



FEDERAL REGISTER

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Title 3—THE PRESIDENT

Executive Order 10804

DELEGATING TO THE CIVIL SERVICE COMMISSION THE AUTHORITY OF THE PRESIDENT TO PRESCRIBE REGULATIONS UNDER THE FEDERAL EMPLOYEES INTERNATIONAL ORGANIZATION SERVICE ACT

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. There is hereby delegated to the United States Civil Service Commission the authority vested in the President by section 5 of the Federal Employees International Organization Service Act (72 Stat. 961).

SEC. 2. Executive Order No. 9721 of May 10, 1946; Executive Order No. 10103 of February 1, 1950; and Executive Order No. 10774 of July 25, 1958, insofar as it affects any employee covered by section 6(a) of the International Atomic Energy Agency Participation Act of 1957 prior to the repeal of that section by the Federal Employees International Organization Service Act, are revoked except that each shall be considered to remain in effect with respect to any employee subject thereto serving with an international organization on the date of enactment of the Federal Employees International Organization Service Act who does not elect to have coverage under the latter Act pursuant to the provisions of section 6 of that Act, and for the purposes of any rights and benefits vested under each such order prior to the date of the enactment of the Federal Employees International Organization Service Act.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
February 12, 1959.

[F.R. Doc. 59-1405; Filed, Feb. 12, 1959;
3:37 p.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture [Navel Orange Regulation 156, Amdt. 1]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof 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 act is insufficient, and this amendment relieves restrictions on the handling of navel oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (i) and (ii) of § 914.456 (Navel Orange Regulation 156, 24 F.R. 939) are hereby amended to read as follows:

- (i) District 1: 729,960 cartons;
- (ii) District 2: 448,140 cartons.

(Continued on p. 1149)

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CFR SUPPLEMENTS

(As of January 1, 1959)

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

Dated: February 11, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[F.R. Doc. 59-1359; Filed, Feb. 13, 1959;
8:48 a.m.]

[Navel Orange Reg. 157]

**PART 914—NAVEL ORANGES
GROWN IN ARIZONA AND DESIG-
NATED PART OF CALIFORNIA**

Limitation of Handling

§ 914.457 Navel Orange Regulation 157.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel

oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 12, 1959.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., February 15, 1959, and ending at 12:01 a.m., P.s.t., February 22, 1959, are hereby fixed as follows:

- (i) District 1: 646,800 cartons;
- (ii) District 2: 462,000 cartons;
- (iii) District 3: Unlimited movement;
- (iv) District 4: Unlimited movement.

(2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3,"

"District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 853, as amended; 7 U.S.C. 608c)

Dated: February 13, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-1422; Filed, Feb. 13, 1959;
11:49 a.m.]

[Orange Reg. 356]

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

Limitation of Shipments

§ 933.958 Orange Regulation 356.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 10, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the

[Grapefruit Reg. 303]

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

Limitation of Shipments

§ 933.959 Grapefruit Regulation 303.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 10, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section have the

committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., February 16, 1959, and ending at 12:01 a.m., e.s.t., March 2, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, including Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Bronze;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{3}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title): *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2\frac{3}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{16}$ inches in diameter and smaller; or

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2\frac{3}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

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

Dated: February 11, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-1360; Filed, Feb. 13, 1959;
8:49 a.m.]

same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (Chapter 29760).

(2) During the period beginning at 12:01 a.m., e.s.t., February 16, 1959, and ending at 12:01 a.m., e.s.t., March 2, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which are not mature and do not grade at least U.S. No. 1 Bronze;

(ii) Any seeded grapefruit, grown in the production area, which are of a size smaller than $3\frac{1}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); or

(iii) Any seedless grapefruit, grown in the production area, which are smaller than $3\frac{1}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

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

Dated: February 11, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-1362; Filed, Feb. 13, 1959;
8:49 a.m.]

[Tangelo Reg. 15]

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

Limitation of Shipments

§ 933.960 Tangelo Regulation 15.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos

grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 10, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used in this section, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., February 16, 1959, and ending at 12:01 a.m., e.s.t., July 31, 1959,

no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 2 Russet; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than $2\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

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

Dated: February 11, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-1361; Filed, Feb. 13, 1959;
8:49 a.m.]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Expenses and Rate of Assessment for 1958-59 Fiscal Year

On January 30, 1959, notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 682) regarding the expenses and the fixing of the rate of assessment for the 1958-59 fiscal year pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953, 23 F.R. 9053), regulating the handling of lemons grown in the State of California or in the State of Arizona. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). After consideration of all relevant matters presented, including the proposals which were submitted by the Lemon Administrative Committee (established pursuant to the amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that:

§ 953.213 Expenses and rate of assessment for the 1958-59 fiscal year.

(a) The expenses necessary to be incurred by the Lemon Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for its maintenance and functioning during the fiscal year ending October 31, 1959, will amount to \$186,000; and the rate of assessment to be paid, in accordance with the amended marketing agreement and order, by each handler who first handles lemons shall be $1\frac{1}{4}$ cents per carton of lemons, or an equivalent quantity of lemons, handled by him as the first handler thereof during the said fiscal year. Such rate of assessment is hereby fixed as each handler's pro rata share of the aforesaid expenses.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) in that (1) the rate of assessment is applicable to all lemons handled during the 1958-59 season; (2) shipments of lemons in volume have been made since the start of the fiscal year on November 1, 1958; and (3) it is essential that the specifications of the assessment rate be issued immediately so that the aforesaid assessment may be collected and thereby enable the Lemon Administrative Committee to perform its duties and functions in accordance with the said amended marketing agreement and order.

Terms used herein shall have the same meaning as when used in said amended marketing agreement and order.

Dated: February 11, 1959, to become effective upon publication in the FEDERAL REGISTER.

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

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-1364; Filed, Feb. 13, 1959;
8:49 a.m.]

[Lemon Reg. 778]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.385 Lemon Regulation 778.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making

the provisions hereof effective as herein-after set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 11, 1959.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., February 15, 1959, and ending at 12:01 a.m., P.s.t., February 22, 1959, are hereby fixed as follows:

- (i) District 1: 23,250 cartons;
 - (ii) District 2: 139,500 cartons;
 - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: February 12, 1959.

[SEAL] S. R. SMITH,
*Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.*

[F.R. Doc. 59-1406; Filed, Feb. 13, 1959;
9:12 a.m.]

[Avocado Order 16, Amdt. 8]

PART 969—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 69, as amended (7 CFR Part 969), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable, unnecessary 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.) in that 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 act is insufficient, and this amendment relieves restriction on the handling of avocados.

It is therefore, ordered, That the provisions of paragraph (b) of § 969.316, as amended (23 F.R. 4349, 5476, 6318, 7343, 7943, 8047, 9055, 9689), are hereby further amended as follows:

1. In Table 1 revise the date appearing in Column 6 applicable to the Schmidt variety so that after such revision such date shall be "2-16-59" instead of "2-23-59."

2. In Table 1 revise the date appearing in Column 2 applicable to the Itzamama variety so that after such revision such date shall be "2-16-59" instead of "2-23-59."

The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., February 16, 1959.

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

Dated: February 11, 1959.

[SEAL] S. R. SMITH,
*Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.*

[F.R. Doc. 59-1365; Filed, Feb. 13, 1959;
8:49 a.m.]

Title 6—AGRICULTURAL CREDIT

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

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 4]

PART 446—PEANUTS

Subpart—1958 Crop Peanut Price Support Program

PURCHASE OF NO. 2 SHELLED PEANUTS

The regulations issued by Commodity Credit Corporation (hereinafter referred to as "CCC") with respect to the 1958 crop peanut price support program as amended (23 F.R. 6583, 8169, 9169), are further amended by deleting the phrase, "other than those produced in a seed shelling operation" appearing in § 446.1023.

The first sentence of § 446.1023 is revised to read as follows:

§ 446.1023 Purchase of No. 2 shelled peanuts.

Subject to the terms and conditions of §§ 446.1023 to 446.1035, CCC will purchase from shellers No. 2 shelled peanuts

which meet the eligibility requirements stated in § 446.1024 (hereinafter referred to as "No. 2 peanuts") offered to the associations listed below, each of which is designated to accept No. 2 peanuts on behalf of CCC in the area specified.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; sec. 201, 68 Stat. 899; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421)

Issued this 10th day of February 1959.

[SEAL] CLARENCE D. PALMBY,
*Acting Executive Vice President,
Commodity Credit Corporation.*

[F.R. Doc. 59-1367; Filed, Feb. 13, 1959;
8:49 a.m.]

Title 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board—Federal Aviation Agency

SUBCHAPTER C—PROCEDURAL REGULATIONS

[Reg. PR-34]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Filing of Petitions for Reconsideration

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of February 1959.

Section 302.37(a) of the Board's Rules of Practice in Economic Proceedings presently provides that a petition for reconsideration, rehearing or reargument may be filed by any party to a proceeding within 30 days after the date of service of a final order by the Board. It further provides an additional 10 days for the filing of answers to such petitions.

It is the Board's normal practice in route proceedings to make certificate awards effective 60 days after issuance of the final opinion and order. Thus, under present filing procedures, there normally remains only a 20-day period between the completion of all filings and the date upon which the certificate awards become effective.

It has become increasingly evident, particularly with the growing size and complexity of the Board's route proceedings, that a period of 20 days is wholly inadequate and imposes an undue burden upon the Board and its staff when some action by the Board is necessary or desirable before new or amended certificates take effect. It has also become evident that analysis by the Board and its staff of petitions and answers filed by the parties is made unduly difficult and time-consuming by the fact that in many instances such petitions and answers are unnecessarily voluminous.

Accordingly, in order to alleviate the procedural burdens and delays encountered under present procedures, the Board is amending the provisions of § 302.37 by shortening the period for the filing of petitions for reconsideration from 30 to 20 days and by limiting the length of petitions and answers to not more than 25 pages.

It is recognized, of course, that in order to avoid aggravating present difficulties, extensions of time for the filing

of petitions and answers should be granted only in those instances where a showing of good cause has been made. Accordingly, § 302.37 is also being amended to assure the maintenance of strict control over all extensions of time for the filing of petitions and answers.

The Board deems these amendments necessary to the performance of its statutory powers and duties, and to the conduct of proceedings in a manner conducive to the proper dispatch of business and to the ends of justice.

Since this amendment is not a substantive rule but one of agency procedure, notice and public procedure hereon are unnecessary, and the amendment may be effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 302 of the Procedural Regulations (14 CFR Part 302) as follows, effective February 14, 1959:

1. Paragraph (a) of § 302.37 is amended by changing the period specified in the first sentence thereof for the filing of petitions for reconsideration, rehearing, and reargument from thirty (30) days to twenty (20) days.

2. Paragraph (a) of § 302.37 is further amended by deleting the third sentence thereof and by adding the following sentence at the end of said paragraph: "Motions for extension of time to file a petition or answer, and for leave to file a petition or answer after the time for the filing thereof has expired, will not be granted by the Board except on a showing of unusual and exceptional circumstances, constituting good cause for movant's inability to meet the established procedural dates."

3. Paragraph (b) of § 302.37 is amended by adding at the end thereof the following sentence: "Unless otherwise directed by the Board upon a showing of unusual or exceptional circumstances, petitions for reconsideration, rehearing or reargument or answers thereto which exceed twenty five (25) pages (including appendices) in length shall not be accepted for filing by the Docket Section."

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481)

By the Civil Aeronautics Board,

[SEAL] MABEL McCART,
Acting Secretary.

[F.R. Doc. 59-1356; Filed, Feb. 13, 1959; 8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs,
Department of the Treasury

[T.D. 54784]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Locations of Headquarters of Appraisers of Merchandise

The location of the appraiser of merchandise for Customs District No. 34 (Dakota) has been changed from Noyes,

Minnesota, to Pembina, North Dakota. Accordingly, § 1.6 of the Customs Regulations is amended by substituting the following information pertaining to the address of the appraiser mentioned for the information now contained therein:

District No.	Name of district	Location of headquarters	Address of appraiser of merchandise
34	Dakota	Pembina, N. Dak.	1

The section is further amended by deleting the footnote reading "Although the appraiser is under the jurisdiction of the collector of customs at Pembina, N. Dak., office of the appraiser is in Noyes, Minn."

(R.S. 161, sec. 624, 48 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1624)
[MC 192]

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: February 5, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-1349; Filed, Feb. 13, 1959; 8:47 a.m.]

[T.D. 54787]

PART 82—IMPORTATION OF ARTICLES IN CONNECTION WITH THE CHICAGO INTERNATIONAL FAIR AND EXPOSITION AT CHICAGO, ILLINOIS, UNDER PUBLIC LAW NO. 85-361, 85TH CONGRESS¹

The following regulations under Public Law 85-361, 85th Congress, approved

" * * * That any article which is imported from a foreign country for the purpose of exhibition at the Chicago International Fair and Exposition (hereinafter in this Act referred to as the "exposition") to be held at Chicago, Illinois, from July 1, 1959, to July 19, 1959, inclusive, by the Chicagoland Commerce and Industry Exposition, Incorporated, or for the use in constructing, installing, or maintaining foreign exhibits at the exposition, upon which article there is a tariff or customs duty, shall be admitted without payment of such tariff or customs duty or any fees or charges under such regulations as the Secretary of the Treasury shall prescribe.

"Sec. 2. It shall be lawful at any time during or within three months after the close of the exposition to sell within the area of the exposition any articles provided for in this Act, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe. All such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry under this Act for consumption or entry under the general tariff law.

"Sec. 3. Imported articles provided for in this Act shall not be subject to any marking requirements of the general tariff law, except

March 28, 1958, relate to the entry of articles in connection with the Chicago International Fair and Exposition to be held at Chicago, Illinois, July 1 to July 19, 1959, inclusive.

- Sec.
82.1 Invoices; marking; bond.
82.2 Entry; appraisement; procedure.
82.3 Compliance, provisions of Plant Quarantine Act of 1912, and Federal Food, Drug, and Cosmetic Act.
82.4 Detail of customs officers to protect revenue; expenses.
82.5 Withdrawal of articles from exhibition for exportation, abandonment, destruction, or for consumption or entry under the general tariff law; involuntary abandonment.

AUTHORITY: §§ 82.1 and 82.5 issued under Pub. Law 85-361, 85th Cong.

§ 82.1 Invoices; marking; bond.

(a) Articles intended for exhibition under the provisions of Public Law No. 85-361, 85th Congress, and valued at over \$500, are subject to the usual special customs invoice requirements if of a class for which such invoices are required under the Tariff Act of 1930, as amended, and the regulations issued thereunder. The invoices shall be on either customs Form 5515 or on foreign service Form 138 (Invoice of Merchandise) and shall contain the information prescribed under section 481 of the Tariff Act of 1930 (19 U.S.C. 1481).

(b) The marking requirements of the Tariff Act of 1930, as amended, and the regulations promulgated thereunder

when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States.

"Sec. 4. At any time during or within three months after the close of the exposition, any article entered under this Act may be abandoned to the United States or destroyed under customs supervision, whereupon any duties on such articles shall be remitted.

"Sec. 5. Articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the exposition, under such regulations as the Secretary of the Treasury shall prescribe.

"Sec. 6. The Chicagoland Commerce and Industry Exposition, Incorporated, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under this Act. The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under this Act, shall be reimbursed by the Chicagoland Commerce and Industry Exposition, Incorporated, to the United States under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursement shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U.S.C. 1524)." (Pub. Law No. 85-361)

will not apply to articles imported under the regulations in this part except when such articles are withdrawn for consumption or use in the United States, in which case they shall be released from customs custody only upon a full compliance with the marking requirements of the tariff act, as amended, and the regulations promulgated thereunder.

(c) Chicagoland Commerce and Industry Exposition, Incorporated, shall give to the collector of customs at Chicago, Illinois, a bond in an amount to be determined by the collector and containing such conditions for compliance with Public Law No. 85-361, 85th Congress, and the regulations in this part, as shall be approved by the Bureau of Customs.

§ 82.2 Entry; appraisement; procedure.

(a) All entries under the regulations in this part shall be made at the port of Chicago, Illinois, in the name of the Chicagoland Commerce and Industry Exposition, Incorporated, which shall be

ENTRY FOR EXHIBITION

Entry No.

Entry at the port of Chicago of articles consigned or transferred to the Chicagoland Commerce and Industry Exposition, Incorporated, under

..... I.T. No. ex S.S. day of 19.... on the day of 19...., for exhibition purposes under Public Law No. 85-361 of the 85th Congress, approved March 28, 1958.

Mark	Number	Package and contents	Quantity	Invoice value

CHICAGOLAND COMMERCE AND INDUSTRY EXPOSITION, INCORPORATED

By

(d) Upon such entry being made, the collector shall issue a special permit for the transfer of the articles covered thereby to the buildings in which they are to be exhibited or used, or to a bonded warehouse designated by the importer and approved by the collector for temporary storage and subsequent transfer to the exhibition building, or, in the discretion of the collector, to the appraiser's stores for examination and subsequent transfer to the exhibition building or to the bonded warehouse designated by the importer and approved by the collector. The articles shall be tentatively appraised prior to their exhibition or use. All imported exhibits entered under these regulations shall be kept segregated from domestic articles and imported duty-paid articles and shall not be removed from the exhibition building except in accordance with § 82.5(a).

(e) If for any reason articles imported for entry under the regulations in this part are not upon their arrival to be delivered immediately at an exhibition building or at a bonded warehouse in accordance with paragraph (d) of this section, the importer should so indicate to the collector in writing, who will cause such articles to be placed in a bonded warehouse under a "general order per-

mitted for customs purposes the sole consignee of the merchandise entered under the act and which shall be held responsible to the Government for all duties and charges due the United States on account of such entries; but, in the case of merchandise withdrawn from entry under the regulations in this part, an entry under the general tariff law in the name of any person duly authorized in writing by the Chicagoland Commerce and Industry Exposition, Incorporated, to make such entry may be accepted by the collector.

(b) Articles to be entered under the regulations in this part which arrive at ports other than Chicago shall be entered for immediate transportation without appraisement to the latter port in the manner prescribed by the general customs regulations.

(c) Upon the arrival at the port of Chicago of articles to be entered under the regulations in this part, they shall be entered on a special form of entry to read substantially as follows:

mit" at the importer's risk and expense, and such articles may be entered at any time within one year from the date of importation for exhibition, as herein provided for, or under the general tariff law, or for exportation. If not so entered within such period, they will be regarded as abandoned to the Government.

(f) Articles which have been admitted without payment of duty for exhibition under any customs law and which have remained in continuous customs custody or under a customs exhibition bond may be transferred to entry for exhibition at the exposition in the manner prescribed in § 10.49(c) of this chapter, except that in each case an entry under paragraph (c) of this section shall be filed, which shall supersede any previous entry, and no new bond other than that specified in § 82.1(c) shall be required. Imported articles in bonded warehouses under the general tariff law may be transferred to entry for exhibition at the exposition in the manner prescribed in § 8.33 of this chapter.

§ 82.3 Compliance, provisions of plant quarantine act of 1912, and Federal Food, Drug, and Cosmetic Act.

The entry of plant material subject to restriction under the Plant Quarantine

Act of 1912, as amended (7 U.S.C. 151-164a, 167), shall not be permitted except under permits issued therefor by the Plant Quarantine Branch of the Agriculture Research Service, Department of Agriculture, and in accordance with the plant quarantine regulations. The entry of food products shall conform to the requirements of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 301 et seq.), and regulations issued thereunder.

§ 82.4 Detail of customs officers to protect revenue; expenses.

(a) The collector of customs at Chicago, Illinois, shall detail an officer to act as his representative at the exposition and shall station inside the exhibition buildings as many additional customs officers and employees as may be necessary to properly protect the revenue.

(b) All actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody of imported articles, together with the necessary charges for salaries of customs officers and employees in connection with the supervision and custody of, and accounting for, articles imported for exhibition at the exposition or transferred thereto for exhibition, shall be reimbursed by the Chicagoland Commerce and Industry Exposition, Incorporated, to the Government, payment to be made monthly to the collector of customs, Chicago, Illinois, for deposit to the credit of the Treasurer of the United States as a refund to the appropriation "Salaries and Expenses, Bureau of Customs."

§ 82.5 Withdrawal of articles from exhibition for exportation, abandonment, destruction, or for consumption or entry under the general tariff law; involuntary abandonment.

(a) Any article entered under the regulations of this part may be withdrawn for exportation, for abandonment to the Government, for destruction under customs supervision, or for consumption or entry under the general tariff law, but not otherwise, at any time prior to the opening of the exposition or at any time during or within three months after the close of the exposition. Upon the withdrawal of such articles for consumption or for entry under the general tariff law, or at the expiration of three months after the close of the exposition in the case of articles not previously so withdrawn, they shall be appraised with due allowance made for diminution or deterioration from incidental handling or exposure. Such appraisal shall be final in the absence of an appeal to reappraisal, as provided in section 501 of the Tariff Act of 1930, as amended (19 U.S.C. 1501). In the case of such articles withdrawn for entry under the general tariff law under a warehouse bond or a bond conditioned upon exportation, the statutory period of the bond and any extension thereof shall be computed from the date of withdrawal from entry under the provisions of Public Law No. 85-361, 85th Congress.

(b) At any time prior to the opening of the exposition, or at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, as provided in § 15.4 of this chapter.

(c) Any articles entered under the regulations in this part which have not been withdrawn for consumption, entry under the general tariff law, or exportation, or which have not been abandoned to the Government or destroyed under customs supervision, before the expiration of three months after the close of the exposition, shall be regarded as abandoned to the Government.

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: February 6, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-1348; Filed, Feb. 13, 1959;
8:47 a.m.]

Title 26—INTERNAL REVENUE, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER H—INTERNAL REVENUE PRACTICE

PART 601—STATEMENT OF PROCEDURAL RULES

Miscellaneous Amendments

This part, as filed with the FEDERAL REGISTER on June 29, 1955, and as last amended on May 10, 1958, is further amended as follows:

§ 601.103 [Amendment]

PARAGRAPH 1. Section 601.103 *Summary of general tax procedure* is amended as follows:

(A) By inserting "certified mail or" before "registered" in the first sentence of paragraph (c) (2).

(B) By inserting "certified mail or" before "registered" in the third and fifth sentences of paragraph (c) (3).

§ 601.104 [Amendment]

PAR 2 Section 601.104(a) (1) *Returns* is amended by striking out the eighth and ninth sentences and inserting in lieu thereof the following: "In the case of certain individual income taxpayers having gross income not exceeding \$10,000 and consisting of income from specified sources, a special form (Form 1040A) is prescribed upon which the taxpayer may set forth the information necessary to a determination of his tax liability. A taxpayer filing a return on Form 1040A shall compute the tax and transmit with the return any unpaid balance of tax, except that if his income does not exceed \$5,000 he may elect to have the district director compute the tax and mail him a notice stating the amount of tax due."

§ 601.105 [Amendment]

PAR. 3. Section 601.105 *Examination of returns and claims for refund, credit or abatement; determination of correct tax liability* is amended as follows: (A) By striking the fourth sentence of paragraph (c) (3) and inserting in lieu thereof the following: "If the taxpayer is represented by an attorney or agent, the rules with respect to their recognition and the filing of powers of attorney are applicable."

(B) By striking the last sentence of paragraph (e) (1) and inserting in lieu thereof the following: "If an individual income taxpayer files Form 1040A as a return and properly elects to have the tax computed by the district director, such return operates automatically as a claim for refund for the amount of any overpayment shown by the district director's computation of the tax on the basis of the return."

§ 601.106 [Amendment]

PAR. 4. Section 601.106 *Appellate functions* is amended as follows:

(A) By striking out paragraph (a) (2) and inserting in lieu thereof the following:

(2) The authority described in subparagraph (1) of this paragraph does not include the authority to:

(i) Negotiate or make a settlement in any case docketed in the Tax Court on and after the opening date of the session at which the case is calendared for trial, or of any pre-trial hearing of or report session thereon, otherwise referred to as "session" cases;

(ii) Make or approve a settlement in pre-session cases docketed in the Tax Court, except with the concurrence of regional counsel;

(iii) Eliminate the ad valorem fraud penalty in any case not docketed in the Tax Court, except with the concurrence of regional counsel;

(iv) Act in any case in which a recommendation for criminal prosecution is pending, except with the concurrence of regional counsel; nor

(v) Modify any decision of the Excess Profits Tax Council with respect to any issue arising under section 722 of the Internal Revenue Code of 1939, except with the concurrence of the Director of the Appellate Division.

Authority to negotiate and make a settlement or concession in a case docketed in the Tax Court in a session status referred to in subdivision (i) of this subparagraph is delegated to the regional counsel.

(B) By striking out the last sentence of paragraph (c) and inserting in lieu thereof the following: "At any hearing granted by the Appellate Division on a nondocketed case the district director will be represented if he so desires, or if the Chief of the Appellate Division of the region deems it advisable; and at any such hearing on a case involving the ad valorem fraud penalty, the regional counsel will be represented if he so desires. In any case docketed in the Tax Court, settlement negotiations held prior to the opening date of the session at

which the case is calendared for trial, or of any pre-trial hearing of or report session on the case, shall be conducted by the Regional Appellate Division, with the regional counsel invited to participate."

(C) By striking out the period at the end of the first sentence of paragraph (d) (1) (ii) and inserting in lieu thereof "of the memorandum recommending the issuance of such statutory notice."

(D) By striking out in the second sentence of paragraph (e) (1) "unless the taxpayer's domicile is then situated within such region.", and inserting in lieu thereof "unless the taxpayer currently resides within the area served by the Washington Regional Appellate Division Office and can produce all required books and records there."

(E) By striking out the second sentence of paragraph (e) (2).

(F) By striking out "(31 CFR Parts 10, 12, 13, and 14)" in the first sentence of paragraph (f) and inserting in lieu thereof "(31 CFR Part 10)".

(G) By striking out paragraph (f) (8) and inserting in lieu thereof the following:

(8) *Rule VIII.* In any case docketed in the Tax Court of the United States on which a conference is being conducted by the Appellate Division, the regional counsel will be invited to participate in the conference. In cases not docketed in the Tax Court of the United States on which a conference is being conducted by the Appellate Division, the regional counsel may be requested to attend and to give legal advice in the more difficult cases, or on matters of legal or litigating policy.

(H) By striking out paragraph (f) (9) and inserting in lieu thereof the following:

(9) *Rule IX.* Prior to the opening date of the session of the Tax Court at which the case is calendared for trial (or the opening date of any pre-trial hearing or report session, as the case may be) a taxpayer may request the reopening or resumption of settlement conferences in a docketed case, before the Associate Chief or the Assistant Chief, as the case may be, in charge of an Appellate Division office, and whenever such request is granted, the conferee who originally heard the case shall ordinarily be present and participate in any conference.

§ 601.107 [Amendment]

PAR. 5. Section 601.107 *Excess Profits Tax Council; appellate functions and procedures under section 722 of the Internal Revenue Code of 1939* is amended as follows:

(A) By striking out the last sentence of paragraph (a) (1) and inserting in lieu thereof the following: "The appellate functions of the Excess Profits Tax Council, which is under technical supervision and administrative control of the Director of the Appellate Division, Washington, D.C., relate to the consideration and the determination of issues arising under section 722 of the 1939 Code."

(B) By striking out "(31 CFR Parts 10-14)" in the last sentence of paragraph

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(a) (2) and inserting in lieu thereof "(31 CFR Part 10)".

(C) By adding at the end of paragraph (b) (2) the following sentence: "The Director of the Appellate Division is authorized exclusively to exercise final authority in all issues under section 722 of the 1939 Code in cases not docketed in the Tax Court."

(D) By striking out "Council" in paragraph (b) (3) and inserting in lieu thereof "Director, Appellate Division".

(E) By inserting after paragraph (b) (3) the following new subparagraph:

(4) With respect to all issues under section 722 of the 1939 Code docketed with the Tax Court, the Director of the Appellate Division represents the Commissioner in functions comparable to those delegated to the Regional Appellate Divisions in standard issue docketed cases. See § 601.106(d) (2).

§ 601.108 [Amendment]

PAR. 6. Section 601.108(c) *Certification or rejection of claimed overpayment* is amended by inserting "certified mail or" before "registered" in the next to the last sentence.

§ 601.303 [Amendment]

PAR. 7. Section 601.303(b) *Claims for abatement* is amended by striking out "or beer," in the first sentence and inserting in lieu thereof ", beer, or firearms,".

§ 601.305 [Amendment]

PAR. 8. Section 601.305(a) *Liability under Internal Revenue Code* is amended by striking out "or beer, and" the second time it appears in the second sentence and inserting in lieu thereof "beer, or firearms, and (iii) the failure to pay firearms making or transfer taxes, and".

PAR. 9. Section 601.321 *Licensing under the Federal Firearms Act of manufacturers of, and dealers in, firearms or ammunition* is amended to read as follows:

§ 601.321 Interstate traffic in firearms and ammunition.

Part 177 of this chapter contains the regulations relative to the licensing of manufacturers of, and dealers in, firearms and ammunition, the records required to be kept by the licensees, the interstate traffic in firearms and ammunition, and the forfeiture and disposition of seized firearms or ammunition, under the provisions of the Federal Firearms Act.

§ 601.323 [Amendment]

PAR. 10. Section 601.323, *Assessments*, is amended by striking out in the first sentence "Director, Alcohol and Tobacco Tax Division," and inserting in lieu thereof "assistant regional commissioner, (alcohol and tobacco tax)".

PAR. 11. Section 601.324 *Redemption of or allowance for stamps or refunds* is amended to read as follows:

§ 601.324 Claims.

The procedures applicable to the filing of claims under chapter 53 of the Code are set forth below:

(a) Claims for abatement or refund of the making and transfer taxes are prepared and filed in accordance with the procedures set forth in § 601.303 (b) and (c).

(b) Claims for the redemption of "National Firearms Act" stamps are prepared and filed in accordance with the procedure set forth in Part 179 of this chapter.

(c) Claims for the abatement or refund of occupational taxes and penalties erroneously assessed or collected, and claims for redemption of stamps for occupational taxes are prepared and filed in accordance with the procedure set forth in § 601.304(f).

§ 601.401 [Amendment]

PAR. 12. Section 601.401 *Employment taxes* is amended as follows:

(A) By striking out the sixth sentence of paragraph (a) (3) and inserting in lieu thereof the following: "All other returns of Federal employment taxes (with the exception of returns filed for agricultural employees) are required to be filed for each calendar quarter except that if pursuant to regulations the district director so notifies the employer, returns on Form 941 are required to be filed on a monthly basis."

(B) By inserting after paragraph (a) (5) the following new subparagraph:

(6) *Separate accounting.* If an employer fails to withhold and pay over income, social security, or railroad retirement tax due on wages of employees, he may be required by the district director to collect such taxes and deposit them in a separate banking account in trust for the United States not later than the second banking day after such taxes are collected.

(C) By striking out the first sentence of paragraph (d) (1) and inserting in lieu thereof the following: "In the case of an employee receiving wages from more than one employer during the calendar year, amounts may be deducted and withheld as employee social security tax (that is, employee tax under the Federal Insurance Contributions Act) with respect to wages in excess of \$4,800 (\$4,200 for certain calendar years prior to 1959)."

§ 601.403 [Amendment]

PAR. 13. Section 601.403 *Miscellaneous excise taxes collected by return*, is amended as follows:

(A) By striking out paragraph (a) (3) and inserting in lieu thereof the following:

(3) *Transportation of persons.* Subchapter C of chapter 33 of the Code imposes a tax with respect to transportation of persons, including seating or sleeping accommodations furnished in connection with such transportation. Similar taxes on transportation of property, and transportation of oil by pipeline, were repealed by the Tax Rate Extension Act of 1958 (72 Stat. 259).

(B) By striking out "the tax on the transportation of oil by pipeline," in the first sentence of paragraph (c) (1).

(C) By inserting after paragraph (c) (3) the following new subparagraph:

(4) *Separate accounting.* Collecting agents who fail to collect and pay over the excise taxes on facilities or services may be required by the district director to collect such taxes and deposit them in a separate banking account in trust for the United States not later than the second banking day after such taxes are collected.

(D) By striking out paragraph (e) (3) and redesignating paragraph (e) (4) as paragraph (e) (3).

§ 601.502 [Amendment]

PAR. 14. Section 601.502(b) (1) is amended by striking out the first sentence and inserting in lieu thereof the following: "Except as provided in this paragraph, or as authorized by Treasury Department Circular No. 230 as amended (31 CFR Part 10), which circular contains rules governing the recognition of attorneys and agents representing clients before the Internal Revenue Service, no person appearing as an attorney or agent on behalf of any taxpayer, or of a transferee or fiduciary will be recognized by representatives of the Service, unless such attorney or agent is duly enrolled and in good standing to practice before the Internal Revenue Service in accordance with Department Circular No. 230."

§ 601.503 [Amendment]

PAR. 15. Section 601.503 *Filing power of attorney and statement relative to fees* is amended as follows:

(A) By striking out the heading and inserting in lieu thereof "Filing power of attorney".

(B) By striking out the last sentence.

§ 601.504 [Amendment]

PAR. 16. Section 601.504 *Provisions respecting powers of attorney* is amended as follows:

(A) By striking out paragraph (a) (1) (i) and inserting in lieu thereof the following:

(i) To receive (but not to endorse and collect) checks in payment of any refund of internal revenue taxes, penalties, or interest. The endorsement and payment of checks drawn on the Treasurer of the United States after delivery to the taxpayer or to his attorney or agent are governed by Treasury Department Circular No. 21, Revised September 1946, as amended (31 CFR Part 360). If the refund check is not to be endorsed by the payee personally, it should be endorsed under authority evidenced by one of the special types of powers of attorney prescribed by that circular. (See section 3477 of the Revised Statutes (31 U.S.C. 203) for restrictions on the assignment of claims, and § 601.510.)

(B) By striking out the first sentence of paragraph (c) and inserting in lieu thereof the following:

(1) Except as provided in subparagraph (2) of this paragraph, in any case in which a power of attorney has been filed and thereafter the taxpayer desires to authorize an additional attorney or agent to represent him before the Service with respect to the same matter, a new power of attorney must be filed which shall include the names of all attorneys or agents authorized to act for the taxpayer.

(C) By adding at the end of paragraph (c) the following new subparagraph:

(2) In any case in which a general power of attorney has been filed and the taxpayer merely desires to authorize an additional attorney or agent to represent him before the Service with respect to a specific act (but wishes the power of attorney previously filed to remain in effect with respect to all other matters referred to in such general power), a separate power of attorney may be filed which shall include the name of the attorney or agent (or the names of the attorneys or agents) authorized to act for the taxpayer with respect to the performance of the specific act. Such separate power of attorney shall contain on the face thereof a recital to the effect that the intent and purpose thereof is not to revoke any existing power of attorney theretofore filed, but instead is intended to be in addition thereto. Such separate power of attorney shall in no case be effective so far as the Service is concerned unless a certificate signed by the taxpayer is attached to and filed with the separate power stating (i) that additional attorneys or agents in fact have been employed and (ii) that the attorneys or agents authorized by the taxpayer's general power of attorney to represent him before the Service have been notified in writing of the execution of such separate power.

§ 601.508 [Amendment]

PAR. 17. Section 601.508 *Recognition by correspondence*, is amended by striking out "Department" in the second sentence and inserting in lieu thereof "Service".

§ 601.702 [Amendment]

PAR. 18. Section 601.702(a) *General* is amended by adding at the end thereof the following new subparagraph:

(8) Applications, and certain papers submitted in support of such applications, filed by organizations described in section 501 (c) or (d) of the Code and determined to be exempt from taxation under section 501(a) are open to public inspection in the office of the information officer of the National Office. Copies of such applications filed after September 2, 1958, are open to public inspection in the offices of district directors of internal revenue.

(R.S. 161; 5 U.S.C. 22)

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

[F.R. Doc. 59-1335; Filed, Feb. 13, 1959; 8:46 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter I—Bureau of Employees' Compensation, Department of Labor

SUBCHAPTER B—UNITED STATES EMPLOYEES' COMPENSATION ACT

PART 1—CLAIMS FOR COMPENSATION AND ADMINISTRATIVE PROCEDURE

Representation of Claimants

Pursuant to the authority vested in me by R.S. 161 (5 U.S.C. 22), the United States Employees' Compensation Act, as amended and extended (5 U.S.C. 751-801), section 3 of Reorganization Plan No. 2 of 1946 (11 F.R. 7873, 60 Stat. 1095), and Reorganization Plan No. 19 of 1950 (15 F.R. 3178, 64 Stat. 1271), § 1.24(a) of the Claims for Compensation and Administrative Procedure Regulations of the Secretary of Labor, 20 CFR, Chapter I, Subchapter B, Part 1, is amended to read as follows:

§ 1.24 Representation of claimants and approval of claims for legal and other services.

(a) A claimant may be represented before the Bureau in any proceeding under the act by any duly authorized person. (A former member of the Employees' Compensation Appeals Board or a former Director of the Bureau shall not be considered a duly authorized person within the meaning of this section for a period of two years following termination of his services as a Board member or as Director.) The Bureau shall require satisfactory proof of the representative's authorization.

(Sec. 32, 39 Stat. 749, as amended; 5 U.S.C. 783)

This amendment, wholly relating to a rule of procedure, shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 27th day of January 1959.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-1330; Filed, Feb. 13, 1959; 8:46 a.m.]

Chapter IV—Employees' Compensation Appeals Board, Department of Labor

PART 501—REGULATIONS GOVERNING APPEALS

PART 502—RULES OF PROCEDURE

Representatives of Parties in Interest

Pursuant to the authority vested in me by R.S. 161 (5 U.S.C. 22), section 3 of Reorganization Plan No. 2 of 1946 (11 F.R. 7873, 60 Stat. 1095), and Reorganization Plan No. 19 of 1950 (15 F.R. 3178, 64 Stat. 1271), § 501.7(a) of the regulations governing Appeals to the Employ-

ees' Compensation Appeals Board and § 502.8(a) of the rules of procedure of the Employees' Compensation Appeals Board, Department of Labor, 20 CFR, Chapter IV, Parts 501 and 502 are amended to read as follows:

(a) *Representation*. An appellant and the Director of the Bureau of Employees' Compensation may be represented before the Board by any duly authorized person, including an accredited representative of an employee organization, or any attorney in good standing, admitted to the Bar of any State, Territory or other political jurisdiction. (A former member of the Board shall not be considered a duly authorized person within the meaning of this section for a period of two years following the termination of his services as a Board member.) For good cause shown, the Board may, after opportunity to be heard and subject to the approval of the Secretary, bar any such representative from further appearance before the Board in the same or other proceeding.

(Sec. 3, 60 Stat. 1095)

This amendment, wholly relating to a rule of procedure, shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 27th day of January 1959.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-1331; Filed, Feb. 13, 1959; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Subtitle A—Office of the Secretary of the Treasury

[Dept. Circular 230]

PART 10—PRACTICE OF ATTORNEYS AND AGENTS BEFORE THE TREASURY DEPARTMENT

Appearance of Unenrolled Preparers of Returns

JANUARY 29, 1959.

On October 31, 1958, a notice of proposed rule making regarding an amendment adding a new subparagraph (7) to § 10.7(a) of Part 10 of Title 31 of the Code of Federal Regulations (Treasury Department Circular No. 230) was published in the FEDERAL REGISTER (23 F.R. 8427). After consideration of all such relevant matter as was presented by interested parties, the following amendment to § 10.7(a) is hereby adopted.

PARAGRAPH 1. Section 10.7(a) of Part 10 of Title 31 of the Code of Federal Regulations (Treasury Department Circular No. 230) is amended by adding the following new subparagraph (7) thereto:

(7) Any person who signs a return, other than an estate or gift tax return or an income tax or excess profits tax

return of a corporation, as having prepared it for the taxpayer may appear, without enrollment, as the taxpayer's representative, with or without the taxpayer, before revenue agents and examining officers of the Audit Division in the offices of District Directors (but not at the Informal Conference in a District Director's office) with respect to the tax liability of the taxpayer for the taxable year or period covered by that return; provided that any person who prepared the income tax return of a corporation and the individual returns of any of the corporate officers for the same taxable year or period, or any part thereof, covered by such corporate return, may also so appear as the corporation's representative. Proper authorization from the taxpayer will be required. Any person who prepared a return with respect to which the instructions or regulations do not require that it be signed by the person who prepared the return for the taxpayer may likewise appear as the taxpayer's representative when properly authorized. Unless the taxpayer is present, such persons must present satisfactory identification. All such persons will be subject to such rules regarding standards of conduct, the extent of their authority, and other matters as the Director of Practice, with approval of the Commissioner of Internal Revenue, shall prescribe. Such persons will be permitted to represent taxpayers within those limits without enrollment.

PAR. 2. The amendment made by paragraph 1 shall become effective on March 15, 1959.

PAR. 3. The standards of conduct, extent of authority, and circumstances and conditions under which an unenrolled preparer of a return may appear as the taxpayer's representative before a revenue agent or examining officer in the Audit Division in an office of District Director pursuant to the amendment made in paragraph 1 will be published in the Internal Revenue Bulletin.

(Sec. 5, 36 Stat. 370, as amended; 30 U.S.C. 7)

[SEAL] FRED C. SCRIBNER, Jr.,
Acting Secretary of the Treasury.

[F.R. Doc. 59-1336; Filed, Feb. 13, 1959; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter III—Committee on Purchases of Blind-Made Products

PART 301—PURCHASES OF BLIND-MADE PRODUCTS

Agencies for the Blind; Restrictions

Section 301.6 is hereby amended by the addition of the following paragraph (f):

(f) Acceptance of a purchase order or contract by an agency for the blind obligates it to supply the articles called for in strict conformance with the specifications and within the time specified for delivery. Allocations may be discontinued to an agency for the blind that fails to meet its obligations in respect to quality or to time of delivery

until the cause of the failure has been corrected.

(Sec. 2, 52 Stat. 1196; 41 U.S.C. 47)

Dated: January 23, 1959.

ROBERT LE FEVRE,
Executive Secretary.

[F.R. Doc. 59-1322; Filed, Feb. 13, 1959; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1739]

[Oregon 05261]

OREGON

Reserving Lands for Use of the Department of the Army for Military Purposes

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands in Ore-

gon are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but not disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Army, as a safety area in connection with the Umatilla Ordnance Depot:

WILLAMETTE MERIDIAN

T. 4 N., R. 27 E.,
Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$.
T. 5 N., R. 27 E.,
Sec. 32;
Sec. 34, N $\frac{1}{2}$ and SW $\frac{1}{4}$.

The areas described aggregate 1,560 acres.

The lands may be used for grazing purposes under the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended, but only at such times and in such manner as may be agreed upon between the Bureau of Land Management and the Department of the Army, consistent with the primary purposes of this withdrawal.

ROGER ERNST,
Assistant Secretary of the Interior.

FEBRUARY 10, 1959.

[F.R. Doc. 59-1325; Filed, Feb. 13, 1959; 8:45 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 46]

ENROLLMENT OF INDIANS OF THE RINCON, SAN LUISENO BAND OF MISSION INDIANS IN CALIFORNIA

Notice of Proposed Rule Making

Basic and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by secs. 463 and 465 of the Revised Statutes 25 U.S.C. 2 and 9, it is proposed to add enrollment regulations to 25 CFR as Part 46. The proposed regulations are set forth below. The purpose of the regulations is to govern the preparation of a roll of the Rincon, San Luiseno Band of Mission Indians in California.

All interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

FEBRUARY 10, 1959.

Sec.
46.1 Purpose.
46.2 Definitions.

Sec.
46.3 Preparation of roll.
46.4 Application for enrollment.
46.5 Persons to be enrolled.
46.6 Enrollment Committee election.
46.7 Review of applications by Enrollment Committee.
46.8 Determination of eligibility and enrollment by Director.
46.9 Appeals.
46.10 Action by the Commissioner.
46.11 Action by the Secretary.
46.12 Preparation and approval of roll.
46.13 Certificate.
46.14 Current membership roll.
46.15 Use of approved roll.

AUTHORITY: §§ 46.1 to 46.15 issued under authority contained in secs. 463, 465 Revised Statutes, 25 U.S.C. 2, 9.

The regulations in this part shall govern the enrollment of persons in the Rincon, San Luiseno Band of Mission Indians in California as of July 21, 1957.

§ 46.2 Definitions.

As used in this part:

- (a) "Secretary" means the Secretary of the Interior.
(b) "Commissioner" means the Commissioner of Indian Affairs.
(c) "Director" means the Area Director, Sacramento Area Office.
(d) "Field Representative" means the Area Field Representative, Riverside, California.
(e) "Band" means the Rincon, San Luiseno Band of Mission Indians.
(f) "Enrollment Committee" means a committee of three (3) members of adult

age and now on the census roll of the Rincon, San Luiseno Band, to assist in enrollment.

(g) "Census Roll" means the 1940 census roll of the Rincon San Luiseno Band of Mission Indians, revised as of July 21, 1957.

§ 46.3 Preparation of roll.

The Director shall prepare and submit for approval by the Secretary, a roll of the members of the Band.

A person who believes that he, or a minor, or mental incompetent, is entitled to enrollment with the Band, may within ninety (90) days from the effective date of the regulations in this part file with the Field Representative a written application for enrollment in this Band. Application forms may be obtained from the Field Representative or a member of the Enrollment Committee. The form of the application shall be prescribed by the Director. The execution of each application shall be witnessed by two (2) disinterested persons who are not members of the household of the applicant. An application on behalf of a minor or mental incompetent shall be executed by a parent, natural guardian, or other person responsible for his care. Each application shall contain the following information:

(a) The name and address of the applicant, and if the applicant is a minor or mental incompetent, the name, address, representative capacity and blood relationship of the person executing the application on behalf of the minor or mental incompetent.

(b) The date and place of birth of the applicant.

(c) The applicant's degree of Indian blood and degree of Indian blood of the Rincon, San Luiseno Band.

(d) The applicant's allotment number, date of trust patent, or date and number of assignment approved by the Tribal Council.

(e) If the applicant is unallotted, the names of relatives who may have received allotments, their blood relationship to the applicant, and the name of the reservation where such relative may be allotted.

(f) The name and degree of Indian blood of each parent of the applicant, the degree of Indian blood of the Rincon, San Luiseno Band, the name of the tribe or band with which each parent of the applicant is enrolled or affiliated, and the names and addresses of any brothers and sisters of the applicant who may have filed applications for enrollment.

(g) If the applicant has previously been enrolled on the approved roll of Indians of California, the number thereon of the applicant.

§ 46.5 Persons to be enrolled.

The names of persons in any of the following categories who were alive on July 21, 1957, shall be placed on the membership roll of the Rincon, San Luiseno Band of Mission Indians, provided he or she is not an enrolled member with some other tribe or band.

(a) Indians whose names appear as members of the Band on the census roll.

(b) Indians who have received allotments on the Rincon Reservation.

(c) Descendants of Indians whose names appear as members of the Band on the census roll, provided such descendants have $\frac{1}{8}$ or more degree of Indian blood of the Band.

(d) Descendants of allottees having $\frac{1}{8}$ degree or more of Indian blood of the Band.

(e) If an Indian who applies for enrollment under the provisions of paragraph (a), (c), or (d) of this section has received in his or her own right an allotment with some band or tribe, and has not relinquished such allotment prior to July 21, 1957, such person shall not be enrolled. Ownership of an allotment or an interest in an allotment acquired through inheritance shall not, however, be a bar to enrollment.

§ 46.6 Enrollment Committee election.

A person whose name now appears as a member on the census roll of the Band shall be entitled to vote at a time and place and in a manner designated by the Band or the Director, to elect three (3) persons, twenty-one (21) years of age or older, whose names appear on such roll, as members of the Enrollment Committee and two (2) persons to act as alternates to the Committee. Three (3) persons receiving the highest number of votes shall constitute the Enrollment Committee of the Band, and the persons receiving the fourth and fifth highest number of votes shall serve as alternate members of the Committee. The person receiving the highest number of votes shall be the chairman; the person receiving the next highest number of votes shall be the secretary.

§ 46.7 Review of applications by Enrollment Committee.

The Field Representative shall refer duly filed applications for enrollment to the Enrollment Committee. The Enrollment Committee shall review each such application and may require an applicant to furnish additional information in writing or in person to assist the Enrollment Committee to make a recommendation. The Enrollment Committee shall file with the Director, through the Field Representative, those applications which it approves and with those applications not approved shall submit a separate report stating reasons for disapproval. These applications, whether approved or disapproved, shall be filed with the Director within thirty (30) days from receipt of the applications by the Committee.

§ 46.8 Determination of eligibility and enrollment by Director.

The Director shall review the reports and recommendations of the Enrollment Committee and shall determine the applicants who are eligible for enrollment in accordance with the provisions of § 46.5. The Director shall transmit for review to the Commissioner and for final determination by the Secretary, the reports and recommendations of the Enrollment Committee relating to applicants who have been determined by the Director to be eligible for enrollment against the report and recommendation of the Enrollment Committee, and the reports and recommendations of the En-

rollment Committee relative to applicants who have been determined by the Director not to be eligible for enrollment against the reports and recommendations of the Enrollment Committee, with a statement of the reasons for his determination.

§ 46.9 Appeals.

If the Director determines that an applicant is not eligible for enrollment in accordance with the provisions of § 46.5, he shall notify the applicant in writing of his determination and the reasons therefor. Such applicant shall then have thirty (30) days from the date of mailing of the notice to him to file with the Director an appeal from the rejection of his application, together with any supporting evidence not previously furnished. The Director shall forward to the Commissioner the appeal, supporting data, his recommendation thereon, and the report and recommendation of the Enrollment Committee on the application.

§ 46.10 Action by the Commissioner.

When upon review the Commissioner is satisfied that the appellant meets the provisions of § 46.5 he shall so notify the appellant in writing, and the Director is authorized to enter his name on the roll. If the Commissioner determines that an appellant is not eligible for enrollment in accordance with the provisions of § 46.5 the appellant shall be notified in writing of his decision and the reasons therefor. The appellant shall then have thirty (30) days from the date of mailing of the notice to file an appeal with the Secretary.

§ 46.11 Action by the Secretary.

The decision of the Secretary on an appeal shall be final and conclusive and the appellant shall be given written notice of the decision. The Director is authorized to enter the name of any such person whose appeal has been granted when so directed by the Secretary.

§ 46.12 Preparation and approval of roll.

Upon notice from the Secretary that all appeals have been determined the Director shall prepare in quintuplicate a roll of members of the Band, arranged in alphabetical order. The roll shall contain for each person, name, address, sex, date of birth, and degree of Indian blood of the Rincon, San Luiseno Band of Mission Indians. The Director shall submit the roll to the Secretary for approval. Four (4) copies of the approved roll shall be returned to the Director, who shall make one (1) copy available to the Chairman of the Tribal Council and one (1) copy available to the Chairman of the Enrollment Committee.

§ 46.13 Certificate.

The Director shall affix a certificate to the approved roll certifying that the roll, to the best of his knowledge and belief, contains only the name of Indians entitled to enrollment with the Band.

§ 46.14 Current membership roll.

The roll shall be kept current by striking therefrom the names of persons who have relinquished in writing their mem-

bership in the Band and of deceased persons upon receipt of a death certificate or other evidence of death acceptable to the Director and by adding thereto the names of children who meet the membership requirements set forth in § 46.5. It will not be necessary for the Secretary to approve each addition to or deletion from the current membership roll. However, before the roll may be used for the distribution of tribal assets it shall be submitted to the Secretary for his final approval.

§ 46.15 Use of approved roll.

Unless otherwise directed by Congress, the approved roll shall be used for all official purposes, including the allotting of tribally-owned land.

[F.R. Doc. 59-1326; Filed, Feb. 13, 1959; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 181]

TRANSPORTATION IN BOND

Notice of Proposed Rule Making Rescinded

After careful consideration of the comments submitted by interested parties, it has been decided not to adopt the proposed amendment to § 18.6(c) of the Customs Regulations (19 CFR 18.6(c)), published as a notice of proposed rule making in the FEDERAL REGISTER of October 8, 1958, at page 7759, to reduce from 90 days to 30 days the time allowed a bonded carrier for reporting on non-delivery of packages into customs custody.

(Secs. 552, 553, 624, 46 Stat. 742, as amended, 759; 19 U.S.C. 1552, 1553, 1624)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: February 6, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-1350; Filed, Feb. 13, 1959; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of Demeton (Systox)

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

A petition has been filed by Chemagro Corporation, Post Office Box 4913, Haw-

thorn Road, Kansas City 20, Missouri, proposing the establishment of tolerances for residues of demeton, the common name for Systox (a mixture of O,O-diethyl O (and S-)-2-(ethylthio) ethyl phosphorothioates) in or on raw agricultural commodities as follows:

1.25 parts per million in or on apricots, peaches.

0.75 part per million in or on celery, peas, plums (fresh prunes), tomatoes.

The analytical method proposed in the petition for determining residues of demeton is that published in the FEDERAL REGISTER of April 29, 1955 (20 F.R. 2892), under Systox.

Dated: February 9, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 59-1337; Filed, Feb. 13, 1959; 8:46 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Ch. I]

[File No. 21-475]

WORK GLOVE INDUSTRY

Notice of Hearing and of Opportunity To Present Views, Suggestions or Objections

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the Work Glove Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. Industry members may also present their views regarding the desirability of an industry trade practice committee provision in the form appended to the proposed rules for the industry. For this purpose copies of the proposed rules may be obtained upon request to the Commission. Such views, suggestions or objections may be submitted by letter,

memorandum, brief or other communication, to be filed with the Commission not later than February 27, 1959. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a.m., c.s.t., Friday, February 27, 1959, in the Lincoln Room of the La Salle Hotel, La Salle and Madison Streets, Chicago, Illinois, to any such persons, firms, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented orally or in writing, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are sought to be established through these proceedings is composed of persons, firms, corporations or organizations engaged in the manufacture, sale or distribution of all kinds and types of gloves and mittens which are designed primarily for use in the performance of work or manual effort (such as, but not limited to, gloves which are in whole or in part of canvas, flannel, jersey, or leather composition which are used in the performance of manual labor; welders', electric linemen's, and industrial gloves and gauntlets of any composition; and surgeons' and household gloves of rubber, plastic, or other composition), as distinguished from gloves and mittens which are designed primarily for dress.

These proceedings were instituted pursuant to industry application and have for their purpose the establishment of a comprehensive set of trade practice rules directed to the maintenance of fair competitive conditions in the industry and to the elimination and prevention of such acts and practices as are deemed violative of statutes administered by the Federal Trade Commission. A general trade practice conference for the industry was held in Chicago, Illinois, at which proposed rules suggested by the Work Glove Institute, Inc. were considered and discussed. The announced hearing constitutes a further step in the proceedings.

Issued: February 11, 1959.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-1323; Filed, Feb. 13, 1959; 8:45 a.m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Director's Order No. 2, Amdt. 3]

DESIGNATED OFFICIALS OF THE BUREAU OF COMMERCIAL FISHERIES

Delegation of Authority for Negotiated Purchases and Contracts

JANUARY 23, 1959.

Director's Order No. 2, dated October 13, 1957 (22 F.R. 8401), is hereby amended as hereinafter indicated:

1. Section 1(a)(1)(i) is hereby amended to read as follows:

(i) *Headquarters Organization.* Assistant Director and Chief, Division of Administration, Bureau of Commercial Fisheries; Chief, Division of Administration, and Chief, Branch of Budget and Finance, Bureau of Sport Fisheries and Wildlife; unlimited as to amount.

2. Section 1(a)(1)(ii) is hereby amended to read as follows:

(ii) *Regional Offices.* Regional Directors and Assistant Regional Directors, and Administrative Officers, Bureau of Commercial Fisheries; and Administra-

tive Officers and Property Management Officers, Bureau of Sport Fisheries and Wildlife, \$100,000.

(Secretary's Order No. 2825; Commissioner's Order No. 3, 22 F.R. 8126)

A. W. ANDERSON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 59-1324; Filed, Feb. 13, 1959;
8:45 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1959.
Supp. 200]

PROVIDENT INSURANCE CO. OF NEW YORK

Surety Company Acceptable on Federal Bonds

FEBRUARY 11, 1959.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C. secs. 6-13, as an acceptable surety on Federal bonds.

An underwriting limitation of \$376,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D.C.

Name of Company, Location of Principal Executive Office, and State in which Incorporated

Provident Insurance Company of New York, New York.

[SEAL] LAURENCE B. ROBBINS,
Acting Secretary of the Treasury.

[F.R. Doc. 59-1351; Filed, Feb. 13, 1959;
8:48 a.m.]

NOTICE TO OWNERS OF 4 PERCENT TREASURY NOTES OF SERIES A-1961

1. Although they do not mature until August 1, 1961, 4 Percent Treasury Notes of Series A-1961 may, in accordance with their terms, be redeemed at the option of the owners at par and accrued interest on August 1, 1959, if notice in writing of intention to redeem (which may not be revoked) is given to the Office of the Treasurer of the United States or to any Federal Reserve Bank or Branch on or before May 1, 1959, and the notes are temporarily surrendered to the office to which notice is given.

2. The temporary surrender of the notes with all coupons dated subsequent to February 15, 1959, thereto attached is necessary in order that a legend may be placed on the notes showing that the owner has exercised his option, and a legend on coupons Nos. 5, 6, 7 and 8 (due February 1, 1960, August 1, 1960, Febru-

ary 1, 1961, and August 1, 1961, respectively), showing that they have been cancelled and are ineligible for payment.

3. It was indicated in Treasury Department Circular No. 992, which was published on July 26, 1957 (22 F.R. 5933), that such coupons would be detached from notes temporarily surrendered in connection with the exercise of the option to redeem prior to maturity. However, the cancellation procedure prescribed in the preceding paragraph has now been adopted as the more appropriate procedure under the circumstances.

4. The legend for notes presented to a Federal Reserve Bank or Branch will be placed on the face thereof under the portrait and will read as follows:

Pursuant to its terms, notice has been received that this note is due and payable August 1, 1959. It does not bear interest beyond that date.

FEDERAL RESERVE BANK
OF _____
Fiscal Agent.

The legend for notes presented to the Office of the Treasurer of the United States will be the same except that such office will be identified simply by the words, "Treasurer, U.S."

The legend for the coupons will be placed on the face thereof and will read as follows:

Cancelled
Ineligible for Payment
Do Not Detach

[SEAL] LAURENCE B. ROBBINS,
Acting Secretary of the Treasury.

FEBRUARY 10, 1959.

[F.R. Doc. 59-1352; Filed, Feb. 13, 1959;
8:48 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of Administrator

REGIONAL DIRECTOR OF URBAN RENEWAL, REGION I (NEW YORK)

Redelegation of Authority With Re- spect to Slum Clearance and Urban Renewal Program; Urban Planning Grant Program

The Regional Director of Urban Renewal, Region I (New York), Housing and Home Finance Agency, is hereby authorized within such Region to exercise all the authority delegated to the HHFA Regional Administrator by the Housing and Home Finance Administrator's delegation of authority, effective December 23, 1954 (20 F.R. 428-429, January 19, 1955) as amended (20 F.R. 4275, June 17, 1955, 21 F.R. 1468, March 7, 1956, 21 F.R. 3038, May 5, 1956, 21 F.R. 5385, July 18, 1956, 21 F.R. 5471, July 20, 1956, 22 F.R. 2887, April 24, 1957, 22 F.R. 4105, June 11, 1957, 23 F.R. 1202, February 26, 1958, 23 F.R. 1611, March 6, 1958, 23 F.R. 4820, June 28, 1958, 23 F.R. 8413, October 30, 1958, 23 F.R. 9078, November 21, 1958, 23 F.R. 9399, December 4, 1958 and 24 F.R. 242, January 9, 1959) with respect to the program authorized under Title I, of the

Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U.S.C. 1450-1460), and under section 312 of the Housing Act of 1954 (68 Stat. 629), and under section 701 of the Housing Act of 1954, as amended (68 Stat. 640, as amended, 40 U.S.C. 461), with respect to grants for urban planning, except:

1. Those authorities which under paragraph 5 of such delegation may not be redelegated; and

2. The authority to concur in the institution of condemnation proceedings for acquisition of project land.

This redelegation supersedes the redelegations dated January 24, 1955 (20 F.R. 780, February 4, 1955), October 3, 1955 (20 F.R. 8344, November 5, 1955), and the redelegation dated May 15, 1957 (22 F.R. 3829, May 30, 1957).

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); Reorg. Order 1, 19 F.R. 9303-5 (Dec. 29, 1954); 62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1952 ed. 1701c)

Effective as of the 3d day of February 1959.

[SEAL] WALTER S. FRIED,
Regional Administrator,
Region I.

[F.R. Doc. 59-1355; Filed, Feb. 13, 1959;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

OLIVE OIL

Notice of Purchase Program ZMP 192a

In order to encourage the domestic consumption of olives by diverting them from the normal channels of trade and commerce in accordance with section 32, Public Law 320, 74th Congress, approved August 24, 1935, as amended, the Agricultural Marketing Service offers to purchase Olive oil of domestic origin, producer from 1958 crop year olives, for subsequent use in nonprofit school lunch programs and other eligible outlets. Details and specifications of the offer to purchase are contained in Olive Oil Announcement FV-266 issued by the Department. Purchases will depend upon the quantities and prices offered. Information concerning this purchase program may be obtained from Mr. W. Allmendinger, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, 2082 Center Street, Berkeley 4, California, or the Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C.

(Sec. 32, 49 Stat. 774, as amended, 7 U.S.C. 612c)

Dated: February 11, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-1366; Filed, Feb. 13, 1959;
8:49 a.m.]

**Commodity Credit Corporation
SALES OF CERTAIN COMMODITIES
February 1959 Monthly Sales List**

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on credit sales made in February under the Export Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 3¾ percent per annum.

For periods over 6 months up to and including 18 months, 4¼ percent per annum.

For periods over 18 months up to and including 36 months, 4¾ percent per annum.

Notice to buyers. If CCC does not have adequate information as to the financial responsibility of prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct.

If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the CSS Office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list. Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements which amendments shall be applicable to and be made a part of the sales contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered promptly upon appearance by public notice issued by the appropriate CSS Office and therefore generally they do not appear in the Monthly Sales List.

Notice to export buyers. On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its

territories or possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic, unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

The price of butter and nonfat dry milk for export during February 1959 shall be 7.0 cents per pound for nonfat dry milk and 37.0 cents per pound for butter; provided, however, that the prices for these commodities to fulfill contractual commitments with foreign buyers entered into prior to February 1, 1959, shall be at the export prices in effect

for export sales of these products by CCC during the month of January 1959, unless an amendment to the contractual commitment is submitted with the offer providing for a decrease in the respective prices to the foreign buyer equal to differences between the January and February 1959 prices.

Offers for purchases of butter and nonfat dry milk at the foregoing prices shall state: (1) "Offer is made pursuant to prices and conditions published in the FEDERAL REGISTER for February 1959," and (2) whether offer is to fulfill Public Law 480 commitment. A copy of the export sales contract for these dairy products with the foreign buyer, and any amendments thereto, including contracts for cash sales, barter sales, and sales under Public Law 480, shall accompany proof of export documents submitted to the applicable CSS Commodity Office.

Commodity	Sales price or method of sale
Dairy products.....	All sales are under LD-29 and amendments. All sales are in carlots only. As many as 3 buyers may participate in purchasing a single carlot. Domestic price: For unrestricted use price is "in store" at storage locations of products. For restricted use price is on the basis of delivery f.o.b. cars at point of use named in offer. CCC will convert to "in store" price as provided in LD-29. Export prices are on the basis of delivery f.a.s. vessel or a buyers option f.o.b. cars point of export. If delivery is to be "in store" CCC will convert to "in store" price as provided in LD-29. Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Butter.....	Domestic, unrestricted use: 68 cents per pound, New York, Pennsylvania, New Jersey, New England and other States bordering the Atlantic Ocean and Gulf of Mexico. 67¼ cents per pound, Washington, Oregon, and California. All other States 67 cents per pound. Domestic, restricted use: For use as an extender for cocoa butter in the manufacture of chocolate and in such a manner as will not displace other dairy products from use in the manufacture of other products made from chocolate, 39 cents per pound. Export, unrestricted use: 37 cents per pound subject to conditions above set forth under Notice to Export Buyers.
Nonfat dry milk spray roller as available.	Domestic, unrestricted use: Spray process, U.S. extra grade; in barrels and drums, 16.25 cents per pound; in bags, 15.40 cents per pound. Roller process, U.S. extra grade; in barrels and drums, 14.25 cents per pound; in bags, 13.30 cents per pound. Domestic, restricted use (animal and poultry feed); in barrels, drums, or bags, 10.65 cents per pound. Export, unrestricted use: Spray or roller process, U.S. extra grade; in barrels, drums, or bags; 7.0 cents per pound subject to conditions above set forth under Notice to Export Buyers.
Cheddar Cheese, cheddars, flats, twins, rindless blocks (standard moisture basis).	Domestic: 39.5 cents per pound for New York, New Jersey, Pennsylvania, New England and other States bordering the Atlantic and Pacific and Gulf of Mexico. All other States 38.5 cents per pound. Export: 35 cents per pound. Cheese prices are subject to usual adjustments for moisture content.
Cotton, upland.....	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-5 (Revision D), as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcements GN-EX-5 and NO-C-11, as amended.
Cotton, extra long staple.....	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-10, as amended, and NO-C-10, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcements NO-C-6, as amended, and NO-C-10, as amended. Catalogs for upland and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office.
Cottonseed oil.....	Domestic or export: A. Crude: Competitive bid basis, but not less than 11 cents per pound, f.o.b. storage location interior points or port of Houston, Tex., basis prime crude as defined in rules National Cottonseed Products Association. B. Refined: Competitive bid basis, but not less than 12.48 cents per pound, f.o.b. storage location interior points or port of Houston, Tex., basis bleachable prime summer yellow cottonseed oil as defined in rules National Cottonseed Products Association. Available as offered periodically by New Orleans CSS Commodity Office. In awarding bids CCC will consider net return after transportation costs.
Peanuts, shelled and unshelled (as available).	Domestic for crushing or export: Competitive bid under CCC Peanut Announcement 1, as amended. Available Dallas CSS Commodity Office. Domestic: Commercial wheat producing area:
Wheat, bulk.....	A. For wheat stored at any designated terminal set forth in CCC Price Support Bulletin Supplement and transit wheat: Market price basis in store but not less than the 1958 applicable loan rates plus (1) 23 cents per bushel if received by truck or (2) 18 cents per bushel if received by rail or barge. B. For wheat not included under A above: Market price but not less than the 1958 applicable loan rate plus (1) 23 cents per bushel if received by truck or 18 cents if received by rail, plus (2) any reductions in freight rates, in effect at time of sale, from those in effect on May 1, 1958, from the point of storage to the designated terminal.
Examples of the foregoing minimum per bushel (exrall or barge): Chicago, No. 1 RW..... \$2.33 Minneapolis, No. 1 DNS..... 2.38 Kansas City, No. 1 HW..... 2.33 Portland, No. 1 SW..... 2.23	

(Sec. 4, 62 Stat. 1070, as amended; 15, U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427, sec. 208, 63 Stat. 901)

Issued: February 10, 1959.

[SEAL] CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-1368; Filed, Feb. 13, 1959;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

TRADE ROUTE NO. 29; U.S. PACIFIC/ FAR EAST

Notice of Tentative Conclusions and Determinations Regarding Essen- tiality and United States Flag Serv- ice Requirements

Notice is hereby given that on Febru-
ary 6, 1959, the Maritime Administrator,
acting pursuant to section 211 of the
Merchant Marine Act, 1936, as amended,
found and determined the essentiality of
Trade Route No. 29, and in accordance
with his action of July 27, 1956 ordered
that the following tentative conclusions
and determinations reached by the Mari-
time Administrator with respect to said
trade route be published in the FEDERAL
REGISTER:

1. Trade Route No. 29 is amended by
definition to include the areas previously
contained in Trade Route No. 30 (Wash-
ington-Oregon/Far East) and is rede-
scribed as follows:

*Trade Route No. 29—U.S. Pacific/Far
East.* Between U.S. Pacific ports (Alaska,
Washington, Oregon, California, United
States islands lying between continental
Pacific Coast United States and the Far
East) and ports in the Far East (con-
tinent of Asia from the Union of Soviet
Republics to Thailand, inclusive, Japan,
Formosa, Philippines and other Pacific
Islands lying between continental Pacific
Coast United States and the continent
of Asia as heretofore described).

2. Trade Route No. 29 as redescribed
is affirmed as an essential foreign trade
route of the United States.

3. United States flag sailings require-
ments for liner service on Trade Route
No. 29 are approximately as follows:

29-37 sailings per month of freight vessels
exclusively from U.S. Pacific ports with:
11-14 serving California but not Wash-
ington-Oregon,
4-6 serving Washington-Oregon but
not California, and
14-17 serving Washington-Oregon and
California.

12-14 sailings per month of freight vessels
serving California ports in conjunction
with U.S. Atlantic and/or Gulf ports.

Fortnightly sailings of combination or pas-
senger vessels serving California exclu-
sively, supplemented by Round-the-World
combination vessel sailings.

NOTES: (a) The Hawaii/Far East trade should
be served in conjunction with a limited
number of U.S. flag sailings on this and
other essential routes and services.

(b) No specific service requirements are
made at this time with respect to
Alaska/Far East trade.

(c) Nearby Canadian Pacific ports may be
included on sailings which include

Washington-Oregon and similarly near-
by Mexican Pacific ports may be included
on sailings which include California
calls.

4. Freight ships of the Mariner type
are suitable for long range operation on
Trade Route No. 29. Existing C-3 type
freighters are suitable for operation to
the full range of Trade Route No. 29
ports pending replacement due to age.
C-2 and Victory type freighters are con-
sidered suitable for interim operation
only on Trade Route No. 29 and should
be replaced at the earliest practicable
date. Vessels providing primary service
on other essential routes and services
and supplemental service on Trade Route
No. 29 are suitable for operation thereon
to the extent they are found suitable on
the respective primary routes and serv-
ices. Replacement freighters for Trade
Route No. 29 service should be compa-
rable in speed, bale cubic and deadweight
capacity to the Mariner type vessels,
with adequate refrigerated and deep
tank capacity for the needs of the serv-
ices operating on the route.

The combination (P2-SE2-R3) pas-
senger-cargo ships are suitable for op-
eration on the route and the combination
ship "SS President Hoover", is suitable
for operation thereon for an interim
period of two to three years pending
construction and introduction into serv-
ice of a new passenger liner suitable for
long range operation with substantially
greater speed and more passenger ac-
commodations than the present P2-SE2-
R3 type combination vessels.

Any person, firm or corporation having
any interest in the foregoing who de-
sires to offer comments and views or re-
quest a hearing thereon, should submit
same in writing in triplicate to the Chief,
Office of Government Aid, Maritime Ad-
ministration, Department of Commerce,
Washington 25, D.C., by close of business
on March 11, 1959. In the event a hear-
ing is requested, a statement must be in-
cluded giving the reasons therefor.
Any hearing thereby afforded will be be-
fore an Examiner on an informal basis
only. The Maritime Administrator will
consider these comments and views and
take such action with respect thereto as
in his discretion he deems warranted.

Dated: February 12, 1959.

By order of the Maritime Adminis-
trator.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-1398; Filed, Feb. 13, 1959;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-70]

GENERAL ELECTRIC CO.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic
Energy Commission has issued Amend-
ment No. 2 set forth below to License
TR-1 authorizing General Electric Com-
pany to conduct in its testing reactor
located in Alameda County, California,

tests of the emergency cooling system as
described in the licensee's Amendment
No. 7 to its license application dated
January 7, 1959. The Commission has
found that operation of the facility in
accordance with the terms and condi-
tions of the license as amended will not
present any undue hazard to the health
and safety of the public and will not be
inimical to the common defense and
security.

The Commission has found that prior
public notice of proposed issuance of this
amendment is not necessary in the pub-
lic interest since the conduct of the pro-
posed additional experiments does not
present any substantial changes in the
hazards to the health and safety of the
public from those presented by the pre-
viously approved operation of the
facility.

In accordance with the Commission's
rules of practice (10 CFR Part 2) the
Commission will direct the holding of a
formal hearing on the matter of the
issuance of the license amendment upon
receipt of a request therefor from the
licensee or an intervener within thirty
days after issuance of the license amend-
ment. For further details, see (1) the
application for license amendment sub-
mitted by General Electric Company,
and (2) a hazards analysis of the pro-
posed tests prepared by the Division of
Licensing and Regulation, both on file
at the Commission's Public Document
Room, 1717 H Street NW., Washington,
D.C. A copy of item (2) above may be
obtained at the Commission's Public
Document Room or upon request ad-
dressed to the Atomic Energy Commis-
sion, Washington 25, D.C., Attention:
Director, Division of Licensing and
Regulation.

Dated at Germantown, Md., this 9th
day of February 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[License No. TR-1, Amdt. 2]

In addition to the activities previously
authorized by the Commission under License
No. TR-1, as amended, General Electric
Company is authorized to conduct in its
testing reactor located in Alameda County,
California, the tests of the emergency cool-
ing system as described in General Electric
Company's Amendment No. 7 to its license
application dated January 7, 1959 in accord-
ance with the procedures and subject to
the limitations contained therein.

In performing these tests General Electric
Company shall comply with the conditions
and requirements specified or incorporated
in Paragraph 3 of License No. TR-1 and shall
observe the additional conditions set forth
below:

1. The high flux scram settings on two
independent micro-microammeters shall not
be higher than 1.5 times the maximum power
intended for each test.

2. Personnel shall be excluded from the
containment vessel while the reactor is op-
erating during the conduct of these tests.

3. During conduct of these tests, the ven-
tilation system for the containment vessel
shall be turned off and the ventilation
dampers closed.

4. After the initial test, each test shall
be conducted only if the facility's behavior
during the preceding test indicates that

there was no significant deviation from the behavior expected during that test.

5. Power shall be raised to one megawatt (thermal) in no less than three steps and increased above one megawatt (thermal) in steps no greater than 0.2 megawatt. The maximum power during these tests shall not exceed three megawatts (thermal).

This amendment is effective as of the date of issuance and shall expire upon the conclusion or termination of the tests, or July 31, 1959, whichever is the earlier.

Date of issuance: January 30, 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 59-1321; Filed, Feb. 13, 1959;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 9921 et al.]

PAN AMERICAN WORLD AIRWAYS, INC., AND NATIONAL AIRLINES, INC.; AGREEMENTS INVESTIGATION

Notice of Hearing

In the matter of an investigation, pursuant to sections 204(a), 408 and 1002(b) of the Federal Aviation Act of 1958, to determine whether a certain agreement, dated September 9, 1958, entered into by Pan American World Airways, Inc., and National Airlines, Inc., which is composed of three parts designated, respectively, as the short term lease, the long term lease, and the option and stock agreement (including the stock option), is subject to Board approval and, if so, whether approval of such agreement would be consistent with the public interest and not result in creating a monopoly and thereby lessen or restrain competition or jeopardize another carrier not a party thereto. Consolidated with said investigation, bearing Docket No. 9921, are Dockets Nos. 9853 and 9886, and C.A.B. Agreement No. 12484.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that public hearing in the above-entitled proceeding is assigned to be held on March 9, 1959, at 10:00 a.m., e.s.t., in Room 725, 1825 Connecticut Avenue N.W., Washington, D.C., before Examiner Leslie G. Donahue.

Without limiting the scope of the issues, particular attention will be directed to the question of whether the said agreement is subject to Board approval and, if so, whether approval of said agreement would be consistent with the public interest and not result in creating a monopoly and thereby lessen or restrain competition or jeopardize another carrier not a party thereto.

For further information regarding the issues involved in this proceeding, interested parties are referred to the Examiner's Report of Prehearing Conference, served December 15, 1958, which report is on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than parties of record, desiring to be heard in this proceeding, shall

file with the Civil Aeronautics Board, on or before March 9, 1959, a statement setting forth the issues of fact or of law which he desires to controvert.

Dated at Washington, D.C., February 10, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-1357; Filed, Feb. 13, 1959;
8:48 a.m.]

[Docket No. 8569 et al.]

NEW YORK AIRWAYS CERTIFICATE RENEWAL CASE

Notice of Resumption of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that the hearing in the above-entitled proceeding will resume on March 3, 1959, at 10:00 a.m., e.s.t., in Room 518, Foley Square Courthouse, New York City, New York, before Chief Examiner Francis W. Brown.

Dated at Washington, D.C., February 11, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-1358; Filed, Feb. 13, 1959;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-17534 etc.]

JAMES M. CUNNINGHAM ET AL.

Order for Hearings, Suspending Proposed Changes in Rates, and Allowing Changed Rates To Become Effective

JANUARY 29, 1959.

In the matters of James M. Cunningham (operator) et al., Docket No. G-17534; Amerada Petroleum Corporation, Docket No. G-17538; Amerada Petroleum Corporation (operator) et al., Docket No. G-17539; The F O Corporation, Docket No. G-17540.

In the Order For Hearings, Suspending Proposed Changes in Rates, and Allowing Changed Rates To Become Effective, issued January 21, 1959 and published in the FEDERAL REGISTER on January 28, 1959 (24 F.R. 615), the words "Texas Eastern Transmission Corporation" appearing in the second paragraph should be corrected to read "Texas Gas Transmission Corporation."

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-1339; Filed, Feb. 13, 1959;
8:47 a.m.]

[Docket Nos. G-4685; G-8966]

PAN AMERICAN PETROLEUM CORP.

Notice of Applications To Abandon Service and Date of Hearing

FEBRUARY 9, 1959.

In the matters of Pan American Petroleum Corporation (formerly Stano-

lind Oil and Gas Company), Docket No. G-4685, Docket No. G-8966.

Take notice that Pan American Petroleum Corporation (Applicant), an independent producer, with its principal place of business in Tulsa, Oklahoma, filed applications on November 4, 1954, in Docket No. G-4685 and on May 25, 1955, in Docket No. G-8966 for certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act authorizing the sale in interstate commerce of natural gas produced from the Holly Ridge Field, Tensas Parish, Louisiana, to Olin Gas Transmission Corporation for resale, pursuant to contracts dated December 30, 1948, as amended, (G-4685) and October 25, 1950, as amended, (G-8966).

Take further notice that Applicant filed on March 20, 1957, amendments to the above applications requesting authorization to abandon the services covered in Docket Nos. G-4685 and G-8966 pursuant to section 7(b) of the Natural Gas Act. Service had commenced prior to June 7, 1954.

In support of the applications to abandon service, Applicant states that the purchaser under the gas sales contracts involved herein has notified Applicant that it is electing to terminate such contracts effective sixty days subsequent to the date of receipt by Pan American of notice to that effect, for the reason that the quantities of gas produced in the Holly Ridge Field has been so reduced through failure of the wells that the purchaser no longer considers it economically justifiable to maintain facilities in the Holly Ridge Field.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 24, 1959 at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street N.W., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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 March 19, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the interme-

diate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-1340; Filed, Feb. 13, 1959;
8:47 a.m.]

[Docket No. G-6622 etc.]

CROW DRILLING CO., INC. ET AL.

Order Severing and Consolidating Proceeding, and Permitting Withdrawal of Rate Schedule and Dismissing Proceeding

FEBRUARY 9, 1959.

In the matters of Crow Drilling Company, Inc., Docket Nos. G-6622 and G-8510; Gulf Oil Corporation, Docket No. G-8516; Gulf Oil Corporation (Operator et al.), Docket No. G-15008; Gulf Oil Corporation, Docket Nos. G-9520, G-11106, G-11335, G-11442, G-11443, G-11444, G-11847, G-12315, G-12634, G-12955, G-12956, G-13495, G-13518, G-13519, G-13526, G-13581, G-13772, G-13841, G-13983, G-13984, G-14092, G-14262, G-14410, and G-14416; Gulf Oil Corporation (Operator et al.), Docket Nos. G-11851, G-13100, and G-13494.

On December 12, 1958, Gulf Oil Corporation (Gulf) filed a motion to (1) sever its proceeding in Docket No. G-8516, as now consolidated, with the proceedings in Crow Drilling Company, Inc., in Docket Nos. G-6622 and G-8510 and (2) consolidate this proceeding with the consolidated Gulf proceedings in Docket Nos. G-9520, G-11106, G-11335, G-11442, G-11443, G-11444, G-11847, G-12315, G-12634, G-12955, G-12956, G-13495, G-13518, G-13519, G-13526, G-13581, G-13772, G-13841, G-13983, G-13984, G-14092, G-14262, G-14410, G-14416, G-11851, G-13100, and G-13494. The now consolidated Gulf proceedings involve various increased rates proposed by Gulf which have been suspended under the provisions of section 4(e) of the Natural Gas Act, and which have been scheduled for hearing to commence February 17, 1959. Crow Drilling Company, Inc., has filed a pleading in which it concurs in Gulf's motion to sever.

Also, on December 12, 1958, Gulf filed a "Notice of Withdrawal of FPC Gas Rate Schedule" with reference to Supplement No. 4 to its FPC Gas Rate Schedule No. 77, which proposed change in rates was filed on April 2, 1958 and suspended May 2, 1958, in Docket No. G-15008. This proposed change in rate, Gulf states, was filed to protect itself in the event Gulf's appeal from the Commission's order issued February 6, 1957, in Docket No. G-8516, was denied. Since the matter was remanded to the Commission, Gulf Oil Corporation v. F.P.C. 255 F. 2d 556, Gulf does not need to and does not propose to put the change in rate proposed in Docket No. G-15008 into effect. Thus, the notice of withdrawal of rate schedule should be permitted, and, additionally, the proceeding in Docket No. G-15008 should be dismissed.

The Commission finds:

(1) The above-entitled proceeding in Docket No. G-8516 should be severed from the consolidated proceeding in Docket Nos. G-6622, et al., Crow Drilling Company, Inc., et al., and consolidated with the consolidated proceeding in Docket Nos. G-9520, et al., in the Matters of Gulf Oil Corporation.

(2) Withdrawal of Supplement No. 4 to Gulf Oil Corporation's FPC Gas Rate Schedule No. 77 should be permitted, and the proceeding in Docket No. G-15008 should be dismissed.

The Commission orders:

(A) The proceeding in Docket No. G-8516 be and is severed from the consolidated proceeding in Docket Nos. G-6622, et al., Crow Drilling Company, Inc., et al., and it is consolidated with the previously consolidated proceeding in Docket Nos. G-9520, et al., in the Matters of Gulf Oil Corporation.

(B) Withdrawal of Supplement No. 4 to Gulf Oil Corporation's FPC Gas Rate Schedule No. 77 is permitted, and the aforementioned proceeding in Docket No. G-15008 is dismissed.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-1341; Filed, Feb. 13, 1959;
8:47 a.m.]

TEXAS GAS TRANSMISSION CORP. ET AL.

Notice of Applications and Consolidation of Proceedings

FEBRUARY 9, 1959.

In the matters of Texas Gas Transmission Corporation, Docket No. G-17335; Texas Eastern Transmission Corporation, Docket No. G-17420; Hope Natural Gas Company, Docket No. G-17565; Texas Gas Exploration Corporation, Docket No. G-17336; J. Ray McDermott & Co., Inc., Docket No. G-17337; Kilroy Properties Incorporated et al., Docket No. G-17338; The California Company, Docket No. G-17339; Callery Properties, Inc., Docket Nos. G-17340 and G-17341; Ocean Drilling & Exploration Company, Docket Nos. G-17342 and G-17343; Humble Oil & Refining Company, Docket No. G-17391; Amerada Petroleum Corporation, Docket Nos. G-17393 and G-17407; Kerr-McGee Oil Industries, Inc., Docket No. G-17396; Bel Oil Corporation, Docket No. G-17397; Caroline Hunt Sands and Loyd B. Sands, Docket No. G-17398; Richardson & Bass (Louisiana Account), Operator, Docket No. G-17399; Magnolia Petroleum Company, Docket No. G-17401; Beck Oil Company, et al., Docket No. G-17402; Phillips Petroleum Company, Docket No. G-17405; Mississippi River Fuel Corporation, Docket No. G-17413; Union Oil Company of California, Docket No. G-17457; Tidewater Oil Company, Docket Nos. G-17463, G-17474, G-17475 and G-17483; Continental Oil Company, Docket Nos. G-17554 and G-17566; Shell Oil Company, Docket No. G-17560; Pan Ameri-

can Petroleum Corporation, Docket No. G-17574.

Take notice that each of the above designated parties has filed an application, in the respective dockets listed, for a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act, authorizing the respective acts and services described below, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open to public inspection.

Docket No. G-17335: On December 24, 1958, Texas Gas Transmission Corporation (Texas Gas), a Delaware Corporation with its principal place of business in Owensboro, Kentucky, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction, installation and operation of certain facilities and the transportation of natural gas, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully described in the application which is on file with the Commission and open to public inspection.

Texas Gas proposes to gather and transport through its pipeline system up to 100,000 Mcf³ of natural gas per day, on a firm basis, for the account of Hope Natural Gas Company (Hope). Such gas will be purchased or produced by Hope from fields located within, and off-shore from, the State of Louisiana. Delivery will be made to Texas Gas in the fields and Texas Gas will transport the gas through its system for delivery to, or for the account of, Hope at the existing interconnection of the facilities of Texas Gas and Texas Eastern Transmission Corporation (Texas Eastern) near Lebanon, Ohio.

The facilities for which Texas Gas is requesting authorization are as follows:

(1) Approximately 164.63 miles of 30-inch loop line and approximately 80.92 miles of 26-inch loop line in the States of Louisiana, Arkansas, Mississippi, Tennessee, Kentucky, Indiana and Ohio.

(2) One 26-inch river crossing in the State of Kentucky.

(3) Approximately 103.64 miles of supply lines ranging in size from 2 $\frac{3}{8}$ inch to 12 $\frac{3}{4}$ inch pipe in the State of Louisiana and adjacent off-shore areas.

(4) Seven additional compressor units, totaling 14,000 horsepower in existing compressor stations.

(5) An additional 1,760 horsepower compressor station near Lafayette, Louisiana.

(6) Twelve meter stations, one check meter station and miscellaneous appurtenant equipment in the State of Louisiana and adjacent offshore areas.

The above proposed facilities will increase the design daily delivery capacity of Texas Gas' pipeline system by 100,000 Mcf. The entire increase in capacity will be used to transport gas for Hope.

Texas Gas proposes to finance the facilities, which are estimated to cost \$39,600,000, through the issuance of

³All volumes are stated herein at a pressure base of 15.025 psia.

\$30,000,000 of first mortgage pipeline bonds, the sale of common stock and the use of retained earnings.

Docket No. G-17420: On January 5, 1959, Texas Eastern, a Delaware corporation with its principal place of business in Shreveport, Louisiana, filed 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 and the transportation of natural gas, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully described in the application which is on file with the Commission and open to public inspection.

Texas Eastern proposes to accept delivery from Texas Gas for the account of Hope at the existing interconnection of the facilities of Texas Eastern and Texas Gas near Lebanon, Ohio and to transport and deliver to Hope, or for the account of Hope to Hope's affiliates in the Consolidated Natural Gas System, at the points of delivery presently existing within Texas Eastern's existing Zone C, such volumes of natural gas as are tendered for transportation for Hope up to a maximum daily quantity of 100,000 Mcf.

In order to render such service, Texas Eastern seeks authorization to place in gas service and operate the following existing facilities:

(1) Approximately 189 miles of existing 20-inch pipeline extending from Compressor Station No. 16 near Middletown, Ohio to a point of interconnection on Texas Eastern's system near Moundsville, West Virginia; and

(2) Two 2,000 horsepower, two 1,750 horsepower and four 1,250 horsepower electric compressor units at existing compressor stations.

Texas Eastern also seeks authority to construct and operate approximately 3,100 additional horsepower at existing compressor stations.

The estimated total construction cost of the proposed facilities (excluding the depreciated original cost of \$6,617,007.81 attributable to the existing facilities to be re-activated) is approximately \$2,284,000. Texas Eastern proposes to finance the cost of the proposed facilities from funds on hand.

Docket No. G-17565: On January 19, 1959, Hope, a West Virginia Corporation with its principal office in Clarksburg, West Virginia, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the establishment of new delivery points to certain of its affiliated customers in the Consolidated Natural Gas System, all as

* These are part of the facilities which the Commission authorized Texas Eastern to abandon from gas service in Docket No. G-2503.

more fully described in the application which is on file with the Commission and open to public inspection.

The gas which will be delivered by Hope to such customers will be purchased and produced by Hope from fields in the State of Louisiana and adjacent offshore areas and will be transported by Texas Gas and Texas Eastern to, or for the account of, Hope. The points of delivery proposed by Hope are existing delivery points presently utilized by Texas East-

ern for the delivery of gas to Hope's affiliated customers. No new facilities are required by Hope in order to establish such delivery points.

The respective applicants listed in the table below filed applications on the dates shown for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas to Hope from the fields listed opposite the name of each applicant.

Docket No.	Applicant	Address	Location of field, Parish and State	Date filed
G-17336	Texas Gas Exploration Corp., operator.	Houston, Tex.	Perry, Vermillion Parish, La.	Dec. 24, 1958
G-17337	J. Ray McDermott & Co., Inc., operator.	do.	Block 33, offshore West Cameron Area, La.	Do.
G-17338	Kilroy Properties Inc., et al.	do.	Bayou Pigeon, Iberia Parish, La.	Do.
G-17339	The California Co.	New Orleans, La.	South Bosco, Acadia Parish, La.	Do.
G-17340	Callery Properties, Inc.	Houston, Tex.	Bayou Pigeon, Iberia Parish, La.	Do.
G-17341	do.	do.	West Rayne, Acadia Parish, La.	Do.
G-17342	Ocean Drilling and Exploration, Co.	New Orleans, La.	Block 4, offshore East Cameron Area, La.	Do.
G-17343	do.	do.	Bayou Pigeon, Iberia and St. Martin Parishes, La.	Do.
G-17391	Humble Oil & Refining Co.	Houston, Tex.	Bayou Pigeon, Iberia Parish, La.	Dec. 29, 1958
G-17393	Amerada Petroleum Corp.	Tulsa, Okla.	Perry, Vermillion Parish, La.	Do.
G-17407	do.	do.	North Abbeville, Vermillion Parish, La.	Do.
G-17396	Kerr-McGee Oil Industries, Inc.	Oklahoma City, Okla.	Block 33, offshore West Cameron Area, La.	Do.
G-17397	Bel Oil Corp.	Lake Charles, La.	South Thornwell, Jefferson Davis and Cameron Parishes, La.	Dec. 24, 1958
G-17398	Caroline Hunt Sands and Loyd B. Sands.	Dallas, Tex.	do.	Do.
G-17399	Richardson & Bass (Louisiana account), operator.	Fort Worth, Tex.	Abbeville, Jefferson Island, South Rayne, Woodlawn and Maxie Fields, Vermillion, Iberia, Acadia, Jefferson Davis and Lafayette Parishes, La.	Dec. 29, 1958
G-17401	Magnolia Petroleum Co.	Dallas, Tex.	Block 4, offshore East Cameron Area, La.	Do.
G-17402	Beck Oil Co. et al.	Houston, Tex.	Perry, Vermillion Parish, La.	Do.
G-17405	Phillips Petroleum Co.	Bartlesville, Okla.	Block 33, offshore West Cameron Area, La.	Do.
G-17413	Mississippi River Fuel Corp.	St. Louis, Mo.	Block 4, offshore East Cameron Area, La.	Dec. 31, 1958
G-17457	Union Oil Company of Calif.	Los Angeles, Calif.	Bayou Pigeon, Iberia Parish, La.	Jan. 5, 1959
G-17463	Tidewater Oil Co.	do.	Perry, Vermillion Parish, La.	Do.
G-17474	do.	do.	South Bosco, Acadia and Lafayette Parishes, La.	Jan. 8, 1959
G-17475	do.	do.	West Rayne, Acadia Parish, La.	Do.
G-17483	do.	do.	Jefferson Island, Vermillion, Iberia and Lafayette Parishes, La.	Jan. 9, 1959
G-17554	Continental Oil Co.	Houston, Tex.	Bayou Pigeon, Iberia Parish, La.	Jan. 15, 1959
G-17566	do.	do.	West Rayne, Acadia Parish, La.	Jan. 19, 1959
G-17560	Shell Oil Co.	New York, N.Y.	Bayou Pigeon, Iberia Parish, La.	Jan. 16, 1959
G-17574	Pan American Petroleum Corp.	Tulsa, Okla.	Jefferson Island, Iberia and Vermillion Parishes, La.	Jan. 20, 1959

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations, and to that end the above matters are hereby consolidated.

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 March 4, 1959.

[SEAL] MICHAEL J. FARRELL, Acting Secretary.

[F.R. Doc. 59-1342; Filed, Feb. 13, 1959; 8:47 a.m.]

[Docket Nos. G-17292-G-17294]

MacDONALD, BURNS AND NORRIS NO. 2 ET AL.

Order for Hearings and Suspending Proposed Changes in Rates

FEBRUARY 4, 1959.

In the matters of MacDonald, Burns and Norris No. 2, Docket No. G-17292; Nor-Mac-Burns Company, Docket No. G-17293; The Superior Oil Company, Docket No. G-17294.

In the Order For Hearings And Suspending Proposed Changes In Rates, issued December 24, 1958 and published

in the FEDERAL REGISTER on January 3, 1959 (24 F.R. 74), the second sentence of the third paragraph reading "MacDonald, Burns and Norris stated that their present returns indicate a return of the investment plus 5 percent after tax" should be corrected to read: "MacDonald, Burns and Norris stated that their returns to date from their investment in Keyes Gas Area are very unsatisfactory and that, based on returns to date, it is doubtful if they will recover their investment plus 5 percent after taxes before final depletion of recoverable gas in place; however, they did not submit any supporting data reflecting such recovery."

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-1344; Filed, Feb. 13, 1959;
8:47 a. m.]

[Docket No. G-17458]

PERMIAN BASIN PIPELINE CO.

Notice of Application and Date of Hearing

FEBRUARY 9, 1959.

Take notice that on January 5, 1959, Permian Basin Pipeline Company (Applicant) filed in Docket No. G-17458 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of up to 10 measuring and regulating stations necessary for the establishment of new and additional delivery points for the sale and delivery of natural gas to Pioneer Natural Gas Company (Pioneer) for resale for general irrigation service only within the State of Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the 10 proposed measuring and regulating stations will be constructed during the next four years along its Texas pipeline system at specific points to be designated by Pioneer and that the "budget-type" authorization sought herein will eliminate the necessity for the filing of individual certificate applications for the sole purpose of installing the minor facilities aforesaid.

The estimated maximum cost of an individual station is \$10,000 and the total cost of the 10 stations is not to exceed \$75,000, which costs will be financed from cash on hand and from funds generated through operations. Pioneer will pay to Applicant a connection charge of up to \$500 for each tap which it requests.

Applicant estimates annual deliveries of up to 3,184,000 Mcf in the year ending December 31 1962, under this proposal.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and

procedure, a hearing will be held on March 12, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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 March 6, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-1343; Filed, Feb. 13, 1959;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 68-175]

UNION ELECTRIC CO.

Order and Notice of and Order for Hearing Regarding Solicitation of Proxies

FEBRUARY 9, 1959.

Union Electric Company ("Union"), a registered holding company, has submitted to the Commission a copy of ten proposals and accompanying statements in support thereof which two of the holders of its common stock, Nancy Corinne Dyer and J. Raymond Dyer, have submitted to Union for inclusion in its proxy statement and its proxy form and have notified Union that it is their intention to present these ten proposals for action by the stockholders at Union's annual stockholders' meeting to be held April 20, 1959.

Union has advised the Commission that, in accordance with the provisions of Regulation 14 promulgated under the Securities Exchange Act of 1934, it proposes to omit nine of the ten proposals from its proxy statement and form of proxy.

The staff of the Commission has advised the Commission that, on the basis of its examination of the material referred to above, the request of the Dyers and Union's proposed action with respect thereto may present questions of law or fact under the standards of the Public Utility Holding Company Act of 1935 ("Act").

In view of the foregoing, it appears to the Commission that it is appropriate in the public interest and for the protection of investors and consumers to require

Union, and all other persons desiring to solicit Union's security holders for authorizations in connection with Union's next annual meeting of stockholders, to comply with the provisions of section 12(e) of the Act and Rule 62 promulgated thereunder prior to making any such solicitation and that a hearing should be held with respect to any declaration hereafter filed pursuant to Rule 62 and that no solicitation requesting authorizations relating to the 1959 annual meeting be made until any such declaration or declarations shall have been permitted by the Commission to become effective.

It is therefore ordered and notice is hereby given, That, pending the further order of the Commission, Union and all other persons be, and hereby are, prohibited from soliciting by use of the mails, or otherwise, any proxy, power of attorney, consent, or authorization regarding the voting of any security of Union in connection with the annual meeting of Union's stockholders to be held April 20, 1959, or any adjournment thereof, unless pursuant to a declaration filed under section 12(e) of the Act and Rule 62 promulgated thereunder which shall have been permitted by the Commission to become effective.

It is further ordered, That a hearing to consider any declaration or declarations filed in accordance with this order be held pursuant to the applicable provisions of the Act and the rules of the Commission on March 2, 1959, at 10:00 a.m., at the offices of the Commission, 425 Second Street NW., Washington, D.C. On such date the hearing room clerk will advise as to where such hearing will be held.

It is further ordered, That any interested person, not later than February 20, 1959, may file a declaration in accordance herewith to be considered at such hearing and, not later than February 26, 1959, any interested person may file a request, pursuant to Rule XVII of the Commission's rules of practice, requesting leave to be heard at the hearing and stating the reasons for wishing to participate, the nature and extent of his interest in the proceeding, and any issues of fact or law raised by any declaration or declarations which are to be controverted.

The Division of Corporate Regulation has advised the Commission that the following matters and questions will be presented for consideration by any declaration or declarations filed in accordance with this Order, without prejudice, however, to the presentation of additional matters and questions upon further examination of any such declaration so filed:

1. Whether the proposed solicitation material is proposed in accordance with the standards of section 12(e) of the Act and Rule 62 promulgated thereunder.

2. Whether any transactions proposed in any such declaration are in accordance with the applicable standards of the Act, and whether, in the event any declaration should be permitted to become effective, it is necessary or appropriate in the public interest or for the protection of investors or con-

sumers to impose any terms and conditions, and, if so, what terms and conditions.

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

It is further ordered, That William W. Swift, or any other hearing officer or hearing officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The hearing officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 13(c) of the Act and to a hearing officer under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission give telegraphic notice of the hearing ordered herein to Union, J. Raymond Dyer and Nancy Corinne Dyer, serve copies of this Notice and Order by registered mail on such persons, and that notice shall be given to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-1338; Filed, Feb. 13, 1959;
8:46 a.m.]

[File No. 70-3753]

YANKEE ATOMIC ELECTRIC CO. ET AL.
Notice of Filing and Order for Hearing

FEBRUARY 9, 1959.

In the matter of Yankee Atomic Electric Company, New England Power Company, Western Massachusetts Companies, Public Service Company of New Hampshire, Montaup Electric Company; File No. 70-3753.

Notice is hereby given that Yankee Atomic Electric Company ("Yankee"), a public-utility subsidiary of New England Electric System ("NEES"), a registered holding company; New England Power Company ("NEPCO"), a public-utility subsidiary of NEES and an exempt holding company; Western Massachusetts Companies ("Western Massachusetts"), an exempt holding company; Public Service Company of New Hampshire ("New Hampshire"), a public-utility company and an exempt holding company; and Montaup Electric Company, a public-utility subsidiary of Eastern Utilities Associates, a registered holding company, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"). Applicant-declarants have designated sections 2(a) (19), 6 (a) and (b), 7, 9(a) (1) and (2), 10, 12 (f) and (g), and 13 of the Act, and Rules 11(a), 50 (a) (1) and (5), 87(a) (3), 88(b), 95, and 100 thereunder, to the extent such sections and rules are applicable to the proposed

transactions. All interested persons are referred to said joint application-declaration which is on file at the offices of this Commission for a full statement of the transactions proposed therein which are summarized as follows:

Yankee, a Massachusetts electric company organized in 1954, has undertaken the construction of a 134,000 Kw nuclear power plant, scheduled for completion in 1960, the entire net electrical output of which will be sold to a group of New England utility companies which are Yankee's stockholders. The plant's total capital requirements, including working capital, are estimated at \$57,000,000, of which \$20,000,000 is to be supplied in the form of common stock by Yankee's stockholder companies. Of such \$20,000,000 par amount of common stock, the issuance and sale of \$13,000,000 par amount has heretofore been authorized by the Commission. In the present filing, which is concerned with the financing of the balance of Yankee's capital requirements, Yankee proposes:

(a) To increase its authorized \$100 par value common stock by 70,000 shares,

and to issue and sell such additional shares pro rata to its stockholder companies for an aggregate consideration of \$7,000,000;

(b) To issue and sell, to a group of ten insurance companies, up to \$20,000,000 principal amount of First Mortgage Bonds ("Bonds"); and

(c) To issue and sell to The First National Bank of Boston up to \$17,000,000 principal amount of Unsecured Promissory Notes ("Notes").

Such of Yankee's stockholder companies as are required to do so under the Act and the rules thereunder propose to acquire their aliquot portions of such additional common stock to be issued by Yankee. Upon completion of such sale and acquisition (to be consummated prior to issuance and sale of any of the Bonds or Notes) each stockholder company will own the following percentage of additional shares proposed to be sold and of the total amount of Yankee's common stock to be outstanding:

Stockholder company	Stock percentage	Par amount of additional shares	Par amount of total issue
New England Power Co.....	30.0	\$2,100,000	\$6,000,000
The Connecticut Light and Power Co.....	15.0	1,050,000	3,000,000
Boston Edison Co.....	9.5	665,000	1,900,000
Central Maine Power Co.....	9.5	665,000	1,900,000
The Hartford Electric Light Co.....	9.5	665,000	1,900,000
Western Massachusetts Electric Co.....	7.0	490,000	1,400,000
Public Service Company of New Hampshire.....	7.0	490,000	1,400,000
Montaup Electric Co.....	4.5	315,000	900,000
New Bedford Gas and Edison Light Co.....	2.5	175,000	500,000
Cambridge Electric Light Co.....	2.0	140,000	400,000
Central Vermont Public Service Corp.....	3.5	245,000	700,000
Total.....	100.0	\$7,000,000	\$20,000,000

The Bonds will bear interest at the rate of 5 percent per annum, will be stated to mature January 1, 1982, will be issued pursuant to an Indenture of Mortgage and Deed of Trust to be entered into between Yankee and Old Colony Trust Company as Trustee, will be secured by substantially all of Yankee's physical property and by certain contracts entered into between Yankee and its stockholder companies, and will be issued and sold at principal amount from time to time as funds are needed by Yankee during the construction period (but not later than January 1, 1962) to the insurance companies listed below in the respective amounts shown:

Insurance Company	Amount
The Equitable Life Assurance Society of the United States.....	\$6,000,000
Aetna Life Insurance Co.....	2,500,000
John Hancock Mutual Life Insurance Co.....	2,500,000
The Northwestern Mutual Life Insurance Co.....	2,000,000
The Travellers Insurance Co.....	2,000,000
Connecticut General Life Insurance Co.....	1,500,000
The Connecticut Mutual Life Insurance Co.....	1,000,000
New England Mutual Life Insurance Co.....	1,000,000
Phoenix Mutual Life Insurance Co.....	1,000,000
National Life Insurance Co.....	500,000
	20,000,000

Yankee will pay a commitment fee of 1/2 of 1 percent per annum, commencing

July 1, 1958 on the unsold principal amount of Bonds.

The Bonds will be subject to a cash sinking fund, commencing 5 1/4 years after completion of the plant but not later than April 1, 1967, designed to redeem the entire issue by not later than the stated maturity date of the Bonds, January 1, 1982. The indenture will also provide, among other things, that the Bonds be freely callable at the company's option at prices commencing at 105 percent of principal amount, but subject to the provisions that for purposes of refunding at a lower interest rate the Bonds (i) shall be non-callable during the construction period and (ii) shall be callable during a period of 5 years thereafter at redemption prices commencing at 110.04 percent and ending with 108.65 percent of principal amount.

Yankee requests an exception from the competitive bidding requirements of Rule 50 promulgated under the Act with respect to the sale of the Bonds.

The Notes will be issued at face amount for cash from time to time during the construction period (but not later than January 1, 1962) pursuant to a Bank Credit Agreement providing, among other things, that the Notes shall be dated as of the dates of issuance; bear interest at the rate of 4 3/4 percent per annum; and be retired serially during the first six years following the plant completion date. The Notes may be prepaid, in whole or in part, without premium, unless such prepayment is part of

a refunding or in anticipation of any refunding operation in which event there will be payable a premium equal to 4 percent of the face amount prepaid on or before December 31, 1962, such premium declining thereafter to 2 percent at or before December 31, 1966, no premiums being payable subsequent to December 31, 1966. Yankee will pay a commitment fee of $\frac{1}{2}$ of 1 percent per annum, commencing December 15, 1958, on the daily average unborrowed part of the commitment.

Pursuant to Research Agreements and Power Contracts, all dated December 10, 1958, entered into between Yankee and its stockholder companies the latter undertake, among other things, to make monthly pro rata payments to Yankee (in consideration of their entitlements to all of Yankee's net electrical output and of certain benefits to be shared by them in respect of the experience acquired by Yankee in the construction and operation of the nuclear power plant) equal, in the aggregate, to Yankee's operating expenses, as defined, plus 5 percent per annum of Yankee's net plant rate base, as defined. Such Research Agreements and Power Contracts, among others, are to be pledged, with the knowledge and consent of all the parties thereto, under the Indenture securing the Bonds.

The application-declaration states that the issuance and sale by Yankee of its bonds, notes, and common stock, and the acquisition of the Yankee common stock by such of the stockholder companies as are Massachusetts electric companies are subject to the jurisdiction of the Massachusetts Department of Public Utilities and that no other Commission, other than this Commission, has jurisdiction to approve or disapprove any of the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the joint application-declaration and that such application-declaration shall not be granted or permitted to become effective, except pursuant to the further order of the Commission:

It is ordered, That a hearing on said joint application-declaration, pursuant to the applicable provisions of the Act and the rules of the Commission, be held on February 26, 1959, at 10:00 a.m. at the offices of the Commission, 425 Second Street NW., Washington 25, D.C. On said date the Hearing Room Clerk in Room 193 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding should file with the Secretary of the Commission on or before February 24, 1959, a request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift or any other officer of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to this 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 joint application-declaration and that upon the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the proposed issue and sale by Yankee of its bonds, notes, and common stock are solely for the purpose of financing its business and have been expressly authorized by the State commission of the State in which it is organized and doing business.

2. Whether, in connection with the proposed issue and sale by Yankee of its bonds, notes, and common stock, any terms or conditions should be imposed by the Commission in the public interest or for the protection of investors or consumers.

3. Whether the competitive bidding requirement of Rule 50 promulgated under the Act is not necessary or appropriate in the public interest or for the protection of investors or consumers.

4. Whether the proposed increase by Yankee of its shares of capital stock satisfies the standards of section 7 of the Act.

5. Whether the various contracts and agreements, or any of them, between Yankee and the stockholder companies constitute a guarantee by the latter of any of the debt securities of Yankee and, if so, whether such guarantee satisfies the standards of section 7 of the Act.

6. Whether the proposed acquisitions of the common stock of Yankee by the respective applicants-declarants satisfy the standards of section 10 of the Act.

7. Whether the proposed research contracts constitute service contracts within the meaning of section 13 of the Act and the Commission's rules thereunder and, if so, if such contracts satisfy the standards of section 13 of the Act as implemented by the Commission's rules thereunder.

8. Whether all fees, commissions, or other remunerations to be incurred in connection with the proposed transactions are reasonable.

9. Whether the proposed accounting entries upon the books of the respective applicants-declarants to record the proposed transactions are in accordance with sound accounting principles.

10. Generally, whether the proposed transactions are in all respects in accordance with the standards of the Act and whether, in the event that the joint application-declaration should be granted and permitted to become effective, it is necessary or appropriate to impose any terms or conditions to ensure compliance with the Act in the public interest or for the protection of investors or consumers.

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

It is further ordered, That the Secretary of the Commission shall give notice of the said hearing by mailing copies of this Notice and Order by registered mail

to the applicants-declarants, each stockholder company, the Federal Power Commission, The Massachusetts Department of Public Utilities, the Public Utilities Commission of Connecticut, the Public Utilities Commission of New Hampshire, the Public Utilities Commission of Maine, the Public Service Commission of Vermont, and the Atomic Energy Commission, and that notice to all other persons shall be given by publication of this Notice and Order in the FEDERAL REGISTER and by a general release of the Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-1332; Filed, Feb. 13, 1959;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-IX-6 (Revision 1)]

BRANCH MANAGER, ST. LOUIS, MISSOURI

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 4), dated July 1, 1957, as amended (22 F.R. 5811, 8197, 23 F.R. 557, 1768), there is hereby delegated to the Branch Manager, St. Louis Branch Office, Small Business Administration, the authority:

A. Specific.

FINANCIAL ASSISTANCE

To take the following actions in accordance with the limitations of such delegations set forth in SBA-500, Financial Assistance Manual:

1. To approve but not decline the following types of loans:

- Direct business loans in an amount not exceeding \$20,000.00; and
- Participation loans in an amount not exceeding \$100,000.00.

2. To approve or decline Limited Loan Participation loans.

3. To approve or decline disaster loans not in excess of \$50,000.00.

PROCUREMENT AND TECHNICAL ASSISTANCE

To take the following actions in accordance with the limitations of such delegations as set forth in SBA-400, Agency Policy Manual, and SBA-600, Procurement and Technical Assistance Manual:

4. To develop with Government procurement agencies required local procedures for implementing established inter-agency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

ADMINISTRATIVE

5. To administer oaths of office.
6. To approve annual and sick leave for employees under his supervision.

B. *Correspondence.* To sign all non-policy making correspondence, including Congressional correspondence, relating to the functions of the Branch Office.

II. The specific authority delegated in I. A. and B. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, St. Louis, Missouri (22 F.R. 7246), is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: January 20, 1959.

C. I. MOYER,
Regional Director,
Kansas City Regional Office.

[F.R. Doc. 59-1333; Filed, Feb. 13, 1959;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 11, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35238: *Iron or steel pipe—Ohio points to Louisiana points.* Filed by O. E. Schultz, Agent (ER No. 2480), for interested rail carriers. Rates on pipe, sheet, iron or steel, carloads from Youngstown and Middletown, Ohio, to New Orleans, Baton Rouge and North Baton Rouge, La.

Grounds for relief: Rail-barge competition.

Tariff: Supplement 3 to Traffic Executive Association—Eastern Railroads tariff Bureau tariff I.C.C. C-33.

FSA No. 35239: *Bagasse and pith, from, to, and between the southwest.* Filed by Southwestern Freight Tariff Bureau, Agent (No. B-7464), for interested rail carriers. Rates on Bagasse (crushed sugar cane refuse), bagasse pith or sugar cane pitch dehydrated, carloads from, to, and between points in southwestern territory.

Grounds for relief: Short-line distance formula, grouping and application of rates through higher-rated intermediate territories.

Tariffs: Supplement 29 to Southwestern Lines tariff I.C.C. 4299. Supplement 26 to Southwestern Lines tariff I.C.C. 4302.

No. 32—4

FSA No. 35240: *Peanut hulls between points in the south.* Filed by O. W. South, Jr., Agent (FSA No. A3772), for interested rail carriers. Rates on peanut hulls, crushed or ground, carloads between points in southern territory, and between points in southern territory, on the one hand, and Ohio and Mississippi River crossings, points in Virginia and West Virginia, and Washington, D.C., on the other.

Grounds for relief: Short-line distance formula, grouping and relief line arbitrations.

Tariff: Supplement 14 to Southern Freight Association tariff I.C.C. S-34.

FSA No. 35241: *Asphalt—Baltimore, Md., and Catlettsburg, Ky., to Roanoke, Va.* Filed by O. E. Schultz, Agent (ER No. 2481), for interested rail carriers. Rates on asphalt (asphaltum), natural by products of petroleum, tank-car loads from Baltimore, Md., and Catlettsburg, Ky., to Roanoke, Va.

Grounds for relief: Market competition with Norfolk, Va.

Tariff: Supplement 38 to tariff publishing officer H. R. Hinsch's tariff I.C.C. C-17. Supplement 13 to The Baltimore and Ohio Railroad Company's tariff I.C.C. 24326.

FSA No. 35242: *Potatoes—Western points to official territory.* Filed by Western Trunk Line Committee, Agent (No. A-2040), for interested rail carriers. Rates on potatoes, other than sweet, carloads from points in Colorado, Idaho, Nebraska, Utah, and Wyoming to points in states in official territory, east of the Illinois-Indiana State line, and in eastern Canada.

Grounds for relief: Market competition and short-line distance formulas.

Tariff: Supplement 62 to Western Trunk Line Committee tariff I.C.C. A-4033.

FSA No. 35243: *Pipe—Barberton, Ohio, to Jersey City, N.J.* Filed by O. E. Schultz, Agent (ER No. 2482), for interested rail carriers. Rates on wrought iron or steel pipe, carloads from Barberton, Ohio, to Jersey City, N.J.

Grounds for relief: Motor truck competition.

Tariff: Supplement 291 to Central Territory Railroads Tariff Bureau tariff I.C.C. 3422 (Hinsch series).

FSA No. 35244: *Coal cinders—Strawn, Tex., to Western points.* Filed by Southwestern Freight Bureau, Agent (No. B-7481), for interested rail carriers. Rates on coal cinders, carloads from Strawn, Tex., to specified points in Colorado, Kansas, Nebraska, and New Mexico.

Grounds for relief: Short-line distance formula.

Tariffs: Supplement 191 to Southwestern Lines Freight Bureau tariff I.C.C. 4135. Supplement 176 to Southwestern Lines Freight Bureau tariff I.C.C. 4136.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 59-1327; Filed, Feb. 13, 1959;
8:46 a.m.]

ANN ARBOR RAILROAD CO.

Diversion or Rerouting of Traffic

In the opinion of Charles W. Taylor, Agent, The Ann Arbor Railroad Company, account car ferry out of service and adverse weather and ice conditions is unable to transport traffic offered it for movement via ferry across Lake Michigan between Frankfort, Michigan and Menominee, Michigan and between Frankfort, Michigan and Manistique, Michigan: *It is ordered;* That:

(a) Rerouting traffic: That Ann Arbor Railroad Company, and its connections, being unable to transport traffic offered for movement by ferry across Lake Michigan between Frankfort, Michigan and Menominee, Michigan and between Frankfort, Michigan and Manistique, Michigan account ferry out of service and adverse weather and ice conditions are hereby authorized to divert and reroute such traffic over any available route to expedite the movement regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad or railroads desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroad or railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 8:00 a.m., February 6, 1959.

(g) Expiration date: This order shall expire at 11:59 p.m., February 28, 1959, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of

American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., February 6, 1959.

INTERSTATE COMMERCE
COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 59-1328; Filed, Feb. 13, 1959;
8:46 a.m.]

[Notice 85]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 11, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61318. By order of February 4, 1959, the Commission, Division 4, acting as an Appellate Division, approved the transfer to A. F. Builders, Inc., Indianapolis, Indiana, of a portion of a certificate in Docket No. MC 102336 Sub 1, issued January 1, 1944, to R. A. Harris, Kenner Harris, and Clarence M. Harris, a partnership, doing business as R. A. Harris Trucking Company, Grayville, Illinois, authorizing the transportation of contractors' heavy construction, excavating, mining and road building machinery and equipment, over irregular routes, between points in Illinois, Indiana, and Kentucky. Harry E. Yockey, Yockey & Yockey, Morris Plan Building, Suite 1406, 108 East Washington Street, Indianapolis 4, Indiana.

No. MC-FC 61639. By order of February 3, 1959, the Transfer Board approved the transfer to Sidney Pollock, William Pollock, Harold B. Federman, Donald E. Orr and Sanders M. Orr, a partnership, doing business as Mayer Pollock, Pottstown, Pa., of certificate in No. MC 18573, issued January 3, 1942, to David Pollock, Abram Pollock, Sidney Pollock and William Pollock, a partnership, doing business as Mayer Pollock, Pottstown, Pa., authorizing the transportation of: Such commodities requiring specialized handling or rigging because of size or weight, between Pottstown, Pa., and points within 25 miles of Pottstown, on the one hand, and, on the other, points in New York, New Jersey, Delaware, and Maryland within 100 miles of Pottstown, Pa. Franklin B. Blocksom,

133 Warrior Road, Drexel Hill, Pa., for applicants.

No. MC-FC 61728. By order of February 3, 1959, the Transfer Board approved the transfer to William H. Cowen doing business as Waterville Express, Waterville, N.Y., of Certificate No. MC 107472, issued December 7, 1956, to George J. Dunn, doing business as Dunn's Express, Waterville, N.Y., authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Utica, N.Y., and Sangerfield, N.Y., serving all intermediate points. Richard S. Woodman, C. & U. Telephone Building, Waterville, N.Y., for applicants.

No. MC-FC 61737. By order of February 4, 1959, the Transfer Board approved the transfer to Thomas E. Knobbs and Russell E. Johnson, a partnership, Ely, Nevada, of Certificate No. MC 7070 issued by the Commission April 19, 1941, to John B. Bustingorry, Ely, Nevada, authorizing the transportation of wool, animal feed, and ranch equipment and supplies over irregular routes, between points in that part of Nevada within 100 miles of Ely, Nev., including Ely. A. D. Memetras, 429 Aultman Street, P.O. Box 1118, Ely, Nevada, for applicants.

No. MC-FC 61740. By order of February 4, 1959, the Transfer Board approved the transfer to Sprague & McCormick, Inc. (an Indiana Corporation), Chester-ton, Ind., of Corrected Permit No. MC 66883 issued by the Commission January 18, 1954, to Sprague & McCormick, Inc. (an Illinois Corporation), Chicago, Ill., authorizing the transportation over irregular routes of cheese and powdered milk, from Kentland, Ind., to Chicago, South Chicago, Calumet City, and Peoria, Ill.; dressed poultry, packing-house products, and miscellaneous supplies usually sold by packing houses, from Chicago, Ill., to specified area in Indiana; Packing-house products, and materials, supplies, and equipment, used or useful in meat packing houses, between Chicago, Ill., and points in Illinois and Indiana within 50 miles of Chicago, on the one hand, and, on the other, points in specified area in Indiana; such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies, used in the conduct of such business, between points within specified territory in Illinois and Michigan, and Indiana; such commodities as are dealt in by meat-packing houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between Chicago, Ill., on the one hand, and, on the other, specified area in Indiana. Eugene L. Cohn, 1 North La Salle Street, Chicago 2, Ill., for applicants.

No. MC-FC 61759. By order of February 4, 1959, the Transfer Board approved the transfer to Sunvan Lines, Inc., Seattle, Washington, of Certificate No. MC 88368, issued October 2, 1958, to W. E. Fallon, doing business as Sunvan Lines, Seattle, Washington, authorizing the transportation of household goods as defined by the Commission, over irregular routes, between Seattle, Wash., on the

one hand, and, on the other, points in Washington; and between points in Klamath County, Oreg., on the one hand, and, on the other, points in California and Washington. Carl A. Johnson, 400 Central Building, Seattle 4, Wash., for applicants.

No. MC-FC 61875. By order of February 3, 1959, the Transfer Board approved the transfer to Feidelson Warehouse Company, Inc., New York, N.Y., of the operating rights in Permits Nos. MC 36739 and MC 36739 Sub 2, issued December 11, 1958, and November 7, 1958, respectively, to A. O. Feidelson, Inc., authorizing the transportation, over irregular routes, of radios, refrigerators, and electrical household appliances, from New York, to points in Bergen, Hudson, Essex, Passaic, Middlesex, Morris, Somerset, Monmouth, and Union Counties, N.J., and those in Fairfield County, Conn., and of electrical and household appliances, from the site of the warehouse of Philco Corporation, at Elizabeth, N.J., to the site of the warehouse of A. O. Feidelson, Inc., at New York, N.Y. Edward M. Alfano, 36 West 44th Street, New York 36, New York.

No. MC-FC 61894. By order of February 4, 1959, the Transfer Board approved the transfer to Frank Plumitallo doing business as Allwood Transportation, Westbury, N.Y., of Permit No. MC 117531, issued by the Commission February 2, 1959, to Louis Brooks and Dan Brooks, a partnership, Brooklyn, N.Y., authorizing the transportation, over irregular routes, of materials for production of bakery supplies and materials such as are used in the production of bakery products, except commodities in bulk, in tank or hopper vehicles, from New York, N.Y., and piers in Hudson and Essex Counties, N.J., to Clifton, N.J., and bakery supplies and materials such as are used in the production and sale of bakery products, except commodities in bulk, in tank or hopper vehicles, from Clifton, N.J., to New York, N.Y., and points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y. Bert Collins, 140 Cedar Street, New York, N.Y., for applicants.

No. MC-FC 61914. By order of February 3, 1959, the Transfer Board approved the transfer to Hill's Truck Line, Inc., Murfreesboro, N.C., of Certificate No. MC 59263, issued November 4, 1954, to Albert Eugene Hill and James Wells Hill, Jr., a partnership, doing business as Hill's Truck Line, Murfreesboro, N.C., authorizing the transportation of general commodities including household goods, but excluding commodities in bulk and other specified commodities, over irregular routes, from Norfolk, Va., and points in Virginia within 25 miles of Norfolk to Conway, N.C., and points in North Carolina within 35 miles of Conway; household goods, as defined by the Commission, over irregular routes between Murfreesboro, N.C., points within 50 miles thereof, and those in Virginia; and, fruit and vegetable packages, peanuts, baled cotton, fertilizer, baskets, set up, nested, hampers, set up, nested boxes, knocked down, and crates, knocked down, cotton seed meal, livestock, vegetable containers, fertilizer and fertilizer materials,

cotton and cotton seed, agricultural commodities and livestock, baskets, basket materials, crates, and crate materials, and basket and crate material, from and to specified points in North Carolina, Virginia, South Carolina, West Virginia, Maryland, Delaware, and the District of Columbia, Pennsylvania, New Jersey, and New York. Albert Eugene Hill, Pres., Hill's Truck Line, Inc., 612 West Main Street, Murfreesboro, N.C., for applicants.

No. MC-FC 61916. By order of February 3, 1959, the Transfer Board approved the transfer to Samuel McCutcheon, Niagara Falls, N.Y., of the operating rights in Certificate No. MC 116660, issued July 15, 1958, to James Earl Fraser, Niagara Falls, N.Y., authorizing the transportation, over irregular routes, of passengers, in a seasonal operation between April 15 and October 1, beginning and ending at Niagara Falls, N.Y., and points in Niagara County, New York, and extending to points of entry at Niagara Falls and Lewiston, N.Y.

Clarence E. Rhoney, 94 Oakwood Avenue, North Tonawanda, N.Y., for applicants.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-1329; Filed, Feb. 13, 1959; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

EMMA HERZ-OVA ET AL.

Notice of Intention To Return Vested Property

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

quate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location
Emma Herz-ova; \$584.50 in the Treasury of the United States.

Hugo Herz; \$584.50 in the Treasury of the United States.

Isolda Lourdes Muller, Rio de Janeiro, Brazil; \$584.50 in the Treasury of the United States.

Claim No. 61793. Vesting Order No. 17809.

Executed at Washington, D.C., on February 9, 1959.

For the Attorney General.

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

[F.R. Doc. 59-1345; Filed, Feb. 13, 1959; 8:47 a.m.]

SOCIETE ANONYME LE GENIE CIVIL

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

Societe anonyme Le Genie Civil, 5 rue Jules Lefebvre, Paris 9e, France; Claim No. 43845; All right, title, interest and claim of whatsoever kind or nature in and to every copyright, claim of copyright and right to copyright, license, agreement, privilege, power and right of whatsoever nature, including but not limited to all monies and amounts by way of royalties, share of profits or other emolument, and all causes of action accrued or to accrue, relating to the technical journal, "Genie Civile", as listed in Exhibits A to Vesting Orders Nos. 472 (11 F.R. 1232, February 1, 1946); 500A-13 (11 F.R. 1235, February 1, 1946); 500A-27 (11

F.R. 961, January 25, 1946); and 500A-42 (11 F.R. 1235, February 1, 1946), respectively, to the extent owned by the claimant immediately prior to the vesting thereof by the aforementioned vesting orders.

Executed at Washington, D.C., February 9, 1959.

For the Attorney General.

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

[F.R. Doc. 59-1346; Filed, Feb. 13, 1959; 8:47 a.m.]

SOCIETE ANONYME DES ANCIENS ETABLISSEMENTS BRAUNSTEIN FRERES

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

Societe Anonyme Des Anciens, Etablissements Braunstein Freres, Paris, France; Claim No. 43861; \$1135.34 in the Treasury of the United States. Property described in Vesting Order No. 666, (8 F.R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 2,063,226 and 2,145,151. Vesting Order No. 666.

Executed at Washington, D.C., on February 9, 1959.

For the Attorney General.

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

[F.R. Doc. 59-1347; Filed, Feb. 13, 1959; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—FEBRUARY

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