stock of Republic. It is represented that no other State Commission or any other Federal Commission has jurisdiction over the proposed transactions.

Cities states that its expenses to be incurred in connection with the proposed transactions will amount to \$3,500. National estimates that its expenses will amount to \$14,500, including legal expenses of \$13,000.

It is requested that the Commission's order herein make the necessary findings and contain the recitals required by Supplement R and section 1808 (f) of the Internal Revenue Code, as amended, with respect to certain of the proposed transactions, and that the order become effective upon its issuance.

Due notice having been given of the filing of the applications-declarations and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary with respect thereto, and deeming it appropriate in the public interest and in the interest of investors and consumers that said applications-declarations, as amended, be granted and permitted to become effective forthwith without the imposition of terms and conditions, other than those specified below:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act:

(1) That the application-declaration, as amended, filed by Cities, Republic and Gas Advisers be, and it hereby is, granted

and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule-U-24.

(2) That the application-declaration, as amended, filed by National be, and it hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to the following additional term and condition: That jurisdiction be, and hereby is, reserved with respect to the payment of legal fees and expenses incurred or to be incurred by National in connection with the proposed transactions.

It is further ordered and recited, And the Commission finds that the sale by Cities Service Company of the 33,746 shares of common stock of the par value of \$100 per share of Republic Light, Heat and Power Company, Inc. to National Fuel Gas Company and the application of the proceeds (or an amount equal thereto) to be received from said sale by Cities Service Company to the purchase by Cities Service Company from Cities Service Oil Company (Pennsylvania) a wholly owned subsidiary, at \$100 per share, of additional shares of common stock of \$100 par value per share of Cities Service Oil Company (Pennsylvania) all as hereinbefore in this order authorized, approved and directed, are necessary or appropriate to the integration or simplification of the holding company system of which Cities Service Company and Cities Service Oil Company (Pennsylvania) are members, and are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning of Sections 371, 373 (a) and 1808 (f) of the Internal Revenue Code, as amended, and jurisdiction is hereby reserved to amend, supplement, or modify, upon the petition or application of Cities Service Company, the recitals, itemizations, and specifications required by Supplement R of the Internal Revenue Code, as amended, with respect to the above-described transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-6429; Filed, July 21, 1953;
8:48 a. m.]

[File No. 70-3090]

NEW ENGLAND GAS AND ELECTRIC
ASSOCIATION ET AL.

ORDER AUTHORIZING SALE OF COMMON STOCK BY SUBSIDIARY TO PARENT AND ACQUISITION OF UTILITY ASSETS AND ASSUMPTION OF LIABILITIES OF ASSOCIATE COMPANY BY SUBSIDIARY

JULY 16, 1953.

In the matter of New England Gas and Electric Association, New Bedford Gas and Edison Light Company, Plymouth Gas Light Company, File No. 70-3090.

New England Gas and Electric Association ("Negea") a registered holding company and its public utility subsidi-

aries, New Bedford Gas and Edison Light Company ("New Bedford") and Plymouth Gas Light Company ("Plymouth") having heretofore filed a joint application-declaration with this Commission pursuant to the provisions of sections 6 (b) 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transactions;

New Bedford proposes to offer one share of its \$25 par value common stock at public auction and Negea proposes to bid \$274,600 for such share of common stock. With the proceeds therefrom New Bedford proposes to purchase from Plymouth its assets and assume its liabilities for a cash consideration of \$274,600. Concurrent with the sale of its assets, Plymouth will declare and pay to Negea a liquidating dividend of \$274,600 and Negea will surrender to it the outstanding 2,746 shares of \$100 par value common stock for retirement; and

The expenses to be incurred are estimated at \$700 and include legal services of \$250 and Federal documentary stamps and filing fee; and

The transactions proposed by New Bedford and Plymouth having been approved by the Department of Public Utilities of Massachusetts by order dated June 9, 1953; and

Due notice having been given of the filing of the joint application-declaration, and a hearing not having been requested or ordered by the Commission and the Commission finding that the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said joint application-declaration be granted, and permitted to become effective forthwith:

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-6425; Filed, July 21, 1953;
8:47 a. m.]

[File No. 70-3091]

APPALACHIAN ELECTRIC POWER CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF COMMON STOCK BY TWO SUBSIDIARIES TO PARENT, AND ISSUANCE AND SALE BY ONE SUBSIDIARY OF SHORT TERM PROMISSORY NOTES PAYABLE TO BANKS

JULY 16, 1953.

In the matter of Appalachian Electric Power Company, the Ohio Power Company, American Gas and Electric Company. File No. 70-3091.

American Gas and Electric Company ("American Gas") a registered holding company, and its public-utility subsidi-

ary companies, Appalachian Electric Power Company ("Appalachian") and Ohio Power Company ("Ohio") have filed a joint application-declaration with this Commission, pursuant to sections 6, 7, and 10 of the Public Utility Holding Company Act of 1935 (the "act") with respect to the proposed transactions which are summarized as follows:

Appalachian and Ohio, each, propose to issue and sell 100,000 shares of common stock, no par value, to American Gas for \$7,000,000 or an aggregate of \$14,000,000. In addition, Ohio proposes to issue and sell, from time to time but not later than June 30, 1954, short-term promissory notes payable to five banks. It is indicated that the aggregate amount of such short-term note indebtedness outstanding at any one time will not exceed \$23,000,000. Each of said notes will mature 270 days after the issue date thereof and will bear interest from the issue date at the then current prime credit rate which, it is stated, is presently 3¼ percent per annum. Any of said notes may be prepaid in whole or in part and without premium. Ohio further proposes to apply the proceeds of its next long-term financing to the prepayment of any then outstanding notes payable to banks and agrees that upon completion of such financing the authorization requested herein with respect to the notes payable to banks shall terminate.

The expenses to be incurred by Appalachian and Ohio in connection with the issuance and sale of their common stocks is estimated not to exceed \$13,000 each, including in each instance \$10,500 Federal stamp taxes, the combined balance of \$5,000 consisting of legal fees, State filing fees, publication notices, etc. Expenses incident to the issuance of bank notes by Ohio is estimated not to exceed \$500.

The issuance of common stock by Ohio was approved by the Public Utilities Commission of Ohio by order dated June 15, 1953. The issuance and sale of common stock by Appalachian was approved by the State Corporation Commission of the Commonwealth of Virginia, the Public Service Commission of West Virginia and the Railroad and Public Utilities Commission of the State of Tennessee by orders dated June 23, July 1 and July 2, 1953, respectively.

Due notice of the filing of the joint application-declaration having been given and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said joint application-declaration be, and it hereby is, granted and permitted to become effective forthwith,

subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-6426; Filed, July 21, 1953;
8:47 a. m.]

[File No. 70-3092]

OHIO POWER CO.

ORDER AUTHORIZING ACQUISITION OF UTILITY
ASSETS FROM NON-AFFILIATE

JULY 16, 1953.

The Ohio Power Company ("Ohio") a public-utility subsidiary company of American Gas and Electric Company, a registered holding company, having filed with this Commission an application pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 (the "act") with respect to the proposed transactions which are summarized as follows:

Ohio proposes to acquire for \$141,760 the complete generating and distributing facilities of the electric utility system of the village of Arlington, Ohio. It is stated in the application that the Arlington officials made a public invitation for bids to purchase its electric utility facilities and that the bid of Ohio was the high bid and was accepted by Arlington. No real estate is involved in the sale since Arlington is to retain ownership of the land and buildings. The property will be conveyed free of all indebtedness. The \$44,000 of bonded indebtedness now outstanding against the property will be retired by Arlington with part of the cash received.

The application indicates that Arlington is in the territory served by Ohio and that there will be an integration of the Arlington facilities into the Ohio system and that under the Ohio rates which would be substituted for Arlington's rates every domestic customer and the commercial customers, as a group, will realize a savings. In 1952, Arlington's billings to domestic and commercial electric customers aggregated approximately \$37,000.

Ohio proposes to record the Arlington properties on its books on the basis of original cost (to the extent that such original cost can be determined or estimated) and the difference, if any, between the purchase price and such original cost will be recorded and disposed of in accordance with the accounting regulations and orders of the regulatory Commissions having jurisdiction.

Counsel for Ohio states that in his opinion no action by any State commission is required.

It is stated in the application that no finder's fees or commissions are to be paid in connection with the proposed transactions. Ohio requests that the Commission's order herein become effective upon issuance.

Due notice of the filing of the application having been given and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of

the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said application be granted:

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-6424; Filed, July 21, 1953;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28232]

CIGARETTES AND MANUFACTURED TOBACCO BETWEEN POINTS IN THE SOUTH
APPLICATION FOR RELIEF

JULY 17, 1953.

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: Cigarettes and manufactured tobacco, carloads.

From: Durham, Reidsville, Winston-Salem, and South Winston-Salem, N. C., Richmond and Petersburg, Va., and Louisville, Ky.

To: Points in southern territory including Ohio River crossings and St. Louis, Mo.

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

Schedules filed containing proposed rates: C. A. Spaninger, Agent, tariff I. C. C. No. 1156, supp. 30; C. A. Spaninger, Agent, tariff I. C. C. No. 1251, supp. 51, C. A. Spaninger, Agent, tariff I. C. C. No. 1062, supp. 97.

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,
Acting Secretary.

[F. R. Doc. 53-6441; Filed, July 21, 1953;
8:50 a. m.]

[4th Sec. Application 23263]

SCRAP PAPER FROM SOUTHWEST TO
LOWELL, MASS.

APPLICATION FOR RELIEF

JULY 17, 1953.

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: Paper, scrap or waste, carloads.

From: Advance, Bastrop, Elizabeth, Monroe, Spring Hill, and West Monroe, La., Camden and Crosssett, Ark., Herty and Houston, Tex.

To: Lowell, Mass.

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

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, tariff I. C. C. No. 3992, supp. 10.

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,
Acting Secretary.

[F. R. Doc. 53-6442; Filed, July 21, 1953;
8:59 a. m.]

[4th Sec. Application 28234]

BILLETS, IRON OR STEEL, FROM CERTAIN
STATES TO OWENSBORO AND STEELTON,
KY.

APPLICATION FOR RELIEF

JULY 17, 1953.

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 L. C. Schuldt, Agents, for carriers parties to schedules listed below.

Commodities involved: Billets, blooms or ingots, iron or steel, carloads.

From: Specified points in Indiana, Maryland, Michigan, New York, Ohio, and Pennsylvania.

To: Owensboro and Steelton, Ky.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply

rates constructed on the basis of the short-line distance formula.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, tariff I. C. C. No. 4510, supp. 22; C. W. Boin, Agent, tariff I. C. C. No. A-968, supp. 12.

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,
Acting Secretary.

[F. R. Doc. 53-6443; Filed, July 21, 1953;
8:51 a. m.]

[4th Sec. Application 28285]

DENATURED ALCOHOL AND RELATED ARTICLES FROM PORT NECHES, TEX., TO OFFICIAL, ILLINOIS, AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

JULY 17, 1953.

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: Denatured alcohol and related articles, carloads.

From: Port Neches, Tex.
To: Points in official, Illinois, and western trunk-line territories.

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

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, tariff I. C. C. No. 4064.

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,
Acting Secretary.

[F. R. Doc. 53-6444; Filed, July 21, 1953;
8:51 a. m.]

[4th Sec. Application 28286]

BILLETS FROM STEELTON, MINN., TO CLEVELAND, OHIO

APPLICATION FOR RELIEF

JULY 17, 1953.

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

Filed by: W. J. Prueter, Agent, for carriers parties to Alternate Agent C. J. Hennings' tariff I. C. C. No. A-3715.

Commodities involved: Billets, iron or steel, carloads.

From: Steelton, Minn.

To: Cleveland, Ohio.

Grounds for relief: Competition with water 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,
Acting Secretary.

[F. R. Doc. 53-6445; Filed, July 21, 1953;
8:51 a. m.]

[No. 9200]

RAILWAY MAIL PAY

REOPENING OF HEARING

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 17th day of July A. D. 1953.

Upon consideration of petition dated and filed June 24, 1953, by railroad companies as listed in said petition, requesting reopening of the above-entitled proceeding and an order fixing and determining as fair and reasonable for the

transportation by petitioners of the United States mail and performance of the service connected therewith, from and after June 24, 1953, rates, rules, conditions and compensation which shall reflect the full cost of performing such service as it shall appear from data to be presented by petitioners and which shall be not less than 45 percent, and as much more than 45 percent as said data may show petitioners duly entitled to receive, in excess of the compensation now being received under the rates, rules and conditions now in effect; and such other and further relief in the premises as may be found to be justified; and the reply thereto by the Postmaster General, which embraces a cross-application for certain relief; and upon consideration of the provisions of U. S. Code, title 39, sections 542 to 554, inclusive (Railway Mail Service Pay)

It is ordered, That the above-entitled proceeding be, and it is hereby reopened for hearing, at such times and places as the Commission may hereafter direct, upon the issues raised by the aforesaid petition, and by the cross-application of the Postmaster General;

It is further ordered, That a copy of this order be served upon said petitioners and upon the Postmaster General of the United States, and that notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy thereof with the Director, Division of the Federal Register, Washington, D. C.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-6450; Filed, July 21, 1953;
8:54 a. m.]

[Drouth Order 47, Amdt. 1]

TRANSPORTATION OF HAY, FEED, AND LIVESTOCK IN DISASTER AREAS

REDUCED RATES

In the matter of relief under section 22 of the Interstate Commerce Act.

Upon consideration of a request by the Acting Secretary of Agriculture dated July 16, 1953, to include the States of Arkansas and Missouri in the disaster area.

It is ordered, That the order of June 30, 1953, be, and it is hereby amended to include within its provisions the States of Arkansas and Missouri.

It is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the office of the Secretary of the Commission and by filing a copy with the Director, Division of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, N. Y., the Chairman of the Southern Freight Association,

Atlanta, Georgia, the Chairman of the Executive Committee, Western Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D. C. and to the President of the American Short Line Railroad Association, Washington, D. C.

Dated at Washington, D. C., this 17th day of July 1953.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-6460; Filed, July 21, 1953; 8:55 a. m.]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

STATEMENT OF ORGANIZATION

DESIGNATION OF REPRESENTATIVE PURSUANT TO PUBLIC LAW 86

Section 1.30 of the Immigration and Naturalization Service Statement of Organization (17 F. R. 11613, December 19, 1952) is amended by adding paragraph (p) so that when taken with the introductory material that paragraph will read as follows:

SEC. 1.30 *Final authority; delegation to Commissioner* The Commissioner has been delegated final authority to take any action required or authorized to be taken by Chapter I, Title 8 of the Code of Federal Regulations, with respect to the following matters:

(p) Designation of representative pursuant to section 2 of Public Law 86, 83d Congress (67 Stat. 108) under 8 CFR 411.11.

Dated: July 15, 1953.

HERBERT BROWNELL, Jr.,
Attorney General.

Recommended: July 9, 1953.

ARGYLE R. MACKAY,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 53-6461; Filed, July 21, 1953; 8:55 a. m.]

Office of Alien Property

MARGARETE KAPLAN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Margarete Kaplan, Villa Saentia, Vaduz, Liechtenstein, Claim No. 49674; Vesting Order No. 146. \$291,216.05 in the Treasury of the United States. Property described in Vesting Order No. 146 (7 F. R. 8510, October 21, 1942) relating to United States Letters Patent No. 1,822,778. All right, title, and interest of Viktor Kaplan and of his assigns, next-of-kin, heirs and estate in and to that certain contract dated December 1, 1932, by and between said Viktor Kaplan as licensor and S. Morgan Smith Company as licensee granting to the latter a licence under United States Patent No. 1,822,778.

Executed at Washington, D. C., on July 15, 1953.

For the Attorney General.

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

[F. R. Doc. 53-6451; Filed, July 21, 1953; 8:53 a. m.]

HALVOR TOBIAS HEYERDAHL ANDRESEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., and Property

Halvor Tobias Heyerdahl Andresen, Drammensvele 41, Oslo, Norway, Claim No. 49621; Vesting Orders Nos. 294 and 672. Properties described in Vesting Order No. 294 (7 F. R. 9840, November 29, 1942) with respect to patent application serial no. 359, 788 (now United States Patent No. 2,319,289) and in Vesting Order No. 672 (8 F. R. 5029, April 17, 1943) with respect to United States Patents Nos. 2,151,363, 2,190,619, 2,249,873, and 2,254,559.

Executed at Washington, D. C., on July 15, 1953.

For the Attorney General.

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

[F. R. Doc. 53-6452; Filed, July 21, 1953; 8:54 a. m.]

NUNZIA GARRO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Nunzia Garro a/i/a Anunziata Garro, Florida, Syracuse, Italy, Claim No. 36515; \$970.83 in the Treasury of the United States.

Executed at Washington, D. C., on July 15, 1953.

For the Attorney General.

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

[F. R. Doc. 53-6453; Filed, July 21, 1953; 8:54 a. m.]

NELLY HARTMANN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Nelly Hartmann, Augsburg, Germany, Claim No. 39323; \$7,756.51 in the Treasury of the United States.

Executed at Washington, D. C., on July 15, 1953.

For the Attorney General.

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

[F. R. Doc. 53-6454; Filed, July 21, 1953; 8:54 a. m.]

CURT PULVERMANN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Curt Pulvermann, Buenos Aires, Argentina, Claim No. 43977; \$34,952.71 cash in the Treasury of the United States.

Executed at Washington, D. C., on July 15, 1953.

For the Attorney General.

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

[F. R. Doc. 53-6455; Filed, July 21, 1953; 8:54 a. m.]

NOTICES

HENRY OLAI SKANES

NOTICE OF INTENTION TO RETURN VESTED
PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C.,

including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Mr. Henry Olai Skanes, Hellerup (by Copenhagen) 8, Ellebakken, Denmark, Claim No. 32959; property described in Vesting Order

No. 664 (8 F. R. 4989, April 17, 1943), relating to United States Letters Patent No. 2230166.

Executed at Washington, D. C., on July 15, 1953.

For the Attorney General.

[SEAL]

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

[F. R. Doc. 53-6456; Filed, July 21, 1953;
8:54 a. m.]