



FEDERAL REGISTER

VOLUME 24

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Washington, Thursday, September 10, 1959

Title 3—THE PRESIDENT

EXECUTIVE ORDER 10836

AMENDMENT OF EXECUTIVE ORDER NO. 10530,¹ PROVIDING FOR THE PERFORMANCE OF CERTAIN FUNCTIONS VESTED IN OR SUBJECT TO THE APPROVAL OF THE PRESIDENT

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 that Executive Order No. 10530 of May 10, 1954, entitled "Providing for the Performance of Certain Functions Vested in or Subject to the Approval of the President", be, and it is hereby, amended as follows:

1. Paragraph (1) of section 1 is amended to read:

"(1) The authority vested in the President by the last sentence of section 11 of the act of June 6, 1924, ch. 270, 43 Stat. 463 (as renumbered by section 2 of, and as amended by, the act of July 19, 1952, ch. 949, 66 Stat. 781, *et seq.*), to approve (1) the designation of lands to be acquired by condemnation, (2) contracts for purchase of lands, and (3) agreements between the National Capital Planning Commission and officials of the States of Maryland and Virginia."

2. The following paragraph (o) is added at the end of section 1:

"(o) The authority vested in the President by section 44(a) of the Alaska Omnibus Act, approved June 25, 1959 (Public Law 86-70; 73 Stat. 141, 151), to make transitional grants to the State of Alaska; and the authority vested in the President by section 44(b) of that act (1) to approve requests of the Governor of Alaska that Federal agencies continue to provide services or facilities in Alaska for an interim period, and (2) to allocate to such agencies the funds necessary to finance the provision of such services or facilities."

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
September 8, 1959.

[F.R. Doc. 59-7578; Filed, Sept. 9, 1959;
10:34 a.m.]

¹ 19 F.R. 2709; 3 CFR, 1954 Supp., p. 55.

Title 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 2]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas, and Quota Deficits for 1959

Basis and purpose. The purpose of Sugar Regulation 811 is to determine, pursuant to section 201 of the Sugar Act of 1948, as amended (hereinafter called the act), the amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1959 and to establish, pursuant to sections 202, 204 and 411 of the act sugar quotas and proratons for the supplying areas in terms of short tons of sugar, raw value, equal to the quantity determined by the Secretary of Agriculture to be needed in 1959. This regulation also establishes pursuant to section 207 of the act the quantity of quota that may be filled by direct-consumption sugar and pursuant to section 208, quotas of liquid sugar which may be entered into the continental United States.

The act requires that the Secretary shall revise the determination of sugar requirements at such times during the calendar year as may be necessary. It now appears that an increase in the estimate of requirements for the calendar year 1959 is necessary. The purpose of this amendment is to make such determination conform to the requirements indicated on the basis of the factors specified in section 201 of the act, as amended, to give effect to the revised determination and to further amend § 811.4 to determine and prorate deficits in the quotas for Hawaii, Puerto Rico and the Virgin Islands for sugar to be marketed in the continental United States in 1959 as established in § 811.2, as amended herein.

Section 204(a) of the act provides that the Secretary shall from time to time determine whether any area will be unable to market its quota and prescribes

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SEMIANNUAL CFR SUPPLEMENT

(As of July 1, 1959)

The following semiannual cumulative pocket supplement is now available:

Title 46, Parts 146-149,
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the manner in which any deficit in a quota for a domestic area or Cuba is to be prorated to such other areas able to supply the additional sugar. Such section provides that any deficit in any domestic producing area occurring by reason of inability to market that part of the quota for such area allotted under the provisions of section 202(a) (2) of the act, shall first be prorated to other domestic areas on the basis of the quotas then in effect, and the remainder of such deficit to be prorated to other domestic areas and Cuba on the basis of quotas then in effect.

The act also provides that the quota for any area as established under the provisions of section 202 shall not be reduced by reason of any determination of a deficit.

In order to afford sellers of sugar in affected areas an adequate opportunity to plan marketings and to market the additional sugar authorized by this amendment, and thereby protect the welfare of consumers, it is essential that this amendment be made effective immediately. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein shall become effective when published in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended) and the Administrative Procedure Act (60 Stat. 237), §§ 811.1, 811.2, 811.3 and 811.4 of Sugar Regulation 811 (24 F.R. 1; 24 F.R. 6473) are amended to read as hereinafter set forth.

Sections 811.1 to 811.4 are amended to read:

§ 811.1 Sugar requirements, 1959.

The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1959 is hereby determined to be 9,300,000 short tons, raw value.

§ 811.2 Quotas for domestic areas.

(a) For the calendar year 1959, quotas for consumption in the continental United States from domestic areas are established in column (1) and the amounts of such quotas for offshore areas that may be filled by direct-consumption sugar are established in column (2) as follows:

[Short tons, raw value]		
Area	Quota (1)	Direct-consumption limit (2)
Domestic beet sugar.....	2,021,098	(1)
Mainland cane sugar.....	621,912	(1)
Hawaii.....	1,127,970	31,755
Puerto Rico.....	1,179,437	137,637
Virgin Islands.....	16,083	0

¹ No limit.

(b) Of the quantity established in paragraph (a) of this section for Puerto Rico which may be filled by direct-con-

sumption sugar, 126,033 short tons, raw value, may be filled only by sugar principally of crystalline structure.

§ 811.3 Quotas for foreign countries.

For the calendar year 1959, quotas for sugar to be imported into the continental United States for consumption therein from foreign countries are established in column (1) and the amount of each such quota that may be filled by direct-consumption sugar is established in column (2), as follows:

[Short tons, raw value]		
Country	Quota (1)	Direct-consumption limit (2)
Republic of the Philippines.....	989,000	59,920
Cuba.....	3,030,055	375,050
Peru.....	91,197	9,961
Dominican Republic.....	76,597	8,889
Mexico.....	55,709	16,130
Nicaragua.....	13,453	10,637
Haiti.....	6,896	6,896
Netherlands.....	3,652	3,652
China.....	3,564	3,564
Panama.....	3,564	3,564
Costa Rica.....	3,537	3,537
Canada.....	631	631
United Kingdom.....	516	516
Belgium.....	182	182
British Guiana.....	84	84
Hong Kong.....	3	3
All other countries.....	0	0

§ 811.4 Determination and proration of area deficits and adjusted quotas.

(a) *Deficit in quotas established in § 811.2.* It is hereby determined, pursuant to subsection (a) of section 204 of the act, that for the calendar year 1959, Hawaii, Puerto Rico and the Virgin Islands will be unable by 150,000, 209,562 and 3,678 short tons, raw value, of sugar, respectively, to market the quotas established for such areas in § 811.2.

(b) *Quotas in effect upon proration of deficits in parts of quotas established pursuant to section 202(a) (2).* The part of the deficits determined in paragraph (a) of this section applicable to that portion of the quotas in § 811.2 established pursuant to the provisions of section 202(a) (2) of the act, which amounts to 179,085 short tons, raw value, is hereby prorated on the basis of the quotas established in § 811.2 to domestic areas to the extent each such area is able to supply additional quantities. The quotas for such areas in effect upon publication of this paragraph in the FEDERAL REGISTER shall be those established in § 811.2 plus the quantities prorated herein, as follows:

[Short tons, raw value]		
Area	Prorated herein	Quotas including proration herein
Domestic beet sugar.....	136,946	2,158,044
Mainland cane sugar.....	42,139	664,051
Hawaii.....	0	1,127,979
Puerto Rico.....	0	1,179,437
Virgin Islands.....	0	16,083

(c) *Quotas in effect upon proration of deficits in part of quotas otherwise established.* Immediately after the quotas established in paragraph (b) of this section become effective, the quantity by

which the deficit determined in paragraph (a) of this section exceeds the quantity prorated in paragraph (b) of this section, which amounts to 184,155 short tons, raw value, is hereby prorated on the basis of the quotas in effect pursuant to paragraph (b) of this section for domestic areas and pursuant to § 811.3 for Cuba, to the domestic areas able to supply additional sugar and Cuba. Thereupon, the following quotas shall be in effect, such quotas consisting of those established in paragraph (b) of this section for domestic areas and in § 811.3 for Cuba plus the quantities prorated in this paragraph:

[Short tons, raw value]		
Area	Prorated herein	Quotas including proration herein and in par. (b) of this section
Domestic beet sugar.....	67,220	2,225,264
Mainland cane sugar.....	20,681	684,735
Hawaii.....	0	1,127,979
Puerto Rico.....	0	1,179,437
Virgin Islands.....	0	16,083
Cuba.....	96,251	3,186,316

Statement of bases and considerations. Total sugar quotas for 1959 were established at 9,200,000 tons the 29th of December 1958.

Since May sugar distribution has been running at a record level. The extreme heat which prevailed this summer in many parts of the country no doubt increased the consumption of soft drinks, ice cream and other sugar-containing products. More recently the danger of a waterfront work stoppage, beginning September 30, at eastern and southern ports has been a factor in the market and should continue to be until the issue is settled. Sugar refiners have been buying and scheduling the receipt of raw sugar to meet continued high distribution and to build up inventories.

The tightness of sugar supplies, especially for the Atlantic and Gulf Coasts, is reflected in current sugar prices. Raw sugar prices at New York have ranged from a low of 5.75 cents per pound, duty paid, in early April to 6.50 cents on September 1. Recently increases of 20 cents per 100 pounds have been announced that would raise the price of refined sugar to 9.55 cents per pound, the highest price since 1920.

To meet the increased needs, total quotas are increased to 9,300,000 tons.

Deficits in the quotas for Puerto Rico, Virgin Islands and Hawaii were determined and prorated on July 31, 1959. Partially as a result of the increase in total quotas provided for herein, it is determined that the Hawaiian deficit will approximate 150,000 tons rather than 100,000 tons, previously determined. Accordingly, quota deficits of 209,562 tons for Puerto Rico, 3,678 tons for the Virgin Islands and 150,000 tons for Hawaii are hereby determined and pursuant to section 204(a) of the act 179,085 tons are prorated to domestic areas able to market additional sugar on the basis of the quotas for such areas as established in § 811.2 and 184,155 short

RULES AND REGULATIONS

tons, raw value, are prorated to such domestic areas and Cuba on the basis of the quotas in effect after proration of the 179,085 tons.

The quotas established in §§ 811.2 and 811.3 were determined in accordance with the specific procedures provided in section 202 of the act. The amounts of the quotas which may be filled by direct-consumption sugar were established in accordance with section 207 of the act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies secs. 202, 204; 61 Stat. 924, 925; 7 U.S.C. 1112, 1114)

Done at Washington, D.C., this 3d day of September, 1959.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-7510; Filed, Sept. 9, 1959;
8:47 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 807, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), 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 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 Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 953.914 (Lemon Regulation 807, 24 F.R. 6994) are hereby amended to read as follows:

(ii) District 2: 348,750 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 4, 1959.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-7508; Filed, Sept. 9, 1959;
8:47 a.m.]

[959.317, Amdt. 1]

PART 959—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES, CALIF., AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties, California and in all counties in Oregon except Malheur County, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Oregon-California Potato Committee, established pursuant to the said amended marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments regulation hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) 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, (2) the currently effective limitation of shipments regulation (§ 959.317, 24 F.R. 5599) terminates on September 10, 1959 and as amended herein the period of regulation is extended for an additional thirty (30) days through October 10, 1959, (3) more orderly marketing in the public interest than would otherwise prevail will be promoted by extending the period of regulation the additional thirty (30) days, (4) compliance with the regulation as amended herein will not require any special preparation on the part of handlers which cannot be completed by the effective date hereof, and (5) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area.

Order. The first paragraph and paragraph (b) (1) of the said regulation are hereby amended as set forth below.

§ 959.317 Limitation of shipments.

During the period from July 13, 1959, through October 10, 1959, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section or unless such potatoes are handled in accordance with paragraphs (c), (d), (e), and (f) of this section.

(b) *Minimum maturity requirements*—(1) *All varieties.* "Slightly skinned," which means that not more than 10 percent of the potatoes in any lot may have more than one-fourth of the skin missing or "feathered."

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 4, 1959, to become effective September 10, 1959.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-7535; Filed, Sept. 9, 1959;
8:51 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Defense

Effective upon publication in the FEDERAL REGISTER, subparagraphs (2) and (17) of § 6.304(a) are amended as set out below.

§ 6.304 Department of Defense.

(a) *Office of the Secretary.* * * *
(2) Two Confidential Assistants (Private Secretaries) to the Deputy Secretary of Defense and one Confidential Assistant (Private Secretary) to each of the following: the Director of Defense Research and Engineering; the Assistant Secretary of Defense, Manpower, Personnel and Reserve; the Assistant Secretary of Defense, International Security Affairs; the Chairman of the Joint Chiefs of Staff; the Defense Liaison Officer to the White House; the Assistant Secretary of Defense, Public Affairs; the Assistant Secretary of Defense, Properties and Installations; the Assistant Secretary of Defense, Health and Medical; the Assistant Secretary of Defense, Supply and Logistics; the General Counsel; the U.S. Military Representative, NATO Standing Group; and the Assistant to the Secretary of Defense, Atomic Energy.

(17) One Confidential Secretary to the Special Assistant to the Director of Defense Research and Engineering.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 59-7512; Filed, Sept. 9, 1959; 8:48 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Treasury Department

Effective upon publication in the FEDERAL REGISTER, subparagraph (10) is added to § 6.303 (a) as set out below.

§ 6.303 (a) Treasury Department.

- (a) *Office of the Secretary.* * * *
- (10) One Deputy to the Secretary.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 59-7533; Filed, Sept. 9, 1959; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

[Airspace Docket No. 59-LA-24; Amdt. 18]

PART 608—RESTRICTED AREAS

Revocation of Restricted Area

The purpose of this action is to revoke the Sand Hills, California, Restricted Area (R314).

The U.S. Navy no longer has a requirement for this restricted area, and has requested that it be revoked.

Since this amendment eliminates a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, the following action is taken: in § 608.14 the Sand Hills, California, Restricted Area (R-314) (23 F.R. 8578, 24 F.R. 524) is revoked.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

SEPTEMBER 2, 1959.

[F.R. Doc. 59-7491; Filed, Sept. 9, 1959; 8:46 a.m.]

[Airspace Docket No. 59-WA-22; Amdt. 21]

PART 608—RESTRICTED AREAS

Modification of Restricted Area

The purpose of this amendment is to change the designated altitudes of the Camp Pickett, Virginia, Restricted Area (R-44) from "Surface to unlimited" to "Surface to 22,000 feet, MSL".

The U.S. Army no longer has a requirement for the Airspace above 22,000 feet within this restricted area and has requested that an upper altitude limit be designated accordingly.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, the following action is taken: In § 608.54, the Camp Pickett, Virginia, Restricted Area (R-44) (23 F.R. 8588) is amended by deleting "Surface to unlimited" and substituting therefor "Surface to 22,000 feet MSL".

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

SEPTEMBER 2, 1959.

[F.R. Doc. 59-7489; Filed, Sept. 9, 1959; 8:45 a.m.]

[Airspace Docket No. 59-WA-78; Amdt. 19]

PART 608—RESTRICTED AREAS

Modification of a Restricted Area

The purpose of this amendment is to reduce the upper altitude limit of the Waldron Island, Washington, Restricted Area (R-234) from 10,000 feet to 4,000 feet, MSL.

The U.S. Navy no longer has a requirement for the airspace above 4,000 feet within this restricted area and has requested that the upper altitude limit be lowered accordingly.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, the following action is taken: In § 608.55, the Waldron, Washington Restricted Area (R-234) (23 F.R. 8590) is amended by deleting "Surface to 10,000 feet" and substituting therefor "Surface to 4,000 feet MSL".

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

SEPTEMBER 2, 1959.

[F.R. Doc. 59-7490; Filed, Sept. 9, 1959; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7438 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

F. E. Booth Company, Inc.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended—* Payment or acceptance of commission, brokerage, or other compensation under 2(c) : § 13.820 *Direct buyers.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist order, F. E. Booth Company, Inc., San Francisco, Calif., Docket 7438, Aug. 4, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a processor and canner of fish, fruits, and vegetables, in San Francisco, Calif., with violating section 2(c) of the Clayton Act by giving to customers buying directly for their own accounts for resale, discounts or allowances reflecting the usual 2½ percent brokerage fee.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 4 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Respondent F. E. Booth Company, Inc., a corporation, its officers, representatives, agents or employees, directly or through any corporate or other device, in connection with the sale and distribution of canned foods, or other food products, in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from: Paying, granting or allowing, directly or indirectly, to any buyer, or anyone acting for or in behalf of, or who is subject to, the direct or indirect control of such buyers, anything of value as a commission, brokerage or other compensation or any allowance or discount in lieu thereof upon, or in connection with, any sale to such buyer for its own account.

By "Decision of the Commission," etc., report of compliance was required as follows:

It is ordered, That Respondent F. E. Booth Company, Inc., a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: August 4, 1959.

By the Commission.

[SEAL] ROBERT M. FARRISH,
Secretary.

[F.R. Doc. 59-7502; Filed, Sept. 9, 1959; 8:47 a.m.]

[Docket 7449 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS**Lenders Service Corp. et al.**

Subpart—*Advertising falsely or misleadingly*: § 13.15 *Business status, advantages, or connections*: Financing activities; institutional connections; § 13.85 *Government approval, action, connection or standards*: Small Business Administration,¹ § 13.135 *Refunds, repairs, and replacements*; § 13.205 *Scientific or other relevant facts*; § 13.225 *Services*. Subpart—*Misrepresenting oneself and goods*—Business status, advantages or connections: § 13.1417 *Financing activities*; § 13.1553 *Services*; [Misrepresenting oneself and goods]—Goods: § 13.1740 *Scientific or other relevant facts*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Lenders Service Corporation et al., Los Angeles, Calif., Docket 7449, August 6, 1959]

In the Matter of Lenders Service Corporation, a Corporation; Ralph L. Sampson, Leonard Miller, Herbert Ruttenberg and Harvey Cova, Individually and as Officers of Said Corporation; U. T. Thompson, Individually and as Executive Vice President of Said Corporation; and William VanPinsker, Charles McCarthy and William Mitchell, Individually

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a lending concern in Los Angeles, Calif., with misrepresenting the services it rendered in helping businessmen to obtain loans by such false misrepresentations as that it was an affiliate or agent of banks and other lending institutions which would make loans to anyone it recommended, that upon payment of a fee it would get clients larger loans than they applied for and would refund the fee if the loan was not obtained, and that it often made loans from its own funds or would get clients loans from the Small Business Administration.

On the basis of a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on August 6 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Respondents Lenders Service Corporation, a corporation, and its officers; Ralph L. Sampson, Leonard Miller, Herbert Ruttenberg and Harvey Cova, individually and as officers of said corporation; U. T. Thompson, individually and as Executive Vice President of said corporation; and William VanPinsker, Charles McCarthy and William Mitchell, individually, and Respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the advertising of or offering for sale or sale of their services in obtaining loans or financial assistance for busi-

nessmen or others, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Respondents will obtain loans within a short period of time; or in any period of time that is not in accordance with the fact;

2. Respondents will refund the fee paid in event they do not obtain a loan, unless such is the fact;

3. Respondents can or will obtain larger loans than the loans applied for;

4. Respondents are affiliated with banks or lending institutions;

5. Banks or other lending institutions will make loans to everyone recommended by Respondents;

6. Respondents are the agents of banks, insurance companies or other lending or financial institutions;

7. Respondents will obtain loans from the Small Business Administration for those who pay Respondents for their service;

8. Respondents will make loans to clients from their own funds.

By "Decision of the Commission," etc., report of compliance was required as follows:

It is ordered, That the respondents named in the caption hereof shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 6, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-7503; Filed, Sept. 9, 1959; 8:47 a.m.]

Title 42—PUBLIC HEALTH**Chapter I—Public Health Service, Department of Health, Education, and Welfare****PART 21—COMMISSIONED OFFICERS****Prescription of Numbers in Grade**

Section 21.111 of Subpart G is amended to read as follows:

§ 21.111 Prescription of numbers in grade.

The following maximum number of officers is authorized to be on active duty in the Regular Corps in each of the grades from the junior assistant grade to the director grade, inclusive, during the fiscal year beginning July 1, 1959, and ending June 30, 1960:

Director Grade.....	480
Senior Grade.....	590
Full Grade.....	435
Senior Assistant Grade.....	335
Assistant Grade.....	60
Junior Assistant Grade.....	0

(Sec. 206, 58 Stat. 694, as amended; 42 U.S.C. and Sup., 207)

This amendment shall be effective as of July 1, 1959.

Dated: August 20, 1959.

[SEAL] L. E. BURNEY,
Surgeon General.

Approved: September 3, 1959.

ARTHUR S. FLEMMING,
Secretary.

[F.R. Doc. 59-7517; Filed, Sept. 9, 1959; 8:49 a.m.]

Title 47—TELECOMMUNICATION**Chapter I—Federal Communications Commission**

[Docket No. 11233; FCC 59-908]

PART 3—RADIO BROADCAST SERVICES**Standards of Good Engineering Practice**

In the matter of Amendment of Part 3 of the Commission's rules and regulations and the Standards of Good Engineering Practice Concerning Bandwidth and Spurious Emissions of AM and FM Stations; Docket No. 11233.

1. On December 9, 1954 the Commission released a Notice of Proposed Rule Making (FCC 54-1518) in the above-entitled matter. The Notice of Proposed Rule Making was published in the FEDERAL REGISTER December 14, 1954. The date for filing comments was specified as March 7, 1955 and was subsequently extended to June 6, 1955. The purpose of the proposed rules is to establish definitions of bandwidth and specifications for suppression of spurious emissions of AM and FM broadcast stations.

2. Comments were received from licensees of AM and FM broadcast stations,¹ the National Association of Radio and Television Broadcasters (NARTB), the Radio-Electronics-Television Manufacturers Association (RETMA) and the General Electric Company. A review of the comments shows that they may be divided into two categories: Those concerning transmitters presently in use, and those applying to transmitters to be installed in the future.

3. The comments generally favored the adoption of the proposed performance standards with certain modifications, but expressed the opinion that existing transmitting equipment should be exempted from the proposed requirements until a further study could be made.

¹ The following stations filed comments: The Good Music Station, Inc. (WGMS); The Montana Network (KOOK); Tri-City Radio Corp. (WLBC, WMUN); Chanticleer Broadcasting Co. (WCTC); Indian River Broadcasting Co. (WIRA); General Teleradio, Inc.; Havens and Martin, Inc. (WMBG, WOOD); Albuquerque Broadcasting Co. (KOB); KOMA, Inc. (KOMA); Crosley Broadcasting Corp.; E. Harold Munn, Jr. (WTVV); American Broadcasting Co.; Queen City Broadcasting Co. (KIRO); The Philadelphia Inquirer Stations (WFIL); WRAK, Inc. (WRAK); Owensboro Publishing Co. (WOMI); Alvin E. O'Konski (WOSA, WLIN); and Corn Belt Publishers, Inc. (WAAF).

¹ New.

Such a survey was conducted by NAB (formerly NARTB) and the results submitted to the Commission on November 16, 1956. These results showed that although many existing stations were achieving suppression in excess of that proposed to be required, it would impose an extreme hardship on some to make the necessary modifications in existing equipment to comply strictly with the proposed standards.

4. Evidence was also submitted indicating that the Commission's original proposal would require an abrupt transition from the amplitude of the emissions required for the proper performance of the broadcasting system and the so-called out-of-band or spurious emissions in the region of the spectrum immediately adjacent to the channel occupied by the broadcast station. Such a transition not only imposes a severe requirement on the equipment design but also may result in other undesirable effects which could lead to other spurious emissions. The comments also point out that the degree of suppression under the formula proposed in the initial Notice would require attenuation of some out-of-band emissions by more than 90 decibels.

5. On the basis of the comments submitted and the record in the proceeding in Docket No. 11654,² the Commission has concluded that its rules should be amended as set forth below. It will be noted that the maximum suppression required as a matter of equipment acceptance and normal operation is 80 decibels. Should such suppression in individual cases be insufficient to prevent the interference to the reception of other radio stations, the Commission may require a licensee to take such further steps as may be necessary to eliminate the interference. It may also be noted that although existing stations are not required to adhere strictly to the performance requirements they are expected to achieve the highest degree of compliance within the capabilities of their present equipment. This exemption does not extend to individual cases where actual interference occurs. In such cases the Commission may require licensees to take further steps to eliminate the interference. All transmitting apparatus which is type accepted after January 1, 1960, must meet the new requirements.

6. In view of the foregoing considerations and pursuant to the authority contained in sections 4(i), 301 and 303 of the Communications Act of 1934, as amended: *It is ordered*, That, effective January 1, 1960, Part 3 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082; 47 U.S.C. 301, 303)

Adopted: September 2, 1959.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

1. Section 3.40(a) is amended by adding thereto the following new subparagraphs:

§ 3.40 Transmitter; design, construction, and safety of life requirements.

(a) * * *

(12) Any emission appearing on a frequency removed from the carrier by between 15 kc and 30 kc, inclusive, shall be attenuated at least 25 db below the level of the unmodulated carrier. Compliance with the specification will be deemed to show the occupied bandwidth to be 30 kc or less.

(13) Any emission appearing on a frequency removed from the carrier by more than 30 kc and up to and including 75 kc, inclusive, shall be attenuated at least 35 db below the level of the unmodulated carrier.

(14) Any emission appearing on a frequency removed from the carrier by more than 75 kc shall be attenuated at least 43+10 Log₁₀ (Power, in watts) decibels below the level of the unmodulated carrier, or 80 decibels, whichever is the lesser attenuation.

2. Section 3.46(c) is amended by deleting the present text and substituting the following:

§ 3.46 Transmitter.

* * * * *

(c) The station equipment shall be so operated, tuned, and adjusted that emissions outside of the authorized channel do not cause harmful interference to the reception of other radio stations. Standard broadcast stations employing radio transmitters type accepted after January 1, 1960, shall maintain the bandwidth occupied by their emissions in accordance with the specifications set forth in § 3.40(a). Stations employing transmitters installed or type accepted prior to January 1, 1960, shall achieve the highest degree of compliance practicable with their existing equipment. In either case, should harmful interference to the reception of other radio stations occur, the licensee may be required to take such further steps as may be necessary to eliminate the interference.

3. Section 3.317 is amended by adding new subparagraphs to paragraph (a) and by substituting new text for paragraph (f) (2), as follows:

§ 3.317 Transmitter and associated equipment.

(a) * * *

(12) Any emission appearing on a frequency removed from the carrier by between 120 kc and 240 kc inclusive shall be attenuated at least 25 decibels below the level of the unmodulated carrier. Compliance with this specification will be deemed to show the occupied bandwidth to be 240 kc or less.

(13) Any emission appearing on a frequency removed from the carrier by more than 240 kc and up to and including 600 kc shall be attenuated at least 35 db below the level of the unmodulated carrier.

(14) Any emission appearing on a frequency removed from the carrier by more than 600 kc shall be attenuated at

least 43+10 Log₁₀ (Power, in watts) decibels below the level of the unmodulated carrier, or 80 decibels, whichever is the lesser attenuation.

* * * * *

(f) * * *

(2) The station equipment shall be so operated, tuned, and adjusted that emissions outside of the authorized channel do not cause harmful interference to the reception of other radio stations. FM broadcast stations employing transmitters type accepted after January 1, 1960, shall maintain the bandwidth occupied by their emissions in accordance with the specifications set forth in paragraph (a) of this section. Stations employing transmitters installed or type accepted prior to January 1, 1960, shall achieve the highest degree of compliance practicable with their existing equipment. In either case, should harmful interference to the reception of other radio stations occur, the licensee may be required to take such further steps as may be necessary to eliminate the interference.

[F.R. Doc. 59-7519; Filed, Sept. 9, 1959; 8:49 a.m.]

[Docket No. 11779; FCC 59-907]

PART 3—RADIO BROADCAST SERVICES

Table of Assignments; Lubbock, Tex.

In the matter of amendment of § 3.606 *Table of assignments*, Television Broadcast Stations (Lubbock, Tex.); Docket No. 11779.

1. The Commission has before it for consideration a Petition filed on November 26, 1956, by Texas Technological College, for reconsideration of the Commission's Report and Order issued in this proceeding on October 25, 1956 (FCC 56-1032), denying the College's request that the educational reservation in Lubbock, Texas, be changed from UHF Channel 20 to VHF Channel 5; an Opposition filed by C. L. Trigg on December 6, 1956; and a Reply filed by Texas Technological College on December 20, 1956.

2. In the above-described Report and Order denying Texas Technological College's petition, we concluded at that time that the public interest would not be served by reserving Channel 5 in Lubbock for exclusive use by a noncommercial educational television station. This conclusion was based in part on the fact that applications had then been filed for a noncommercial station by the College and for a commercial station by another applicant, and on our judgment that in such a case the channel should not be set aside exclusively for noncommercial educational use where the educational interests, as well as the commercial applicant were ready to proceed and the comparative merits of all applicants could be evaluated in a hearing. We are not persuaded by the pleadings before us that this judgment was in error. However, subsequent events in this proceeding, included in the record now before us, and summarized below, render the contentions and arguments advanced

² See Notice of Proposed Rule Making (FCC 56-253) released on March 23, 1956.

in the above-described petition, opposition, and reply moot.

3. On July 16, 1957, which was subsequent to the date of the Order here under consideration, an evidentiary hearing was held on Texas Technological College's application for a construction permit to operate noncommercially on Channel 5 at Lubbock; on September 17, 1957, an Initial Decision was released, looking toward the grant of the application; on October 24, 1957, the Commission stayed the effect of the Initial Decision, and remanded the case to the Examiner for the taking of additional evidence, and on April 15, 1958, the Examiner's Supplemental Initial Decision, looking toward grant of the application, was released. This decision became effective on May 21, 1958, when Texas Technological College's application to operate noncommercially on Channel 5 at Lubbock was granted. A construction permit was issued on July 21, 1958, and was extended on January 21, 1959, until July 21, 1959. On June 26, 1959, the permit was extended until January 21, 1960. Petitioner continues to propose a noncommercial operation.

4. In view of the foregoing facts, we now find it appropriate to grant petitioner's request that the educational reservation in Lubbock, Texas, be changed from UHF Channel 20 to VHF Channel 5.

5. Authority for the amendments ordered herein is contained in sections 4(i), 301, 303 (c), (d), (f), and (r) and 307(b) of the Communications Act of 1934, as amended.

6. Accordingly, it is ordered, Effective October 9, 1959, that the assignments contained in § 3.606 of the Commission's rules are amended, insofar as the community named is concerned, to read as follows:

City	Channel No.
Lubbock, Texas	*5-, 11, 13-, 20, 26

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 301, 303, 307, 48 Stat. 1081, 1082, 1083; 47 U.S.C. 301, 303, 307)

Adopted: September 2, 1959.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7520; Filed, Sept. 9, 1959;
8:49 a.m.]

[Docket No. 12054; FCC 59-910]

PART 3—RADIO BROADCAST SERVICES

Table of Assignments; Columbus, Ga.

In the matter of Amendment of § 3.606 Table of assignments, Television Broadcast Stations (Columbus, Georgia); Docket No. 12054.

At a session of the Federal Communications Commission held at its Offices in Washington, D.C., on the 2d day of September 1959.

The Commission having under consideration a Petition for Reconsideration filed August 17, 1959, by WTVY, Inc., licensee of WTVY, Dothan Alabama, requesting reconsideration of the Report and Order (FCC 59-721) released in this proceeding on July 17, 1959; and

It appearing that the Commission will require additional time for review of the matters raised in the foregoing Petition for Reconsideration;

It further appearing that the Report and Order (FCC 59-721, Paragraph 29), specified August 24, 1959, as the effective date for the amendments to § 3.606 of the Commission's rules and regulations; and

It further appearing that the channels ordered to be reassigned must continue to be occupied by stations licensed to operate on them in Columbus, Georgia, and Dothan, Alabama, until disposition is made of matters raised in the foregoing Petition for Reconsideration;

It is ordered on the Commission's own motion, That the effective date of that portion of the Report and Order released in this proceeding on July 17, 1959 (24 F.R. 5834), which amends § 3.606 of the Commission's rules and regulations, is stayed, until further order of the Commission.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7521; Filed, Sept. 9, 1959;
8:49 a.m.]

[Docket No. 12902; FCC 59-924]

PART 19—CITIZENS RADIO SERVICE Licensed Radio Operators

In the matter of amendment of § 19.71 of Part 19, Citizens Radio Service, to specify certain exceptions to the requirements regarding licensed radio operators in connection with Class C and Class D stations in that service, upon certification of the equipment by the manufacturer, Docket No. 12902.

1. On June 10, 1959, the Commission adopted a Notice of Proposed Rule Making in the above entitled matter which was published in the FEDERAL REGISTER of June 18, 1959 (24 F.R. 4969). The time allowed for filing both original and reply comments has now expired.

2. Comments were received from the Citizenship Radio Corporation and the Kaar Engineering Corporation. No reply comments were received. The statement of Citizenship was simply that it had no objections to the proposal. Kaar supports the proposal insofar as it relates to factory-assembled equipment but opposes the exception to the requirement for a licensed operator as it relates to home-assembled kits.

3. The opposition of Kaar appears to be based on a misconception of the restated in the proposed rule and a mistaken idea that the licensee who home-assembles a factory kit is relieved of any responsibility for the proper performance

of the equipment. In order to come within the proposed exception, a kit which is to be further home-assembled must comply with all the conditions listed in paragraph (d) of the amended § 19.71, one of which is that the frequency determining elements of the transmitter, including the crystal and all components of the crystal oscillator circuit, shall have been pre-assembled by the manufacturer, pre-tuned to a specific available frequency, and sealed. Thus the proposed rule would not include the complete un-supervised home-construction and activation of a transmitter but only the addition to this sealed unit of certain components, pre-selected by the manufacturer of the kit, that may reasonably be expected not to result in off-frequency operation, excessive plate input power, over-modulation, excessive harmonics or other spurious emissions. Compliance with § 19.71 (d) does not relieve the licensee of responsibility for the proper performance of the equipment since he may still be cited for violation of the appropriate section of Subpart C of Part 19 if this equipment fails to comply with any of the technical standards contained therein. Compliance with § 19.71(d) simply relieves the licensee of the necessity of determining in advance whether or not certain adjustments of the transmitting equipment may reasonably be expected to result in violation of those technical standards.

4. The Commission is of the opinion that the limited exception to the licensed operator requirements contained in the proposal is in the public interest in that it would facilitate the fullest development and use of Class C and D stations and at the same time contains adequate safeguards to prevent a degradation of the service, particularly with respect to those persons who, for economic or other reasons, wish to use equipment involving some degree of home construction.

5. In view of the foregoing, and pursuant to authority contained in sections 4(c) and 303 of the Communications Act of 1934, as amended, It is ordered, That effective November 15, 1959, Section 19.71 of Part 19, Citizens Radio Service, be amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: September 2, 1959.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

In § 19.71, paragraph (c) is amended and new paragraphs (d) and (e) are added, as follows:

§ 19.71 Operator requirements.

* * * * *

(c) Except as provided in paragraph (d) of this section, all transmitter adjustments or tests while radiating energy during or coincident with the construction, installation, servicing, or maintenance of a radio station in this service, which may affect the proper operation of

such station, shall be made by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radiotelephone or radiotelegraph, as may be appropriate for the type of emission employed, and such person shall be responsible for the proper functioning of the station equipment at the conclusion of such adjustments or tests.

(d) In the case of Class C or Class D stations in this service, no commercial radio operator license is required to be held by the person performing transmitter adjustments or tests during or coincident with the construction, installation, servicing, or maintenance of such stations: *Provided*, That there is compliance with all of the following conditions:

(1) The transmitting equipment shall be crystal-controlled with a crystal capable of maintaining the station frequency within the prescribed tolerance;

(2) The transmitting equipment either shall have been factory-assembled or shall have been provided in kit form by a manufacturer who provided all components together with full and detailed instructions for their assembly by non-factory personnel;

(3) The frequency determining elements of the transmitter, including the crystal(s) and all other components of the crystal oscillator circuit, shall have been pre-assembled by the manufacturer, pre-tuned to a specific available frequency, and sealed by the manufacturer so that replacement of any component or any adjustment which might cause off-frequency operation cannot be made without breaking such seal and thereby

voiding the certification of the manufacturer required by this paragraph;

(4) The transmitting equipment shall have been so designed that none of the transmitter adjustments or tests normally performed during or coincident with the installation, servicing, or maintenance of the station, or during the normal rendition of the service of the station, or during the final assembly of kits or partially pre-assembled units, may reasonably be expected to result in off-frequency operation, excessive plate input power, over-modulation, or excessive harmonics or other spurious emissions; and

(5) The manufacturer of the transmitting equipment or of the kit from which the transmitting equipment is assembled shall have certified in writing to the purchaser of the equipment (and to the Commission upon request) that the equipment has been designed, manufactured and furnished in accordance with the specifications contained in the foregoing subparagraphs of this paragraph:

And provided further, That, notwithstanding the foregoing provisions of this paragraph, whenever the transmitting equipment of a station is found operating contrary to any of the technical regulations contained in Subpart C of this part, all transmitter adjustments or tests while radiating energy during or coincident with the servicing of that equipment for the purpose of restoring compliance with those regulations shall be made by or under the immediate supervision and responsibility of a person holding a first- or second-class commercial radio operator license, either radiotelephone or radiotelegraph, as may be

appropriate for the type of emission employed, and such person shall be responsible for the proper functioning of the station equipment at the conclusion of such adjustments or tests.

(e) The manufacturer's certification concerning design and construction features of Class C or Class D station transmitting equipment, as required if the provisions of paragraph (d) of this section are invoked, may be specific as to a particular unit of transmitting equipment or general as to a group or model of such equipment, and may be in any form adequate to assure the purchaser of the equipment or the Commission that the conditions described in that paragraph have been fulfilled.

[F.R. Doc. 59-7522; Filed, Sept. 9, 1959; 8:50 a.m.]

Title 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 6—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds

Correction

In F.R. Doc. 59-7315, appearing at page 7079 of the issue of Tuesday, September 1, 1959, the "do" listed for South Carolina in the "Ducks and coots" column of § 6.51(c) should read "Nov. 30-Jan. 8."

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 31]

LITTLE PEND OREILLE NATIONAL WILDLIFE REFUGE, WASHINGTON

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i), and under authority delegated by Commissioner's Order 4 (22 F.R. 8126), it is proposed to revise § 31.177 and to revoke §§ 31.178 and 31.179 of Subpart—Little Pend Oreille National Wildlife Refuge, Washington, Chapter I, Title 50, Code of Federal Regulations, to read as set forth in tentative form below. The purpose is to permit the hunting of deer, bear, and grouse on certain lands of the Little Pend Oreille National Wildlife Refuge in accordance with existing State procedures and regulations.

No. 177—2

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed revision and revocations to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: September 3, 1959.

A. V. TUNISON,
Acting Director, Bureau of
Sport Fisheries and Wildlife.

§ 31.177 Deer, bear, and grouse hunting permitted.

Subject to compliance with the provisions of Parts 18 and 21 of this chapter, hunting of deer, bear, and grouse is permitted on the hereinafter described lands of the Little Pend Oreille National Wildlife Refuge subject to the following conditions, restrictions, and requirements:

(a) *State laws*. Strict compliance with all applicable State laws and regulations is required.

(b) *Entry*. A valid State hunting license, if required under State law, will

serve as a Federal permit for hunting on that portion of the refuge opened to hunting.

(c) *Dogs*. Dogs are not permitted on the refuge for use in the hunting of deer, bear, or grouse.

(d) *Hunting period*. The period of hunting will be in compliance with regulations prescribed by the Washington Fish and Game Commission.

(e) *Hunting area*. All of the lands of the Little Pend Oreille National Wildlife Refuge will be opened to the hunting of deer, bear, and grouse.

[F.R. Doc. 59-7504; Filed, Sept. 9, 1959; 8:47 a.m.]

[50 CFR Part 34]

LOXAHATCHEE NATIONAL WILDLIFE REFUGE, FLORIDA

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16

U.S.C. 715i), and under authority delegated by Commissioner's Order 4 (22 F.R. 8126), it is proposed to revise paragraph (b) of § 34.93 of Subpart—Loxahatchee National Wildlife Refuge, Florida, Title 50, Code of Federal Regulations, to read as set forth in tentative form below. The purpose is to eliminate discrepancies and clarify the regulations governing the use of boats on areas of the Loxahatchee National Wildlife Refuge in accordance with existing State procedures and regulations.

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed revision to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: September 3, 1959.

A. V. TUNISON,
Acting Director, Bureau of
Sport Fisheries and Wildlife.

(b) *Limitation.* Inboard and outboard motor boats may not be used during the open season for the hunting of migratory birds or fishing in areas designated by suitable posting by the Refuge Officer in charge as closed to motor boat operation during such open season.

[F.R. Doc. 59-7505; Filed, Sept. 9, 1959;
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 970]

IRISH POTATOES GROWN IN MAINE

Limitation of Shipments

Notice is hereby given that the Secretary of Agriculture is considering the limitation of shipments as hereinafter set forth, which was recommended by the Maine Potato Marketing Committee pursuant to Marketing Agreement No. 122 and Order No. 70 (7 CFR Part 970) regulating the handling of Irish potatoes grown in Maine, issued under the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are received by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., not later than five days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 970.306 Limitation of shipments.

During the period from September 21, 1959, through July 16, 1960, no person such potatoes meet the requirements of paragraph (a) of this section or unless such potatoes are handled in accordance with the provisions of paragraphs (b), (c), (d), (e), (f), or (g) of this section.

(a) *Minimum grade, size, and cleanliness requirements*—(1) *Round varieties.* U.S. No. 1, or better, grade, 2½ inches minimum diameter and 4 inches maximum diameter.

(2) *Long varieties.* U.S. No. 2, or better, grade, size A, 2 inches minimum diameter or 4 ounces minimum weight.

(3) *Cleanliness.* (i) round varieties— at least 90 percent fairly clean. (ii) long varieties—packs of less than fifty pounds, at least generally fairly clean to clean, mostly clean, which means that not less than 55 percent of such potatoes are clean and not more than 10 percent are slightly dirty; packs of fifty pounds or larger may be shipped if at least 90 percent fairly clean.

(b) *Special purpose shipments*—(1) *Modified grade, size, and cleanliness requirements.* In addition to potatoes which meet the requirements of paragraph (a), potatoes may be shipped for the special purposes set forth in this paragraph if such potatoes meet the grade and size requirements specified for the particular purpose and the handler complies with the applicable provisions of paragraph (c) of this section.

(i) *Chipping.* U.S. No. 1, or better, grade (except for damage by shriveling and sprouting), 1½ inches minimum diameter and 4 inches maximum diameter.

(ii) *Processing into potato salad, fish cakes, hash, knishes, or pancakes.* 85 percent U.S. No. 1, or better, quality, 1½ inches minimum diameter and 2½ inches maximum diameter.

(iii) *Export.* U.S. No. 1, or better, grade, 1½ inches minimum diameter.

(2) *Exemptions from grade, size, and cleanliness requirements.* The minimum grade, size, and cleanliness requirements of paragraph (a) of this section shall not apply to shipments of potatoes for the following purposes if the handler complies with the applicable provisions of paragraph (c) of this section.

(i) Seed, prior to June 1, 1960;

(ii) For grading or storing within the production area;

(iii) Dehydration or potato flakes;

(iv) Manufacture or conversion into starch, flour, or alcohol;

(v) Canning or freezing;

(vi) Livestock feed;

(vii) For distribution by the Federal government; and

(viii) Charity.

(c) *Safeguards.* (1) Each handler making shipment of potatoes under the provisions of paragraph (b) of this section for chipping, processing into potato salad, fish cakes, hash, knishes or pancakes, export, dehydration or potato flakes, canning or freezing, livestock feed, or charity shall:

(i) Prior to making shipment, apply for and obtain an approved Certificate of Privilege from the committee pursuant to the provisions of § 970.130;

(ii) Obtain inspection of, and pay assessments on such shipments except shipments for canning or freezing, livestock feed, dehydration, potato flakes, and charity;

(iii) Pay assessments on shipments of seed; and

(iv) Furnish the committee such reports and documents as may be requested, including certification by the buyer or consignee as to the use of such potatoes.

(2) Prior to the issuance of a Certificate of Privilege to ship potatoes for chipping, the applicant shall provide the committee with appropriate evidence that such potatoes have been treated and conditioned (or are in the process of being treated and conditioned) for use for potato chipping and that such potatoes, except for damage resulting from shriveling or sprouting, meet the applicable grade and size requirements set forth in paragraph (b), (1), (i) of this section.

(3) The safeguards set forth in this paragraph shall not apply to shipments of potatoes within the production area of less than 15,000 pounds for canning or freezing, dehydration, potato flakes or livestock feed when such potatoes are shipped in bulk, barrels, or in unsewn 100-pound burlap bags.

(d) *State requirements.* The obtaining of a Certificate of Privilege for shipments to specified outlets as provided for in this section does not relieve the handler of the responsibility of complying with the provisions of the Maine Branding Law (Me. Rev. Stat. Ch. 32, sections 295-301 (1954), as amended (Supp. 1957)).

(e) *Minimum quantities.* Each handler may handle not in excess of thirty (30) hundredweight of potatoes per week free from regulation effective pursuant to § 970.45 (assessments) and § 970.65 (Inspection and Certification); if such potatoes meet the requirements of subparagraph (1) or (2) of paragraph (a) and are 90 percent "fairly clean". This exemption shall not apply to any portion of a shipment of over thirty (30) hundredweight of such potatoes.

(f) *Inspection.* No handler shall ship potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment. Under § 970.65 (c), for administration thereof each inspection certificate shall be valid for only 72 hours following completion of inspection as shown in the certificate.

(g) *Certificates of Exemption.* Each handler making shipments of potatoes under a Certificate of Exemption issued under § 970.122 which are exempted from the grade and size limitations set forth in paragraph (a) of this section shall pack such potatoes in 50-pound, or larger, packs.

(h) *Definitions.* The terms "clean", "fairly clean" and the grades and sizes used in this section shall have the same meaning assigned such terms, grades, and sizes in the United States Standards for Potatoes (§§ 51.1540 to 51.1556 of this title) including the tolerances set forth therein; the term "week" as used in paragraph (e) means a calendar week beginning midnight (12:01 a.m.) Sunday; other terms used in this section shall have the same meaning as when used in

Marketing Agreement No. 122 and Order No. 70.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 3, 1959.

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

[F.R. Doc. 59-7509; Filed, Sept. 9, 1959;
8:47 a.m.]

17 CFR Part 1066 I IRISH POTATOES

Imports

Notice is hereby given that the Secretary of Agriculture is giving consideration to grade, size, quality and maturity regulations and inspection requirements that are to be made applicable to the importation of Irish potatoes into the United States pursuant to the provisions of section 608e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable General Regulations (Part 1060 of this chapter).

The act requires that whenever two or more marketing orders regulating the same commodity produced in different areas of the United States are concurrently in effect, the importation into the United States of any such commodity shall be prohibited unless it complies with the grade, size, quality and maturity provisions of the order which, as determined by the Secretary, regulate the commodity produced in the area with which the imported commodity is in most direct competition. Shipments of Irish potatoes are regulated under two or more of the marketing orders applicable to this commodity during each of the twelve months throughout the calendar year, and the regulations issued thereunder, based upon experience during the past several seasons, follow a reasonably uniform pattern from one season to the next. Therefore, determinations are set forth in the proposed notice on the portions of the marketing year during which imports of potatoes are in most direct competition with regulations issued or to be issued under specific marketing orders and the attached proposal sets forth the basis on which the grade, size, quality and maturity regulations issued under such marketing orders on the domestic commodity shall apply within the period set forth herein of such imports.

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 10 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

Sections 1066.2 through 1066.6 (1066.2-1066.6 of this chapter) shall be terminated and, in lieu thereof, the following general regulations applicable to imports of Irish potatoes pursuant to section 608e of the Agricultural Marketing

Agreement Act, as amended (7 U.S.C. 601-674), shall be effective.

§ 1066.1 Import regulations.

(a) *Findings and determinations with respect to imports of Irish potatoes.* (1) Pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), it is hereby found that:

(i) Grade, size, quality, and maturity regulations have been issued from time to time pursuant to the following marketing orders: No. 38 (Part 938 of this chapter), No. 57 (Part 957 of this chapter), No. 58 (Part 958 of this chapter), No. 59 (Part 959 of this chapter), No. 70 (Part 97 of this chapter), and No. 92 (Part 992 of this chapter);

(ii) During the past several years grade, size, quality and maturity regulations have been in effect pursuant to two or more of such orders during each month of the year;

(iii) The marketing of Irish potatoes can be reasonably distinguished by two seasonal categories, namely, first, fall or winter potatoes usually marketed during the months of October through the following June, with the great bulk of such marketings being out of storage, and, second, potatoes marketed during July through September, with the great bulk of such marketings being made as the potatoes are harvested;

(iv) Concurrent grade, size, quality, and maturity regulations under two or more of the aforesaid marketing orders are expected in the ensuing and future seasons, as in the past.

(2) Therefore it is hereby determined that:

(1) Imports of round type potatoes during the months of October through the following June are in most direct competition with marketing of the same type potatoes produced in the area covered by Order No. 70;

(ii) Imports of long type potatoes during each month and imports of round type potatoes during the months of July through September are in most direct competition with potatoes of the same type produced in the area covered by Order No. 57.

(b) *Grade, size, quality, and maturity requirements.* On and after October 1, 1959, the importation of Irish potatoes, except certified seed potatoes, shall be prohibited unless they comply with the following requirements:

(1) For the period July 1 through September 30 of each marketing year, the grade, size, quality, and maturity requirements of Marketing Order No. 57 applicable to potatoes of the long or round types shall be the respective grade, size, quality and maturity requirements for imported potatoes of the long or round types.

(2) For the period October 1 through June 30 of each marketing year, the grade, size, quality and maturity requirements of Marketing Order No. 57 applicable to long type potatoes and the grade, size, quality and maturity requirements of Marketing Order No. 70 applicable to round type potatoes shall be the respective grade, size, quality and maturity requirements for imported potatoes of the long or round types.

(3) The grade, size, quality and maturity requirements specified in paragraph (b) shall apply to imports of potatoes, unless otherwise ordered, on and after the effective date of the applicable domestic regulation or amendment thereto, specified in paragraph (b), or three days following its publication in the FEDERAL REGISTER, whichever is later.

(c) *Minimum quantities.* Any importation which in the aggregate, does not exceed 500 pounds may be imported without regard to the provisions of this section.

(d) *Plant quarantine.* No provisions of this section shall supersede the restrictions or prohibitions of potatoes under the Plant Quarantine Act of 1912.

(e) *Certified seed.* Certified seed potatoes shall include only those potatoes which are officially certified and tagged as seed potatoes by the Plant Protection Division, Science Service, Canada Department of Agriculture.

(f) *Designation of Governmental inspection service.* Fruit and Vegetable Inspection Service, Fruit and Vegetable Division, Marketing Service, Canada Department of Agriculture, is hereby designated, pursuant to § 1060.4(a) of this chapter, as a governmental inspection service for the purpose of certifying the grade, size, quality and maturity of Irish potatoes that are imported, or to be imported, from Canada into the United States under the provisions of section 8e of the Act.

(g) *Inspection and official inspection certificates.* (1) Inspection by the Federal or Federal-State Inspection Service, by the Fruit and Vegetable Inspection Service, Fruit and Vegetable Division, Marketing Service, Canada Department of Agriculture, or by such other governmental inspection service as may be designated, or approved, by the administrator with appropriate evidence thereof in the form of an official inspection certificate issued by the respective service and applicable to a particular shipment of potatoes, is required on all imports of potatoes, other than certified seed, pursuant to § 1060.3 of this chapter.

(2) Inspection certificates shall cover only the quantity of potatoes that is being imported at a particular port of entry by particular importers.

(3) The inspections performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). Cost of inspection and certification shall be borne by the applicant therefor.

(4) Each inspection certificate issued with respect to any Irish potatoes to be imported into the United States shall set forth, among other things:

- (i) The date and place of inspection;
- (ii) The name of the shipper, or applicant;
- (iii) The name of the importer (consignee);
- (iv) The commodity inspected;
- (v) The quantity of the commodity covered by the Certificate;
- (vi) The principal identifying marks of the containers;

(vii) The railroad car initials and number, the truck and trailer number, the name of the vessel, or other identification of the shipment; and

(viii) The following statement if the facts warrant: Meets U.S. Import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937.

(h) *Definitions.* (1) For purposes of this part potatoes meeting the requirements of Canada No. 1 grade and Canada No. 2 grade shall be deemed to comply with the requirements of the U.S. No. 1 grade and U.S. No. 2 grade, respectively, and the tolerances for size, as set forth in the United States Standards for Potatoes (§§ 51.1540 to 51.1556, inclusive, of this title), may be used.

(2) All other terms shall have the same meaning as when used in the General Regulations (Part 1060 of this chapter) applicable to the importation of listed commodities.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 3, 1959.

S. R. SMITH,
Director,

Fruit and Vegetable Division.

[F.R. Doc. 59-7534; Filed, Sept. 9, 1959;
8:51 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

[44 CFR Part 401]

IMPORTATION INTO THE UNITED STATES OF NONAGRICULTURAL FOREIGN EXCESS PROPERTY

Notice of Proposed Rule Making

Insofar as the Administrative Procedure Act may be applicable herein, notice is hereby given of the proposed amendment of Foreign Excess Property Order No. 1 (Revised), Importation Into the United States of Nonagricultural Foreign Excess Property (24 F. R. 366).

The purpose of the proposed amendments is to accomplish the following changes in Foreign Excess Property Order No. 1 (Revised):

1. To establish that property of lend-lease origin is not regarded as foreign excess property. This change is accomplished by amendments to § 401.2(a) and § 401.4(c)(14) set forth below. Former § 401.4(c)(15) is redesignated as § 401.4(c)(14) by reason of the revocation of § 401.4(c)(14).

2. To provide additional clarification of the respective responsibilities and functions of the Administrator of the Business and Defense Services Administration and of the Foreign Excess Property Officer. This is accomplished by amendment of § 401.3(b) set forth below.

3. To provide for the exemption from requirements of application to and action by the Foreign Excess Property Officer with respect to the importation of foreign excess property in the form of

metal scrap which is exempt from import duty or duties or with respect to which all import duties imposed by or pursuant to the Tariff Act of 1930, as amended, are at the time of such importation suspended by law. These amendments are considered necessary and desirable in the interest of improved and simplified administration of the responsibilities of the Secretary of Commerce as set forth in section 402 of the Federal Property and Administrative Services Act of 1949 as delegated to the Administrator of the Business and Defense Services Administration by Commerce Department Order No. 152 (23 F.R. 7951).

It is proposed to make the amendments herein set forth effective upon the date of their publication in the FEDERAL REGISTER which will be not less than 30 days subsequent to the date of publication of this notice.

It is proposed to publish these amendments in substantially the following form:

§ 401.2 [Amendment]

Section 401.2(a) is amended to read as follows:

(a) "Foreign excess property" means any property (except any agricultural commodity, food, or cotton or woolen goods) located outside the continental United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands, under the control of any Federal agency, which is not required for its needs and the discharge of its responsibilities as determined by the need thereof. It includes any such property after it has been disposed of by such Federal agency, notwithstanding any subsequent change of ownership. The importation of surplus property sold by the Government or any agency thereof in foreign areas before July 1, 1949, is governed by Foreign Liquidation Commissioner's Reg. 8, which delegates to the Secretary of Commerce jurisdiction over some but not all of such property (§ 308.15 of this title). To the extent that such jurisdiction over such property is delegated to the Secretary of Commerce, such property shall be deemed to be foreign excess property, and is governed by the provisions of this part. All persons owning or acquiring property disposed of by the Government in foreign areas before July 1, 1949, are referred to the said Foreign Liquidation Commissioner's Reg. 8, § 308.15 of this title, for the rules applicable to the importation of any such property which is not subject to the jurisdiction of the Secretary of Commerce. Property of land-lease origin is not regarded as foreign excess property, nor is the importation of such property prohibited or otherwise limited by Foreign Liquidation Commissioner's Reg. 8.

§ 401.3 [Amendment]

Section 401.3(b) is amended to read as follows:

(b) Under the general direction and supervision of the Administrator, the FEPO, or, in his absence the Deputy FEPO, is authorized to carry out the functions assigned to him in this part.

§ 401.4 [Revocation and redesignation]

a. Section 401.4(c)(14) is revoked.

b. Section 401.4(c)(15) is redesignated as § 401.4(c)(14).

Section 401.11 is amended to read as follows:

§ 401.11 Metal scrap.

(a) The determination made on August 23, 1950 (15 F.R. 5847, 5849) that no authorization is required for importation of foreign excess property in the form of metal scrap is revoked. Except as provided in paragraphs (b) and (c) of this section, applications for the importation of metal scrap should be made to the FEPO in accordance with the provisions of this part.

(b) No application need be filed with the FEPO for the importation of foreign excess property in the form of metal scrap which is exempt from import duty or duties or with respect to which all import duties imposed by or pursuant to the Tariff Act of 1930, as amended, are, at the time of such importation, suspended by law.

(c) No application need be filed with the FEPO for the importation of foreign excess property in the form of metal scrap delivered to a United States port of entry on or before February 15, 1959.

(d) Every FEP Import Authorization for the importation of metal scrap issued by the FEPO shall require, as a condition precedent to such importation, the importer to furnish an undertaking in a form and an amount to be prescribed by the Treasury Department to insure that none of the property will be diverted from use as metal scrap. Importers of metal scrap pursuant to paragraphs (b) and (c) of this section shall be required to furnish like undertakings.

Interested persons may submit to the Foreign Excess Property Officer, Room 4816, Department of Commerce, Washington 25, D.C., data, views or arguments in writing but not orally relative to the proposed issuance of the amendments herein set forth. All relevant material received within 20 days following the day of publication of this notice will be considered.

Dated: September 3, 1959

BUSINESS AND DEFENSE
SERVICES ADMINISTRATION,
H. HERBERT HUGHES,
Acting Administrator.

[F.R. Doc. 59-7532; Filed, Sept. 9, 1959;
8:51 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 12945]

TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATIONS

Order Extending Time for Filing Reply Comments

In the matter of amendment of § 3.606 *Table of assignments*, Television Broadcast Stations (Montgomery, Selma,

Tuscaloosa and Birmingham, Alabama; Tupelo, Columbus and State College, Miss.); Docket No. 12945.

1. The Commission has before it for consideration a petition filed on September 2, 1959, by Capitol Broadcasting Co., licensee of Station WCOV-TV, Montgomery, Alabama, requesting that the time for filing reply comments in the above-entitled proceeding be extended from September 8, 1959, to September 18, 1959.

2. Petitioner states that numerous comments have been filed in this proceeding; that they are replete with engineering and economic data; and that they propose various television reallocations affecting all of the communities named in the above caption. It urges that the additional time requested is needed for it to properly analyze all the comments and to file adequate reply comments; that the extension would not

prejudice the rights of any party; and that it will permit the filing of better prepared reply comments. Petitioner advises that counsel for Deep South Broadcasting Company and Frank K. Spain have informed it that they join in its request for a ten day extension and that counsel for WTVY, Inc., Edward L. Norton and Thad Holt, the Regents of the University System of Georgia for and on behalf of the University of Georgia, The Washington Post Company and the Association of Maximum Service Telecasters, Inc., American Broadcasting Company and Birmingham Television Corporation, and Birney Imes, Jr., have informed that they will interpose no objection to the granting of the extension.

3. In view of the number of proposals to be considered in this proceeding, the many comments received, and the representations of the petitioner, the Commis-

sion believes that the public interest, convenience and necessity would be served by affording the additional time requested for filing replies.

4. Accordingly, it is ordered, This 3d day of September 1959, that the above-mentioned request of Capitol Broadcasting Co. for additional time to file reply comments is granted, and that the time for filing reply comments in the above-entitled proceeding is extended from September 8, 1959, to September 18, 1959.

Released: September 3, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7523; Filed, Sept. 9, 1959;
8:50 a.m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

ORANJE LIJN (MAATSCHAPPIJ ZEETRANSPORT) N.V. ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U.S.C. 814):

(1) Agreement No. 8067-2, between Oranje Lijn (Maatschappij Zeetransport) N.V., and the carriers comprising the Fjoll Line joint service, modifies approved sailing and pooling arrangement of the parties (Agreement No. 8067, as amended), in the trades between the Great Lakes of the United States and Canada, the St. Lawrence River and Seaway, Newfoundland and the Canadian Maritimes, on the one hand, and the United Kingdom, and ports in the Bordeaux/Hamburg and Scandinavian Ranges, and in the Mediterranean and adjacent seas, on the other hand. The purpose of the modification is to extend the term of Agreement No. 8067, as amended to December 31, 1979, renewable thereafter for additional periods of ten years from said date, unless cancelled by either party. The agreement presently provides that it shall continue for ten years from date of approval (April 18, 1956), renewable for additional periods of ten years, unless cancelled by either party.

(2) Agreement No. 8253-2, between Lamport & Holt Line, Ltd., and Bull Inular Line, Inc., modifies their approved Agreement No. 8253, as amended, covering a through billing arrangement in the trade from Argentina, Brazil, Peru and Uruguay to Puerto Rico, with transhipment at certain designated U.S. Atlantic and Gulf ports. The purpose of the

modification is to delete Peru from the scope of the agreement.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 4, 1959.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7518; Filed, Sept. 9, 1959;
8:49 a.m.]

AMERICAN EXPORT LINES, INC.

Notice of Application

Notice is hereby given that American Export Lines, Inc., seeks permission to provide service between ports in North Carolina, and ports in the Mediterranean on Trade Route No. 13, with combination vessels and freight vessels operating on Trade Route No. 10.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should by the close of business on September 25, 1959, notify the Secretary, Federal Maritime Board in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Federal Maritime Board.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Federal Mari-

time Board determines that petitions to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Federal Maritime Board will take such action as may be deemed appropriate.

Dated: September 8, 1959.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7576; Filed, Sept. 9, 1959;
9:04 a.m.]

Maritime Administration

TRADE ROUTE NO. 13

Notice of Tentative Conclusions and Determinations Regarding Modifi- cation of Essentiality and United States Flag Requirements

Notice is hereby given that on September 8, 1959, the Maritime Administrator, acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, tentatively found and determined that service between ports in North Carolina and ports in the Mediterranean on Trade Route No. 13 by combination vessels and freight vessels operating on Trade Route No. 10, is essential to the promotion, development, expansion and maintenance of the foreign commerce of the United States.

Any person, firm or corporation having an interest in the foregoing who desires to offer comments and views or request a hearing thereon should submit same in writing to the Chief, Office of Government Aid, Maritime Administration, Department of Commerce, Washington 25, D.C., by the close of business on September 25, 1959. In the event a hearing is requested, a statement must be included giving the reasons therefor. Any hear-

ing thereby afforded will be before 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: September 8, 1959.

By order of the Maritime Administrator.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7577; Filed, Sept. 9, 1959;
9:04 a.m.]

Office of the Secretary

RICHMOND LEWIS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

A. Deletions: Steep Rock Mines, Westates Petroleum, Stanwell Oil & Gas, Catalin Corporation.

B. Additions: None.

This statement is made as of August 27, 1959.

RICHMOND LEWIS.

AUGUST 31, 1959.

[F.R. Doc. 59-7487; Filed, Sept. 9, 1959;
8:45 a.m.]

MARGUERITE M. SAUERS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

A. Deletions: None.

B. Additions: None.

This statement is made as of August 29, 1959.

MARGUERITE M. SAUERS.

AUGUST 31, 1959.

[F.R. Doc. 59-7488; Filed, Sept. 9, 1959;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Byproduct Material License No. 41595-2B59]

ADVANCE INDUSTRIAL X-RAY LABORATORIES ET AL.

Notice of Hearing

Notice is hereby given that pursuant to a stipulation as to available dates be-

tween counsel, a hearing will be held at 10:00 a.m. on Wednesday, September 16, 1959 in a courtroom of the United States District Courthouse, 312 North Spring Street, Los Angeles, California respecting the above consolidated dockets for a consideration of the issues presented by the application dated April 15, 1959 for a byproduct material license filed by Advance Industrial X-Ray Laboratories, Inc., as well as for a consideration of the issues presented by the Order of this Commission dated July 15, 1959. In the Matter of Advance Industrial X-Ray Laboratories, a Division of Air-Frame Inspection, Inc., including among other properly presented issues, the following:

1. The effect upon the proceeding of the alleged change of the ownership and management of Respondent, Advance Industrial X-Ray Laboratories;

2. Whether or not a license should be issued to Applicant Advance Industrial X-Ray Laboratories, Inc.;

3. Compliance by above designated Respondent and its personnel, including such personnel as may now be connected with above designated applicant, with the terms of the Temporary Order of the Commission dated June 13, 1958, as modified.

The Order to Show Cause and for hearing previously set for September 10, 1959 respecting the above designated Applicant is superseded by this Notice, but respecting date only, and the herein prescribed hearing will also consider the issues set forth in the previously issued Order to Show Cause.

Issued: August 29, 1959, Germantown, Md.

SAMUEL W. JENSCH,
Presiding Officer.

[F.R. Doc. 59-7484; Filed, Sept. 9, 1959;
8:45 a.m.]

[Docket No. 27-3]

CALIFORNIA SALVAGE CO.

Notice of Proposed Issuance of Byproduct, Source, and Special Nuclear Material License

Please take notice that the Atomic Energy Commission proposes to issue a Byproduct, Source and Special Nuclear Material License to California Salvage Company, 709 North Pacific Avenue, San Pedro, California substantially in the following form, authorizing the disposal of waste byproduct, source and special nuclear material in the Pacific Ocean at a minimum depth of 1,000 fathoms unless within fifteen (15) days after filing of this notice with the Federal Register Division a petition to intervene and a request for a formal hearing is filed with the Commission in the manner prescribed by Title 10, Code of Federal Regulations, Chapter 1, Part 2, Rules of Practice. There is also set forth below a memorandum submitted by the Division of Licensing and Regulation which summarizes the principal factors considered in reviewing the application for a license.

For further details see (1) the application submitted by the California Salvage

Company and amendments thereto and (2) a copy of Appendix A to the proposed license which contains transportation container specifications substantially similar to those contained in Title 49, Code of Federal Regulations, Part 78 and referenced in Condition No. 6 of the proposed license, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of (2) above may be obtained at the Commission's Public Document Room or by request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 2d day of September, 1959.

For the Atomic Energy Commission.

H. I. PRICE,
Director, Licensing and Regulation.

[License No. 4-5479-1 (H61)]

Pursuant to the Atomic Energy Act of 1954, as amended, and 10 CFR Part 30, "Licensing of Byproduct Material", 10 CFR Part 40, "Control of Source Material", and 10 CFR Part 70, "Special Nuclear Material", and in reliance upon the statements and representations contained in the applications dated June 13, 1957 and August 11, 1958, and the amendments thereto dated November 6, 1958, February 13, 1959 and April 23, 1959, hereinafter referred to as "the application", a license is hereby issued to California Salvage Company, 709 North Pacific Avenue, San Pedro, California to receive, possess, package, and dispose of byproduct, source and special nuclear material.

This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to the provisions of 10 CFR Part 20, "Standards for Protection Against Radiation", all other applicable rules, regulations, orders of the Atomic Energy Commission now or hereafter in effect, and to the following conditions:

1. The licensee shall not possess more than 2 curies of byproduct material, 500 pounds of source material and 10 grams of special nuclear material at any one time.

2. Byproduct, source and special nuclear material shall be received, packaged, and disposed of by, or under the direct personal supervision of, Harvey F. Ludwig or Frank Orlando.

3. The licensee shall receive, package, possess and dispose of the byproduct, source and special nuclear material in accordance with the procedures described in the application, except as provided otherwise in this license.

4. A copy of the "Radiological Safety Manual and Operation Instructions", described in the licensee's application dated February 13, 1959, shall be supplied to each employee of the licensee involved in the receipt, packaging and disposal of byproduct, source and special nuclear material.

5. The licensee shall receive only waste materials which have been prepackaged by the licensee's customers in containers in compliance with applicable Interstate Commerce Commission regulations or with Condition 6 of this license. Prepackaged waste containers shall not be opened by the licensee. The licensee shall instruct each customer to package waste material in such a manner as to assure the absence of any significant voids.

6. The transportation of AEC-licensed material to and from the location designated in Condition 7 shall be subject to the applicable regulations of the Interstate Commerce Commission, United States Coast Guard and other agencies of the United

States having appropriate jurisdiction, and where such regulations are not applicable shall be in accordance with the following requirements except as specifically provided by the Atomic Energy Commission:

A. *Outside shipping containers.* (1) The containers shall meet the specifications for sea disposal containers as described in the application or any one of the following specifications described in Appendix A attached hereto:

a. 15A, 15B, 12B, 6A, 6B, 6C, 17C, 17E, 19A, or 19B for the containment of radioactivity in amounts not in excess of 2.7 curies; except polonium 2 curies; or

b. Specification 55 for containment of solid cobalt 60, cesium 137, iridium 192, or gold 198 in amounts not in excess of 300 curies.

(2) There shall be no radioactive contamination on any exterior surface of the container in excess of 500 d/m/100 sq. cm. alpha and 0.1 mrep/hr beta-gamma radiation.

(3) The smallest dimension of the container shall not be less than 4 inches.

(4) The radiation level of any accessible surface of the container shall not exceed 200 mrem/hr.

(5) At one meter from any point on the radioactive source the radiation level shall not exceed 10 mrem/hr.

(6) Containers which contain radioactive material emitting only alpha and/or beta radiation shall contain sufficient shielding to prevent the escape of primary corpuscular radiation to the exterior surface and to reduce the secondary radiation at the surface of the container to at least 10 mrem/24 hours at any time during transportation.

B. *Inside containers.* (1) Solid and gaseous radioactive materials shall be packed in suitable inside containers designed to prevent rupture and leakage under conditions incident to transportation.

(2) Liquid radioactive materials must be packed in sealed glass, earthenware, or other suitable containers. The container must be surrounded on all sides by an absorbent material sufficient to absorb the entire liquid contents and be of such nature that its efficiency will not be impaired by chemical reactions with the contents. Where shielding is required the absorbent material must be placed within the shield. If the inside container meets the Specification 2R in Appendix A the absorbent material is not required.

(3) Materials containing radioisotopes of plutonium, americium, polonium, or curium, or the isotope strontium 90, in quantities in excess of 100 microcuries, must be packed in containers which meet Specification 2R in Appendix A.

C. *Shielding.* Inside containers must be completely surrounded with sufficient shielding to meet the requirements of subparagraphs A(4), A(5), and A(6) of this condition. The shield must be so designed that it will not open or break under normal conditions incident to transportation.

D. *Labeling.* Each outside container label required under § 20.203(f) of 10 CFR Part 20 shall bear the following information:

(1) Total activity in millicuries, or in the case of source and special nuclear material, the total weight;

(2) principal radioisotope;

(3) radiation level at the surface of the container and at one meter from the source; and

(4) the name and address of the licensee.

E. Each vehicle in which licensed material is transported shall be marked or placarded on each side and the rear with the lettering at least 3 inches high as follows: "DANGEROUS—RADIOACTIVE MATERIAL".

F. *Accidents.* In the event of an accident involving any vehicle transporting licensed material, immediate steps shall be taken to prevent radiation exposure of persons and to control contamination.

G. *Exemptions.* Specific approval must be obtained from the Atomic Energy Commission

for modification of, or exemption from, the requirements of the license condition. Requests for such approval should be directed to the Chief, Isotopes Branch, Division of Licensing and Regulation, Atomic Energy Commission, and should contain sufficient information to support such a request.

7. The licensee shall store and package byproduct, source and special nuclear material for sea disposal only at California Salvage Company's Yard, Berth 115, San Pedro, California as described in the licensee's application.

8. The licensee shall dispose of byproduct, source and special nuclear material at a minimum depth of 1,000 fathoms in the Pacific Ocean within 5 miles of:

(1) Parallel of 32°00' north latitude, meridian of 121°30' west longitude, or

(2) Other locations in the Pacific Ocean when approved by the Commission.

9. Packaged radioactive waste containing special nuclear material shall be transported only aboard vessels of American registry.

10. The licensee shall notify the Chief, Isotopes Branch, Division of Licensing and Regulation, Atomic Energy Commission, at least 20 days prior to each disposal, by letter deposited in the United States mail properly stamped and addressed, of the proposed date for disposal, the total number of containers, the total activity of byproduct material in millicuries, the amount of source material in pounds, the amount of special nuclear material in grams, and the most hazardous radioisotope contained in each container.

11. Waste byproduct, source and special nuclear material shall be disposed of at sea within 21 months from the date on which California Salvage Company first takes possession of such material.

12. The licensee shall not receive any byproduct, source or special nuclear material until and unless the facility for packaging and storing such material has been erected and completed in accordance with the application. Upon completion of the facility the licensee shall notify the Chief, Isotopes Branch, Division of Licensing and Regulation, Atomic Energy Commission, of the fact of such completion.

This license shall be effective on the date issued and shall expire on August 31, 1961.

Date of issuance:

For the Atomic Energy Commission.

MEMORANDUM

By applications dated June 13, 1957 and August 11, 1958, and amendments thereto, California Salvage Company, 709 North Pacific Avenue, San Pedro, California requested a license to receive, possess, package and dispose of byproduct, source and special nuclear material wastes in the Pacific Ocean.

Based on the consideration set forth in this memorandum the Atomic Energy Commission has found that:

(a) The applicant's proposed equipment, facilities and procedures are adequate to protect health and minimize danger of life or property;

(b) The applicant is qualified by training and experience to conduct the proposed waste disposal service for byproduct, source and special nuclear material in such a manner as to protect health and minimize danger to life or property;

(c) The issuance of a byproduct, source and special nuclear material license to California Salvage Company will not be inimical to the health and safety of the public.

Experience of personnel. Mr. Harvey F. Ludwig, President of Engineering-Science Incorporated (consultant to California Salvage Company), and Mr. Frank Orlando, Marine Superintendent, will directly supervise the receipt, packaging and disposal operations. Mr. Ludwig has had about 10 years experience in radiation protection and the handling of radioactive materials. This training and

experience included the principles of radiation monitoring and measurement, and the principles and practices of radiation protection. Mr. Orlando has taken a three-month course in radiological monitoring given by the Los Angeles Board of Education which included radiation monitoring and measurement, contamination control, decontamination, shielding and the principles and the practices of radiation protection. Therefore, it appears that the applicant has personnel with sufficient training and experience in the handling of radioactive materials to provide assurance that the waste disposal operation will be conducted in a manner to protect the health and safety of the public and minimize the danger to life and property.

Equipment, facilities and procedures. The waste packaging and storage site is located at San Pedro, California, at Berth 115 on the West Basin, San Pedro Bay. The area is on the waterfront and is chiefly industrial. The proposed site is approximately 50' x 50' and will be enclosed with a six-foot high cyclone fence topped with barbed wire. Within this area there will be a storage vault approximately 400 square feet which will be 4 feet below ground level. Access will be through a door on the roof of the vault. The storage and processing areas will be locked to prevent unauthorized entry.

The waste material will be packaged by the applicant's customers to meet container specifications prescribed by the Interstate Commerce Commission or Condition 6 of the proposed license and will not be opened by the applicant. Adequate radiation safety and emergency procedures have been established covering each phase of the waste disposal program. Written instructions on proper radiation protection precautions and procedures will be given to each employee involved in the waste disposal operation. Necessary equipment for packaging the waste and transporting it to the disposal site is available to the applicant.

Transportation of waste material to and from the applicant's proposed site will be conducted in accordance with the regulations of the Interstate Commerce Commission and the U.S. Coast Guard where such regulations apply. Where these regulations do not apply, transportation will be conducted in accordance with Condition 6 of the proposed license which establishes transportation requirements substantially the same as those of the Interstate Commerce Commission regulations.

The facilities, equipment and operating procedures described by the applicant appear adequate to assure that the disposal operations will be conducted in compliance with the Commission's regulations and the conditions of the proposed license.

Containers and disposal site. The byproduct, source, and special nuclear material wastes will be prepackaged for transportation to the applicant's site by the applicant's customers. The applicant will encase the containers received, without opening, in concrete inside of a 55-gallon drum, previously lined with at least 3 inches of concrete, to obtain a density of at least 10 pounds per gallon to assure sinking in the ocean. Each drum will be labeled to indicate the company's name, the date of packaging, the most hazardous radioisotope, and the level of activity. All drums will be checked for outside contamination and proper weight upon completion of packaging.

Disposal will be in the Pacific Ocean where the minimum depth is 1,000 fathoms at the site specified in Condition 8 of the proposed license. The site is about 165 miles from the coast and is beyond the continental shelf. The licensee will be required to maintain a certified true copy of the ship's log to verify disposal at this site.

At least 20 days prior to each sea disposal operation the Commission will be notified of

the proposed date for disposal, total number of containers, total activity of byproduct material in millicuries, total amount of source material in pounds, and special nuclear material in grams, and the most hazardous radioisotope in each container.

The sea disposal containers and disposal location proposed meet the recommendations of the National Committee on Radiation Protection contained in the National Bureau of Standards Handbook 58, "Radioactive Waste Disposal in the Ocean."

The sea disposal of radioactive wastes where the depth is 1,000 fathoms when packaged in accordance with the requirements of the proposed license is considered a safe method of radioactive waste disposal. These small amounts of radioactive material if released into sea water at the specified location would be diluted and dispersed by the ocean and would not result in concentrations of radioactivity of public health significance.

[F.R. Doc. 59-7485; Filed, Sept. 9, 1959; 8:45 a.m.]

[Docket No. 27-21]

ELECTRO CHEMICAL LABORATORIES CORP.

Notice of Postponement and Setting New Date of Hearing and Pre-hearing Conference.

Notice is hereby given that pursuant to stipulation between counsel as to available dates, the hearing previously set for September 15, 1959, by the Notice of Hearing issued by the Commission in the above designated matter is hereby postponed and in lieu thereof notice is hereby given that the hearing concerning the issues prescribed by the Commission will be held at 10:30 a.m. on October 21, 1959, in the Auditorium of the Headquarters of the Atomic Energy Commission, Germantown, Maryland.

Notice is also hereby given that in accordance with a request of the parties, a pre-hearing conference in this proceeding will be held at 10:30 a.m. on October 14, 1959, in the Press Room of the Auditorium of the Headquarters of the Atomic Energy Commission, Germantown, Maryland.

In view of the change in date for hearing in this proceeding, the date on or before which petitions to intervene may be filed is hereby designated to be September 15, 1959, and the date on or before which Electro Chemical Laboratories Corporation shall file an answer to the Notice of Hearing issued by the Commission is hereby designated to be September 21, 1959.

Issued August 31, 1959, Germantown, Md.

SAMUEL W. JENSCH,
Presiding Officer.

[F.R. Doc. 59-7486; Filed, Sept. 9, 1959; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-12197, G-16404]

MANUFACTURERS LIGHT AND HEAT CO.

Notice of Date of Hearing

SEPTEMBER 3, 1959.

Take notice that pursuant to the authority conferred upon the Federal Power

Commission by sections 4 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure (18 CFR Ch. I) a hearing will be held on September 30, 1959, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved and the issues presented in the Order Suspending Proposed Changes In Rates issued on March 14, 1957 in Docket No. G-12197 and the Order For Hearing, Suspending Proposed Tariff Sheets, Allowing Tariff Sheets to Become Effective Upon filing Of Motion and Undertaking to Assure Refund of Excess Charges, and Consolidating Proceedings issued on September 30, 1958 in Docket Nos. G-12197 and G-16404.

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 September 20, 1959.

Notices of the orders issued herein were published in the FEDERAL REGISTER on March 21, 1957 (22 F.R. 1904) and October 7, 1958 (23 F.R. 7748).

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7492; Filed, Sept. 9, 1959; 8:46 a.m.]

[Docket No. G-19258]

MONSANTO CHEMICAL CO.

Order for Hearing and Suspending Proposed Changes in Rates

SEPTEMBER 1, 1959.

Monsanto Chemical Company (Monsanto) on August 3, 1959, tendered for filing proposed changes in its presently effective rate schedules¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of change, dated June 24, 1959.

Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: Supplement No. 10 to Monsanto's FPC Gas Rate Schedule No. 1. Supplement No. 15 to Monsanto's FPC Gas Rate Schedule No. 2.

Effective date: November 1, 1959 (stated effective date is the effective date proposed by Monsanto).

In support of the proposed periodic rate increases, Monsanto cites the contract provisions and states that the contracts were negotiated at arm's length.

The increased rates and charges so proposed have not been shown to be

¹ Present rate (contained in Supplement No. 8 to Monsanto's FPC Gas Rate Schedule No. 1) previously suspended and is in effect subject to refund in Docket No. G-16807. Also subject to the Commission's orders in Docket Nos. G-13612, G-11368 and G-9681. Present rate (contained in Supplement No. 13 to Monsanto's FPC Gas Rate Schedule No. 2) previously suspended and is in effect subject to refund in Docket No. G-16807. Also subject to the Commission's orders in Docket Nos. G-13612, G-11369 and G-9682.

justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplement No. 10 to Monsanto's FPC Gas Rate Schedule No. 1, and Supplement No. 15 to Monsanto's FPC Gas Rate Schedule No. 2, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 10 to Monsanto's FPC Gas Rate Schedule No. 1, and Supplement No. 15 to Monsanto's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until April 1, 1960, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

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

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7493; Filed, Sept. 9, 1959; 8:46 a.m.]

[Docket No. G-19259]

MONSANTO CHEMICAL CO. ET AL.

Order for Hearing and Suspending Proposed Change in Rates

SEPTEMBER 1, 1959.

Monsanto Chemical Company (Operator), et al. (Monsanto), on August 3, 1959, tendered for filing a proposed change in its presently effective rate schedule¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated June 24, 1959.

Purchaser: Texas Eastern Transmission Corporation.

¹ Present rate previously suspended and is in effect subject to refund in Docket No. G-16808. Also subject to the Commission's order in Docket No. G-14728.

Rate schedule designation: Supplement No. 6 to Monsanto's FPC Gas Rate Schedule No. 20.

Effective date: November 1, 1959 (stated effective date is the effective date proposed by Monsanto).

In support of the proposed periodic rate increase, Monsanto cites the contract provisions and states that the contract was negotiated at arm's length.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 6 to Monsanto's FPC Gas Rate Schedule No. 20 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Monsanto's FPC Gas Rate Schedule No. 20.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until April 1, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7494; Filed, Sept. 9, 1959; 8:46 a.m.]

[Docket No. G-19260]

OKMAR OIL CO.

Order for Hearing and Suspending Proposed Change in Rates

SEPTEMBER 1, 1959.

Okmar Oil Company (Okmar) on August 3, 1959, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Com-

mission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.

Purchaser: Hope Natural Gas Company.

Rate schedule designation: Supplement No. 8 to Okmar's FPC Gas Rate Schedule No. 1.

Effective date: September 3, 1959 (stated effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed favored-nation rate increase, Okmar cites the contract provisions, states that the contract was negotiated at arm's length and provides for just and reasonable prices. Okmar also states that costs have increased and requests that the higher rate be allowed to become effective at the same time as the 25.0¢ per Mcf initial rates of three other producers¹ so that there will be no discrimination.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 8 to Okmar's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 8 to Okmar's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 3, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7495; Filed, Sept. 9, 1959; 8:46 a.m.]

¹Pell Oil & Gas Company, Harry Stevens, et al., and Orma Oil & Gas Company.

[Docket No. G-19261]

VINCENT & WELCH, INC., ET AL.

Order for Hearing and Suspending Proposed Change in Rates

SEPTEMBER 1, 1959.

Vincent & Welch, Inc. (Operator), et al., (Vincent & Welch), on August 3, 1959, tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.

Purchaser: Transcontinental Gas Pipe Line Corporation.

Rate schedule designation: Supplement No. 3 to Vincent & Welch's FPC Gas Rate Schedule No. 2.

Effective date: November 1, 1959 (stated effective date is the effective date proposed by Vincent & Welch).

In support of the proposed periodic rate increase, Vincent & Welch state that the contract provisions were arrived at through arm's-length bargaining and that the proposed rate is just and reasonable and is in line with the going price for gas in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 3 to Vincent & Welch's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 3 to Vincent & Welch's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until April 1, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7496; Filed, Sept. 9, 1959;
8:46 a.m.]

[Docket No. G-19326]

ATLANTIC SEABOARD CORP.

Order for Hearing, Suspending Proposed Revised Tariff Sheets and Allowing Tariff Sheets To Become Effective Upon Filing of Motion and Undertaking To Assure Refund of Excess Charges

SEPTEMBER 2, 1959.

On August 3, 1959, Atlantic Seaboard Corporation (Atlantic) tendered for filing First Revised Sheets Nos. 10, 15, 16E, 16F, 17E and 17F to its FPC Gas Tariff, Seventh Revised Volume No. 1, proposing to change the basis upon which the heating value adjustments in its billings are made. Atlantic requests an effective date of August 1, 1959.

The present Btu adjustment¹ provides for an increase or decrease in total payment proportional to the deviation in heating value from 1000 Btu of the gas delivered during the current month.

The proposed Btu adjustment retains the present Btu adjustment as to the commodity charge, whereas, with respect to the demand charge, the proposed adjustment is proportional to the deviation in heating value from 1000 Btu of the gas delivered during the month in which the billing demand was established.

Atlantic states that the proposed change is necessary:

* * * to prevent Buyers under the subject rate schedules from being unduly penalized in the Monthly Demand Charge because of the delivery by Seller to its customers during the summer months of gas containing a Btu content higher than the Btu content of gas delivered by Seller during the winter months, during which winter months the Billing Demand for each Buyer is established.

The proposed change tendered by Atlantic has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Atlantic's FPC Gas Tariff Seventh Revised Volume No. 1 as proposed to be amended by First Revised Sheets Nos. 10, 15, 16E, 16F, 17E and 17F as tendered for filing on August 3, 1959, and that said proposed revised tariff sheets and the rates contained therein be suspended and the use thereof deferred as hereinafter provided.

(2) It is appropriate in the public interest and in carrying out the provisions

of the Natural Gas Act that Atlantic's proposed tariff sheets be made effective as hereinafter provided and that Atlantic be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4 and 15 of the Natural Gas Act, and the Commission's Regulations under the Natural Gas Act, including rules of practice and procedure (18 CFR Ch. I), a public hearing be held at a time and date to be fixed by notice from the Secretary of this Commission, concerning the lawfulness of the rates, charges, classifications, and services, subject to the jurisdiction of the Commission, contained in Atlantic's FPC Gas Tariff Seventh Revised Volume No. 1 as proposed to be amended by First Revised Sheets Nos. 10, 15, 16E, 16F, 17E and 17F as tendered for filing on August 3, 1959.

(B) Pending such hearing and decision thereon First Revised Sheets Nos. 10, 15, 16E, 16F, 17E and 17F to Atlantic's FPC Gas Tariff, Seventh Revised Volume No. 1 as tendered for filing on August 3, 1959, are each hereby suspended, and their use deferred until September 4, 1959, and until such further time as they are made effective in the manner hereinafter prescribed.

(C) The rates, charges, classifications, and services set forth in the above-designated filings shall be effective as of September 4, 1959: *Provided, however*, That, within 20 days from the date of this order, Atlantic shall file a motion as required by section 4(e) of the Natural Gas Act and concurrently execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Atlantic shall refund at such times and in such amounts to persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates and charges found by the Commission in this proceeding not justified, together with interest thereon at the rate of 6 percent per annum from the date of payment to Atlantic until refunded; shall bear all costs of any such refunding, shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges effective as of September 4, 1959, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, for each billing period and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom as computed under the rates in effect immediately prior to July 14, 1957, until Commission determination of the rates and charges in Docket No. G-12196, and in Docket Nos. G-16817 and G-18422, then under each of those rates, and under the rates and charges allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance

hereof, Atlantic shall concurrently execute and file (original and three (3) copies) with the Secretary of the Commission its motion to make rates effective and its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by a certificate showing service of copies thereof upon all purchasers under the tariff sheets involved, as follows:

Agreement and Undertaking of Atlantic Seaboard Corporation to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order for Hearing, Suspending Proposed Revised Tariff Sheets, and Allowing Revised Tariff Sheets to Become Effective Upon Filing of Motion and Undertaking to Assure Refund of Excess Charges.

In conformity with the requirements of the order issued (Date), in Docket No. G-19326, Atlantic Seaboard Corporation hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this ----- day of -----, 1959.

ATLANTIC SEABOARD CORPORATION,

By -----
Attest:

(Secretary)

Unless Atlantic is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Atlantic shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged, otherwise it shall remain in full force and effect.

(G) Neither the tariff here proposed to be amended nor the revised tariff sheets hereby suspended shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7497; Filed, Sept. 9, 1959;
8:46 a.m.]

[Docket No. G-13681]

W. M. BEVLY AND W. M.
BEVLY, JR.

Notice of Application and Date of Hearing

SEPTEMBER 3, 1959.

Take notice that W. M. Bevly and W. M. Bevly, Jr. (Applicants), independent

¹ Effective as part of rates in effect subject to refund in Docket No. G-12196.

producers of natural gas with their principal place of business in Corpus Christi, Texas, filed, on November 8, 1957, an application in Docket No. G-13681 for a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act, authorizing Applicants to sell natural gas as hereinafter described, subject to the jurisdiction of the Commission, and on June 9, 1959, Applicants filed an amendment to the foregoing requesting permission to abandon the afore-mentioned service pursuant to section 7(b) of the Natural Gas Act, all as more fully set forth in the application and amendment which are on file with the Commission and open to public inspection.

Applicants requested authorization to render service to Trunkline Gas Company (Trunkline) from certain acreage in the Howell Field in Jim Wells County, Texas, pursuant to a gas sales contract dated October 1, 1957, between Applicants, as sellers, and Trunkline, as buyer, on file with the Commission as W. M. Bevely, et al., FPC Gas Rate Schedule No. 3. Applicants were authorized to commence service on a temporary basis pursuant to § 157.28 of the regulations under the Natural Gas Act by airmail letter dated December 6, 1957.

In the amendment filed June 9, 1959, Applicants state that the gas well on said acreage has been plugged and abandoned and all rights to the oil and gas leases have been released.

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 October 13, 1959 at 9:30 a.m., e.d.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 applications: *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 Applicants 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 October 2, 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.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7498; Filed, Sept. 9, 1959; 8:46 a.m.]

[Docket No. G-19262, etc.]

W. B. OSBORN, JR., ET AL.

Order for Hearings and Suspending Proposed Changes in Rates¹

SEPTEMBER 2, 1959.

In the matters of W. B. Osborn, Jr., Executor of the Estate of W. B. Osborn, Sr., Docket No. G-19262; Lee Minton, Docket No. G-19264; Delia Minton, Docket No. G-19265; Winnie Lou Jones, Docket No. G-19266; W. B. Osborn, Jr., Docket No. G-19267; Charlotte Osborn Barrett, Docket No. G-19268; The Altex Corporation, Docket No. G-19271; Jewel Osborn, Docket No. G-19272; Betty Osborn Biedenharn, Docket No. G-19274.

The proposed changes hereinafter designated, which constitute increased rates and charges in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission, have been tendered for filing by the above-named Respondents. In each filing, the purchaser is the Tennessee Gas Transmission Company and the Respondents have proposed November 1, 1959, as the effective date of the changes. Each Notice of Change is dated August 3, 1959, and was tendered for filing on August 5, 1959.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes, and that each of the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, Supplement No. 2 to Altex's FPC Gas Rate Schedule No. 1, and Supplement No. 4 to each of the other aforementioned Respondents' FPC Gas Rate Schedule No. 1, are hereby suspended and the use thereof deferred until April 1, 1960; each of the aforementioned supplements shall remain suspended until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and

¹ This order does not provide for the consolidation for hearing or disposition of the separately docketed matters covered herein, nor should it be so construed.

1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission (Commissioner Hussey dissenting).

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7499; Filed, Sept. 9, 1959; 8:46 a.m.]

[Docket No. G-19263, etc.]

W. B. OSBORN, JR., ET AL.

Order for Hearings and Suspending Proposed Changes in Rates¹

SEPTEMBER 2, 1959.

In the matters of W. B. Osborn, Jr., Executor of the Estate of W. B. Osborn, Sr. (Operator), et al., Docket No. G-19263; Jewel Osborn, Docket No. G-19269; W. B. Osborn, Jr., Docket No. G-19270; Charlotte Osborn Barrett, Docket No. G-19273; Betty Osborn Biedenharn, Docket No. G-19275.

The proposed changes hereinafter designated, which constitute increased rates and charges in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission, have been tendered for filing by the above-named Respondents. In each filing, the purchaser is The Altex Corporation (Altex) and the effective date is November 2, 1959.² Each Notice of Change is dated August 3, 1959, and was tendered for filing on August 5, 1959.

Respondent	Rate schedule No.	Supplement No.
W. B. Osborn, Jr., executor of the estate of W. B. Osborn, Sr. (operator), et al.	11	2
Jewel Osborn	11	2
W. B. Osborn, Jr.	9	2
Charlotte Osborn Barrett	9	2
Betty Osborn Biedenharn	9	2

Respondents' proposed revenue-sharing rate increases are based on the buyer's (Altex) proposed rate increased to Tennessee Gas Transmission Company suspended concurrently herewith in Docket No. G-19271 until April 1, 1960, and thereafter until it is made effective in the manner prescribed by the Natural Gas Act. In support of their proposed increases, Respondents state that it will be necessary to install additional compressor facilities due to the decline of bottom hole pressure and depletion of the wells in question and submit a graph depicting a decline in deliverability and well pressure. The cost data submitted by the Respondents in support of their increases is deemed insufficient for the Commission's staff to make an adequate

¹ This order does not provide for the consolidation for hearing or disposition of the separately docketed matters covered herein, nor should it be so construed.

² The stated effective date is the date following the effective date of the redetermined rate increase filed by the buyer (Altex) and suspended concurrently herewith in Docket No. G-19271.

cost study to determine the justness and reasonableness of the proposed rates.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes, and that each of the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending such hearings and decision thereon, Supplements No. 2 to W. B. Osborn, Jr., Executor of the Estate of W. B. Osborn, Sr. (Operator), et al., and Jewel Osborn's FPC Gas Rate Schedules No. 11, respectively, and Supplements No. 2 to W. B. Osborn, Jr., Charlotte Osborn Barrett and Betty Osborn Biedenbarn's FPC Gas Rate Schedules No. 9, respectively, are each hereby suspended and the use thereof deferred until April 2, 1960, or, if later, until such date as is one day beyond the date the re-determined rate increase of Altex, suspended in Docket No. G-19271, is made effective in the manner prescribed by the Natural Gas Act, and until such further time as the aforementioned Respondents' supplements are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

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

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7500; Filed, Sept. 9, 1959;
8:46 a.m.]

[Docket No. G-18762]

PACIFIC NORTHWEST PIPELINE CORP.

Notice of Application and Date of Hearing

SEPTEMBER 3, 1959.

On June 10, 1959, Pacific Northwest Pipeline Corporation (Applicant) filed

an application in Docket No. G-18762, pursuant to section 7(c) of the Natural Gas Act, seeking authorization to construct and operate a tap and measuring and regulating station on its 26-inch main transmission line in Washington, approximately one quarter of a mile north of the town of Stevenson, Skamania County, Washington. Applicant also seeks authorization to sell and deliver natural gas to Columbia Gas Company (Columbia)¹ at the meter station for distribution in the town of Stevenson and environs.

The peak day and annual gas requirements of the Stevenson area are estimated as follows:

	1st year	2d year	3d year
Peak day.....	184	218	408
Annual.....	49,188	57,878	114,748
Annual revenue @45 cents per Mcf.....	\$22,134	\$26,045	\$51,636

The cost of Pacific's facilities is estimated at \$4,861, which is to be financed from currently available funds.

Applicant proposes to sell and deliver natural gas on a firm basis to Columbia under terms and provisions of Applicant's Rate Schedule DS-1, on file with the Commission.

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 October 8, 1959, at 9:30 a.m., e.d.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 September 28, 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.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7501; Filed, Sept. 9, 1959;
8:46 a.m.]

¹ Formerly Eastern Washington Natural Gas Company.

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12742, etc.; FCC 59M-1120]

GRANITE CITY BROADCASTING CO. ET AL.

Order Continuing Hearing

In re applications of Selbert McRae Wood, Clagett "Woody" Wood, Tycho Heckard Wood and Paul Edgar Johnson, d/b as Granite City Broadcasting Company, Mount Airy, North Carolina, Docket No. 12742, File No. BP-11811; Cumberland Publishing Company (WLSI), Pikeville, Kentucky, Docket No. 12743, File No. BP-11997; S. L. Goodman, Bassett, Virginia, Docket No. 12869, File No. BP-12611; for construction permits for standard broadcast stations.

On the Examiner's own motion: *It is ordered*, This 3d day of September 1959, that the hearing in the above-entitled proceeding, presently scheduled for September 9, 1959, is hereby continued to a date to be set by subsequent order.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7524; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket No. 12824; FCC 59M-1111]

INTER-CITIES BROADCASTING CO.

Order Continuing Hearing

In re application of Theodore A. Kolasa, Henry J. Kolasa, Mitchell A. Kolasa and Alphonse R. Deresz, d/b as Inter-Cities Broadcasting Company, Livonia, Michigan, Docket No. 12824, File No. BP-10991; for construction permit for a new standard broadcast station.

At a pre-hearing conference held on September 2, 1959, it was agreed by all the parties that the following calendar of events should govern future course of hearing:

September 14, 1959 (10:00 a.m.)—Inter-Cities will exchange with the other parties supplemental engineering showing;

September 18, 1959—Informal engineering conference, the time and place to be arranged by the parties;

September 25, 1959—Peoples Broadcasting Corporation (WGAR) will exchange its supplemental engineering showing, if any;

September 28, 1959 (10:00 a.m.)—Hearing. (Cont. from Sept. 8, 1959.)

So ordered.

Released: September 3, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7525; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket Nos. 12833, 12834; FCC 59M-1119]

**GEORGE T. HERNREICH AND
PATTESON BROTHERS****Order Continuing Hearing**

In re applications of George T. Hernreich, Jonesboro, Arkansas, Docket No. 12833, File No. BPCT-2538; Alan G. Patteson, Jr. and Mathew Carter Patteson, d/b as Patteson Brothers, Jonesboro, Arkansas, Docket No. 12834, File No. BPCT-2567; for construction permits for new television broadcast stations (Channel 8).

The Hearing Examiner having under consideration a petition filed on August 28, 1959 by George T. Hernreich, requesting (1) an extension of time from September 9, 1959 to October 15, 1959 within which to exchange direct written cases; (2) a continuance of the date for the commencement of the evidentiary hearing and the introduction into evidence of applicants' written cases from September 16, 1959 to November 3, 1959; and (3) a continuance of the date for presentation of oral testimony, if needed, or if requested, from September 23, 1959 to November 9, 1959;

It appearing that additional time is necessary to prepare for the hearing in the above-entitled proceeding;

It further appearing that counsel for Patteson Brothers and for the Broadcast Bureau have no objection to a grant of the petition for continuance of dates as requested; and good cause has been shown for the grant of the relief requested;

It is ordered, This 3d day of September 1959, that the petition be and it is hereby granted; the date for exchange of direct written cases be and it is hereby continued to October 15, 1959; the date for commencement of the evidentiary hearing and the introduction into evidence of applicants' written cases be and it is hereby continued to November 3, 1959; and the date for presentation of oral testimony, if any is needed or requested, be and it is hereby continued to November 9, 1959.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F.R. Doc. 59-7526; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket Nos. 12876, 12877; FCC 59M-1112]

**AUDIOCASTING OF TEXAS, INC. AND
HORACE K. JACKSON, SR.****Order Continuing Hearing**

In re applications of Audiocasting of Texas, Inc., Waco, Texas, Docket No. 12876, File No. BP-11851; Horace K. Jackson, Sr., Gatesville, Texas, Docket No. 12877, File No. BP-12550; for construction permits for new standard broadcast stations.

The Hearing Examiner has before him a petition filed on August 31, 1959, by Audiocasting of Texas, Inc., to extend the

hearing date in the above-entitled proceedings;

It appearing that an additional week will be required by Audiocasting's engineer to complete the work on the additional engineering information requested by the Broadcast Bureau; and

It further appearing that the other parties to the proceeding have consented to the requested continuance;

It is ordered, This 2d day of September 1959, that the petition referred to above is granted; and the hearing now scheduled for September 11, 1959, is continued to 10:00 a.m., September 18, 1959.

Released: September 3, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F.R. Doc. 59-7527; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket Nos. 12900, 12901; FCC 59M-1114]

**JOHN LAURINO AND THE CAPITAL
BROADCASTING CO. (WNAV)****Order Continuing Hearing**

In re applications of John Laurino, Ashland, Virginia, Docket No. 12900, File No. BP-12112; The Capital Broadcasting Company (WNAX), Annapolis, Maryland, Docket No. 12901, File No. BP-12773; for construction permits for standard broadcast stations.

The Acting Chief Hearing Examiner, on his own motion, having under consideration a request for postponement of hearing in this proceeding filed September 1, 1959 by The Capital Broadcasting Company (WNAV);

It is ordered, This the 3d day of September 1959, that the hearing now scheduled for September 10, 1959 be and the same is hereby continued without date.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F.R. Doc. 59-7528; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket No. 12904; FCC 59M-1110]

WMAX, INC. (WMAX)**Memorandum Opinion and Order
Continuing Hearing**

In re application of WMAX, Inc. (WMAX) Grand Rapids, Michigan, Docket No. 12904, File No. BP-11744; for construction permit for standard broadcast station.

The Acting Chief Hearing Examiner having under consideration a communication from counsel for WMAX, Inc., dated and filed with the Secretary on August 26, 1959, requesting the change of certain dates, to wit: That the date for exchanging exhibits be changed from August 25 to September 8, 1959, and the hearing now set for September 17, 1959, be continued for a period of two weeks.

The communication states that counsel for all parties concur in this request.

Accordingly, it is ordered, This 2d day of September 1959, that the exchange of exhibits in this proceeding will be accomplished on or before September 8, 1959, and the hearing herein now scheduled for September 17, 1959, be, and the same is hereby, rescheduled for October 1, 1959, at 10:00 a.m., in the Commission's Offices in Washington, D.C.

Released: September 3, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F.R. Doc. 59-7529; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket No. 13086, etc.; FCC 59M-1108]

**BEACON BROADCASTING SYSTEM,
INC. ET AL.****Order Scheduling Prehearing
Conference**

In re applications of Beacon Broadcasting System, Inc., Grafton-Cedarburg, Wisconsin, Docket No. 13086, File No. BP-10518; American Broadcasting Stations, Inc. (KWMT), Fort Dodge, Iowa, Docket No. 13087, File No. BP-12201; Suburban Broadcasting Co., Inc., Jackson, Wisconsin, Docket No. 13088, File No. BP-12802; for construction permits.

It is ordered, This 2d day of September 1959, that a prehearing conference, in accordance with § 1.111 of the rules, will be held in the above-entitled matter at 10:00 a.m. on Friday, September 11, 1959, in the offices of the Commission, Washington, D.C.

Released: September 3, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F.R. Doc. 59-7530; Filed, Sept. 9, 1959;
8:50 a.m.]

[Docket No. 13148; FCC 59M-1116]

BLOOM RADIO (WMLM)**Order Scheduling Prehearing
Conference**

In re application of Harry L. Magee, tr/as Bloom Radio (WMLM) Bloomsburg, Pennsylvania, Docket No. 13148, File No. BP-12002; for construction permit.

It is ordered, This 3d day of September 1959, that a prehearing conference, in accordance with § 1.111 of the rules, will be held in the above-entitled matter at 10:00 a.m. on Thursday, September 17, 1959, in the offices of the Commission, Washington, D.C.

Released: September 4, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F.R. Doc. 59-7531; Filed, Sept. 9, 1959;
8:50 a.m.]

TARIFF COMMISSION

[332-37]

STARCH

Notice of Investigation and Date of Hearing

Pursuant to a resolution adopted September 2, 1959, by the Committee on Finance, United States Senate, the United States Tariff Commission has instituted a general investigation under the authority of section 332 of the Tariff Act of 1930 (19 U.S.C. 1332) of the conditions of competition in the United States between starch produced in the United States and in foreign countries.

The Finance Committee resolution directs the Commission to include in its report of the results of the investigation a summary of the facts obtained in the investigation, including a description of the domestic industry, domestic production, foreign production, comparative costs of domestic and foreign production, including labor costs, imports, consumption, channels and methods of distribution, United States exports, United States customs treatment since 1930, and other factors affecting the competition between domestic and imported starch.

Hearings. Public hearings, at which all interested parties will be given opportunity to appear and to be heard, will be held in connection with the investigation in the Hearing Room of the Tariff Commission, 8th and E Streets NW., Washington, D.C., beginning at 10 a.m., e.s.t., on January 26, 1960.

Requests to appear. Interested parties desiring to appear and to be heard at the hearings should notify the Secretary of the Tariff Commission, in writing, at its offices in Washington, D.C., at least five days in advance of the opening of the hearings.

Issued: September 4, 1959.

DONN N. BENT,
Secretary.

[F.R. Doc. 59-7511; Filed, Sept. 9, 1959; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS

SEPTEMBER 4, 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. 35657: *Cement between points in southern territory and border points.* Filed by O. W. South, Jr., Agent (SFA No. A3835), for interested rail carriers. Rates on cement and related articles, carloads between points in southern territory, also from Hagerstown (Security), Md., Alpha, Marquette, Prospect Hill, St. Louis, Mo., and E. St. Louis, Ill., to points in southern territory.

Grounds for relief: Short-line distance formula, grouping relief line arbitraries, and motor truck competition.

Tariff: Southern Freight Association, Agent, tariff I.C.C. S-61.

FSA No. 35658: *Liquified chlorine gas—Saltville, Va., to Tennessee.* Filed by O. W. South, Jr., Agent (SFA No. A3836), for interested rail carriers. Rates on liquified chlorine gas, tank-car loads from Saltville, Va., to Boyce, Calhoun, Chattanooga, and North Chattanooga, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 115 to Southern Freight Association, Agent, tariff I.C.C. 1538.

FSA No. 35659: *Window glass—Southwestern points to Florida.* Filed by Southwestern Freight Bureau, Agent (No. B-7629), for interested rail carriers. Rates on window glass (other than plate), carloads from Ft. Smith, Ark., Henryetta, Okmulgee, Okla., and Shreveport, La., to specified points in Florida.

Grounds for relief: Market competition with foreign producers.

Tariff: Supplement No. 55 to Southwestern Freight Bureau tariff I.C.C. 4100.

FSA No. 35660: *Bituminous fine coal to Oak Creek Power Plant, Wis.* Filed by Illinois Freight Association, Agent (No. 74), for interested rail carriers. Rates on bituminous fine coal, carloads from mines in Illinois, Indiana, and western Kentucky to Oak Creek Power Plant, Wis.

Grounds for relief: Rail, lake-vessel competition.

Tariffs: Supplement 31 to Illinois Freight Association, Agent, tariff I.C.C. 898 and other schedules.

FSA No. 35661: *Caustic soda—Wichita, Kans., to western points.* Filed by Western Trunk Line Committee, Agent, (A-2081), for interested rail carriers. Rates on sodium (soda), caustic (sodium hydroxide) liquid, tank-car loads, from Wichita, Kans., to points in Michigan, Minnesota and Wisconsin.

Grounds for relief: Short-line distance formula and market competition.

Tariff: Supplement 215 to Western Trunk Line Committee, Agent, tariff I.C.C. A-3991.

FSA No. 35662: *Petroleum and its products from the southwest to the south.* Filed by Southwestern Freight Bureau, Agent (B-7623), for interested rail carriers. Rates on petroleum, petroleum products, and related articles, carloads from specified points in Kansas, Louisiana, Missouri, Oklahoma, and Texas to points in southern territory.

Grounds for relief: Maintenance of rates revised to restore origin relationships disrupted on account of inclusion of different Ex Parte increases.

Tariffs: Supplement 92 to Southwestern Freight Bureau, Agent, tariff I.C.C. 4172. Southwestern Freight Bureau, Agent, tariff I.C.C. 4330.

FSA No. 35663: *Cement and related articles—East to south.* Filed by O. E. Schultz, Agent (ER No. 2507), for interested rail carriers. Rates on cement and related articles, carloads from points in trunkline territory to points in southern and border territories.

Grounds for relief: Short-line distance formula, short-line arbitraries, grouping and market competition.

Tariffs: Supplement 41 to Baltimore and Ohio Railroad Company's tariff I.C.C. 24338 and other schedules.

FSA No. 35664: *Lowe's Transportation Company—Joint rates.* Filed by O. W. South, Jr., Agent (SFA No. A3837), for interested carriers. Rates on all commodities moving on class and commodity rates as described in the application between Carthage, N.C., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief: Abandonment of railroad service from and to Carthage and establishment of joint service by Lowe with rail and water carriers.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-7513; Filed, Sept. 9, 1959; 8:48 a.m.]

[Notice 30]

APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OR PERMIT

SEPTEMBER 4, 1959.

The following applications and certain other procedural matters relating thereto are filed under the "grandfather" clause of section 7(c) of the Transportation Act of 1958. These matters are governed by special rule § 1.243 published in the FEDERAL REGISTER issue of January 8, 1959, page 205, which provides, among other things, that this publication constitutes the only notice to interested persons of filing that will be given; that appropriate protests to an application (consisting of an original and six copies each) must be filed with the Commission at Washington, D.C., within 30 days from the date of this publication in the FEDERAL REGISTER; that failure to so file seasonably will be construed as a waiver of opposition and participation in such proceeding, regardless of whether or not an oral hearing is held in the matter; and that a copy of the protest also shall be served upon applicant's representative (or applicant, if no practitioner representing him is named in the notice of filing).

These notices reflect the operations described in the applications as filed on or before the statutory date of December 10, 1958.

No. MC 117967 (Sub No. 1), (REPUBLICATION), filed December 4, 1958, published issue of FEDERAL REGISTER of March 18, 1959, at page 2007. Applicant: AIR LINE TRUCKING SERVICE, INC., 275 Spring Street SW., Atlanta, Ga. Applicant's attorney: Paul M. Daniell, 214 Grant Building, Atlanta 3, Ga. Grandfather authority sought under section 7 of the Transportation Act of 1958, to continue to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, and frozen vegetables*, in mixed and in straight loads with certain exempt commodities, (1) between points in Geor-

gia, Alabama, North Carolina, South Carolina, Tennessee, Virginia, Mississippi, Florida, and Louisiana, on the one hand, and, on the other, points in Georgia, Alabama, North Carolina, South Carolina, Tennessee, Virginia, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Wisconsin, Illinois, St. Louis, Mo., Kentucky, Indiana, Michigan, Ohio, District of Columbia, Connecticut, Delaware, Maryland, Pennsylvania, New Jersey, New York and Massachusetts. (2) from points in New York, New Jersey, and Boston, Mass., to points in Ohio, Michigan, and Illinois. *Bananas*, from New Orleans, La., Mobile, Ala., and points in Florida to points in Alabama, Georgia, South Carolina and Tennessee.

NOTE: The purpose of this republication is to reflect service involving the State of Florida substantiated by the representative list of shipments, which was inadvertently omitted from the application.

HEARING: Remains as assigned October 5, 1959, 680 West Peachtree St. NW., Atlanta, Ga., before Examiner Robert A. Joyner.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-7514; Filed, Sept. 9, 1959;
8:48 a.m.]

[Notice 186]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 4, 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 62336. By order of August 31, 1959, the Transfer Board approved the transfer to Warren C. Kreitz and Robert E. Kreitz, a Partnership, doing business as Morris Kreitz and Sons, Reading, Pennsylvania, of the operating rights in Certificate No. MC 115703, issued February 20, 1956, to Lamon L. Kreitz, Margaret M. Kreitz, Administratrix, Warren C. Kreitz, and Robert E. Kreitz, a Partnership, doing business as Morris Kreitz & Sons, Reading, Pennsylvania, authorizing the transportation, over irregular routes, of such commodities as contractors' equipment, heavy and bulky articles, machinery and machine parts, and articles requiring specialized handling or rigging, between points in Berks County, Pa., on the one hand, and, on the other, points in New

York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, Ohio, Virginia, West Virginia, and the District of Columbia, and general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Reading, Pa., and points within ten miles thereof. Paul H. Edelman, 614 Washington Street, Reading, Pa., for applicants.

No. MC-FC 62353. By order of August 31, 1959, the Transfer Board approved the transfer to Mainline Transportation System, A Corporation, Whittier, Calif., of Certificate in No. MC 59313, issued April 28, 1941, to Higgins Trucks, Inc., Los Angeles, Calif., authorizing the transportation of: *Canned goods, lubricating oil, battery testers, and general commodities* with the usual exceptions including household goods and commodities in bulk, between specified points in California. Wade and Wade, 729 Citizens Nat'l Bank Bldg., 453 S. Spring St., Los Angeles 13, Calif., for applicants.

No. MC-FC 62359. By order of August 31, 1959, the Transfer Board approved the transfer to Martin A. Crowley, doing business as Martin A. Crowley Trucking, Franklin, N.H., of Certificates Nos. 95979 and MC 95979 Sub 1, issued December 19, 1940, and May 16, 1944, respectively, to Earl H. Dallmeyer, doing business as E. H. Dallmeyer, Pittsfield, Mass., authorizing the transportation of: Household goods, between Pittsfield, Mass., and points within 35 miles of Pittsfield, on the one hand, and, on the other, points in Connecticut, Rhode Island, Vermont, New York, New Jersey, and Pennsylvania, fresh fruits and vegetables, between points in Connecticut, New York, New Jersey, and Rhode Island, within 150 miles of Pittsfield, Mass.; lumber and logs, from Hancock, Mass., to Albany, N.Y., Wallingford, Vt., and points in Rensselaer County, N.Y.; and machinery, between Pittsfield, Mass., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. Arthur A. Marshall, 145 State Street, Springfield 3, Mass., for applicants.

No. MC-FC 62363. By order of August 31, 1959, the Transfer Board approved the transfer to Eleveld Chicago Furniture Service, Inc., Chicago, Ill., of Certificate in No. MC 3619, issued April 10, 1953, to Bouma Cartage Company, A Corporation, Grand Rapids, Mich., authorizing the transportation of: *New furniture*, from Grand Rapids, Mich., to points in Illinois, Indiana, and Ohio. Eugene L. Cohn, One North La Salle St., Chicago 2, Ill., for applicants.

No. MC-FC 62366. By order of August 31, 1959, the Transfer Board approved the transfer to Sperry Transportation Company, Charles City, Iowa, of Permit No. MC 60465, issued May 28, 1957, to Dick D. Sperry, Charles City, Iowa, and of Certificate No. MC 106053 Sub 7, issued April 21, 1950, to W. R. Cordle, doing business as Cordle Cartage Company, and acquired by Dick D. Sperry pursuant to MC-F 6937. The Permit authorizes the transportation of: Tractors and tractor parts, between Charles City, Iowa, on the one hand, and, on the

other, points in a specified portion of Illinois. The Certificate authorizes the transportation of: Household goods, between Nashua, Iowa, and points within 20 miles thereof, on the one hand, and, on the other, points in Illinois, Wisconsin, and Minnesota. Erwin Larson, Ellis Block, Charles City, Iowa, for applicants.

No. MC-FC 62368. By order of August 31, 1959, the Transfer Board approved the transfer to Robertson's Express, Inc., White Plains, N.Y., of Certificate in No. MC 86320, issued October 13, 1958, to Samuel Irving Lightbody, doing business as Chatsworth Moving and Storage Co., Mamaroneck, N.Y., authorizing the transportation of: *Uncrated household goods and uncrated store and office furniture or fixtures*, between New York, N.Y., and points in Westchester County, N.Y., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. David Brodsky, 1776 Broadway, New York 19, N.Y., for applicants.

No. MC-FC 62380. By order of August 31, 1959, The Transfer Board approved the transfer to Frederick A. Zank, doing business as North Central Bus Lines, 316 Eau Claire Street, Eau Claire, Wis., of Certificate No. MC 81592 Sub 2, issued June 2, 1959, to Henry C. Wenzel, doing business as North Central Bus Lines, 419 Eau Claire Street, Eau Claire, Wis., authorizing the transportation of: Passengers and their baggage, and express and newspapers in the same vehicle with passengers, between Prentice, Wis., and Park Falls, Wis., serving intermediate points on designated highways, restricted against the transportation of passengers between Park Falls and Fifield, Wis., unless destined to or originating at points beyond Fifield; and between Eau Claire, Wis., and Ladysmith, Wis., serving intermediate points on designated highways.

No. MC-FC 62399. By order of September 1, 1959, The Transfer Board approved the transfer to Alexander Moving and Storage of Alliance, Ohio, Inc., of Certificate in No. MC 17233, issued December 13, 1956, to Clyde B. Alexander, doing business as Alexander's Moving and Storage, Alliance, Ohio, authorizing the transportation of: Household goods between Alliance, Ohio, on the one hand, and, on the other, points in Michigan, Pennsylvania, and West Virginia. Nicholas G. Caplea, Attorney, 524 Renkert Bldg., Canton, Ohio.

No. MC-FC 62464. By order of August 31, 1959, The Transfer Board approved the transfer to Ray Carter, Inc., Nashville, Tenn., of Certificate No. MC 96176, issued July 3, 1941, to Paul Clancy, doing business as Clancy Heavy Hauling, Memphis, Tenn., authorizing the transportation of: Heavy machinery, contractors' equipment, and parts and accessories, in special equipment, in quantities of not less than 10,000 pounds, between points in Tennessee, Louisiana, Arkansas, Mississippi, Kentucky, and Alabama. James W. Wrape, 2111 Sterick Bldg., Memphis 3, Tenn., for applicants.

No. MC-FC 62467. By order of August 31, 1959, The Transfer Board approved the transfer to William Hawthorne and Mary H. Wiegand, a partnership, doing

business as Hawthorne & Co., Philadelphia, Pennsylvania, of Certificate in No. MC 26871, issued June 19, 1941, to Harvey Braddock, doing business as Braddock Brothers, Wilmington, Delaware, authorizing the transportation of: Machinery, material, and supplies used in the construction, repair and maintenance of telephone and telegraph systems, from Wilmington, Del., to points in Pa., and Md., within 35 miles of Wilmington, and heavy machinery between Wilmington, Del., and points in Del., Pa., and Md., within 35 miles of Wilmington. Jacob Polin, 314 Old Lancaster Road, Merion, Pa.

No. MC-FC 62479. By order of August 31, 1959, The Transfer Board approved the transfer to Mid Columbia Motor Freight, Inc., Portland, Oregon, of Certificate No. MC 113212 issued May 7, 1954, to C. C. Horger, doing business as Oregon Freight Lines, Portland, Oregon, authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and various specified commodities, between Portland, Ore., and Washougal, Wash., serving the intermediate point of Vancouver, Wash., and intermediate and off-route points within ten miles of Washougal; fruit, over irregular routes, from points in Hood River County, Ore., and those in Wasco County, Ore., on and west of Oregon Highway 23, to Vancouver, Wash.; paper products, from Camas, Wash., to points in Hood River County, Ore., and those in Wasco County, Ore., located on and west of Oregon Highway 23; box shooks, from Vancouver and Bingen, Wash., to points in Hood River County, Ore., and those in Wasco County, Ore., on and west of Oregon Highway 23; general commodities, excluding commodities in bulk, other commodities, but including household goods, between points in Hood River County, Ore., on the one hand, and, on the other, points in Klickitat County, Wash.; fruit, from points in Hood River County, Ore., and those in Klickitat County, Wash., to Portland, Ore.; agricultural commodities, from points in Wasco, Sherman, Gilliam, Hood River, and Jefferson Counties, Ore., to Portland, Ore.; petroleum products, in containers, fuel, merchandise, farm machinery, salt, bags, and twine, from Portland, Ore., to points in Wasco, Sherman, Gilliam, Hood River and Jefferson Counties, Ore.; fresh fruits and vegetables, fruit-spraying compounds, machinery and machines used in fruit-packing plants, fruit-packing house and cannery waste and by-products, empty containers, box shooks and box tops between points in Wasco and Hood River Counties, Ore., on the one hand, and, on the other, points in Yakima County, Wash. C. C. Horger, 1419 N. W. Overton St., Portland 9, Oregon, for applicants.

No. MC-FC 62496. By order of August 31, 1959, The Transfer Board approved the transfer to Beverage Transportation Inc., Cleveland, Ohio, of Permits in Nos. MC 109513, MC 109513 Sub 4, MC 109513 Sub 5, and MC 109513 Sub 8, issued October 10, 1952, February 4, 1957, February 25, 1959, and July 14, 1959, respectively, to Charles B. Retzer,

doing business as Beverage Transportation Company, Cleveland, Ohio, authorizing the transportation of specified commodities, from, to, and between specified points in Ohio, Illinois, Indiana, New Jersey, New York, Pennsylvania, Wisconsin, Missouri, and Massachusetts. Transferee was also substituted in lieu of transferor as applicant in No. MC 109513 Sub 6. G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio.

No. MC-FC 62509. By order of August 31, 1959, The Transfer Board approved the transfer to Scherr Motor Freight, Inc., Philadelphia, Pennsylvania, of a Certificate in No. MC 44142, issued October 30, 1957, to Irene Scherr, doing business as Scherr Motor Freight, Philadelphia, Pennsylvania, authorizing the transportation of specified commodities, from, to, and between, specified points in Pennsylvania, Delaware, New Jersey, New Hampshire, Vermont, Rhode Island, Connecticut, New York, Maryland, Florida, Georgia, Virginia, Massachusetts, Ohio, Tennessee, Indiana, North Carolina, South Carolina, Michigan, and the District of Columbia, and household goods, as defined by the Commission, between Philadelphia, Pa., on the one hand, and, on the other, points in New Jersey. Raymond A. Thistle, Jr., Shertz, Barnes & Shertz, 811-819 Lewis Tower Bldg., 225 S. 15th St., Philadelphia 2, Pennsylvania.

[SEAL]

HAROLD D. McCoy,
Secretary.[F.R. Doc. 59-7516; Filed, Sept. 9, 1959;
8:48 a.m.]

[Notice 286]

MOTOR CARRIER APPLICATIONS

SEPTEMBER 4, 1959.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., U.S.s.t. (or 9:30 o'clock a.m., local d.s.t.), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE**MOTOR CARRIERS OF PROPERTY**

No. MC 807 (Sub No. 160), filed August 26, 1959. Applicant: ANCHOR MOTOR FREIGHT, INC., OF DELAWARE, 11700 Shaker Boulevard, Cleveland 20, Ohio. Applicant's attorney: Ewald E. Kundtz, 1050 Union Commerce Building, Cleveland 14, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automotive vehicles, chassis, bodies, cabs and trailers*, new, used, finished, unfinished or wrecked, *automobile parts, tools and accessories* moving in connection with the above-specified commodities, chassis, bodies, cabs and trailers, and *show equipment or paraphernalia*, restricted to initial movements, in drive-away or truckaway service, from the

plant site or sites of Chevrolet Motor Division of General Motors Corporation located in Baltimore, Md., to points in Florida and Georgia; and (2) *Automotive vehicles, chassis, bodies, cabs and trailers*, new, used, finished, unfinished or wrecked, *automobile parts, tools and accessories* moving in connection with the above-specified commodities, chassis, bodies, cabs and trailers, and *show equipment or paraphernalia*, restricted to secondary movements, in driveaway and truckaway service, between all points described above. Applicant is authorized to conduct operations in New York, Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia, Ohio, Indiana, Kentucky, New Jersey, North Carolina, Tennessee, South Carolina, Illinois, Michigan, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

HEARING: October 15, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 873 (Sub No. 34), filed July 31, 1959. Applicant: SOONER FREIGHT LINES, a Corporation, 3000 West Reno, P.O. Box 2488, Exchange Branch, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *All liquid or dry commodities*, in collapsible tanks or bins marketed by the U.S. Rubber Company under the trade names of "Sealdtank" or "Sealdbin" or the equivalent thereof, between all points applicant is presently authorized to serve in the transportation of General commodities, as authorized in Certificate No. MC 873 and sub numbers thereunder. Applicant is authorized to conduct operations in Colorado, Kansas, Oklahoma, and Texas.

NOTE: Applicant states that it seeks authority by the instant application, if it does not already have, authority to transport both liquid and dry commodities throughout its entire scope of operations when such transportation takes place in "Sealdtanks" or "Sealdbins" or other collapsible containers of the same or similar nature and design.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 906 (Sub No. 43), filed August 27, 1959. Applicant: CONSOLIDATED FORWARDING CO., INC., 1300 North Tenth Street, St. Louis, Mo. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General Commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, gravel, coal, and lumber and those requiring special equipment, serving the site of the Line Material Industries plant near Sherman, Tex., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois, Indiana, Kansas, Kentucky, Missouri, Ohio, Oklahoma, Texas, and Wisconsin.

NOTE: Applicant is under common control with Triangle Express & Transfer Company (Certificate No. MC 910 and Permit No. MC

911); therefore common control may be involved.

HEARING: October 22, 1959, at the Baker Hotel, Dallas, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner James C. Cheseldine.

No. MC 1313 (Sub No. 8), filed September 2, 1959. Applicant: RIDGELY TRANSPORT, doing business as PIONEER-RIDGELY FREIGHT LINES, a Corporation, 1509 Bent Avenue, Cheyenne, Wyo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk and those requiring special equipment, serving intercontinental ballistics missile launching sites located in Wyoming within 70 miles of Cheyenne, Wyo., as off-route points in connection with applicant's authorized regular route operations to and from Cheyenne, Wyo. Applicant is authorized to conduct operations in Colorado, Wyoming and Nebraska.

Note: Applicant states it is authorized to transport the involved commodities serving intercontinental ballistics missile launching sites located in Wyoming within 25 miles of Cheyenne; and that, because a considerable number of new missile sites are scheduled for construction which are beyond the 25-mile radius authorized it files the instant application to enlarge said area to serve such additional sites.

HEARING: September 29, 1959, at the New Customs House, Denver, Colo., before Joint Board No. 197.

No. MC 2894 (Sub No. 17), filed June 1, 1959. Applicant: RED STAR TRANSIT COMPANY, INC., 7950 Dix Avenue, Detroit, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid commodities*, and *dry commodities*, in containers, including but not limited to *Sealdtanks* and *Sealdbins* when transported in standard vehicles, over the regular routes and in the territory, including all intermediate and off-route points authorized to be served by applicant in Certificate No. MC 2894 and Sub Numbers thereunder covering the transportation of general commodities, with certain exceptions, in Michigan, Ohio, Indiana, Illinois and Pennsylvania. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Ohio, Pennsylvania and West Virginia.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 2962 (Sub No. 23), filed June 17, 1959. Applicant: A. & H. TRUCK LINE, INC., 1277 Maxwell Avenue, Evansville, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*; in con-

tainers, including, but not limited to, *Sealdtanks* and *Sealdbins*, when transported in standard vehicles over the regular routes and in the territory, including all off-route and intermediate points, authorized to be served by applicant by virtue of Certificates in No. MC 2962 and Sub Numbers thereunder, authorizing the transportation of general commodities, with certain exceptions, in Arkansas, Illinois, Indiana, Kentucky, Missouri, Ohio, and Tennessee. Applicant is authorized to conduct operations over regular routes in the above-specified States, and over irregular routes in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 3062 (Sub No. 15), filed June 29, 1959. Applicant: L. A. TUCKER LINES, INCORPORATED, 1451 Independence Avenue, Cape Girardeau, Mo. Applicant's attorney: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as *Sealdtanks* or *Sealdbins*, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points authorized to be served by applicant by virtue of Certificate No. MC 3062 and subs thereunder, covering the transportation of general commodities, with certain exceptions in Illinois, Missouri, Indiana, Kentucky, Arkansas, Iowa and Tennessee.

Note: Applicant has filed a Motion to Dismiss its application on the grounds that it is presently authorized to transport lading tendered to it in containers, regardless of size of the containers.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 3341 (Sub No. 20), filed July 1, 1959. Applicant: LAKE MOTOR FREIGHT LINES, INC., 2222 West Sample Street, South Bend, Ind. Applicant's attorney: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to *Sealdtank*, *Sealdbin*, and *Nest-a-Bin* containers, in or upon ordinary vehicles, over the routes and in the territories including all termini and all off-route and all intermediate points authorized to be served by applicant by virtue of Certificate No. MC 3341 and Subs thereunder. Applicant is author-

ized to conduct operations in Illinois, Indiana, Michigan, and Ohio.

Note: Any duplication with present authority to be eliminated. Common control and dual operations under section 210 may be involved.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 3419 (Sub No. 8), filed July 30, 1959. Applicant: THE CLEVELAND, COLUMBUS & CINCINNATI HIGHWAY, INC., 215 Euclid Avenue, Cleveland 14, Ohio. Applicant's attorney: John S. Fessenden, 618 Perpetual Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, from, to and between all points applicant is authorized to transport general commodities, including all intermediate and off-route points, as authorized in Certificate No. MC 3419 and sub numbers thereunder. Applicant is authorized to conduct operations in Ohio, Indiana, Michigan and West Virginia.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 3420 (Sub No. 5), filed July 30, 1959. Applicant: MOTOR EXPRESS, INC., an Ohio Corporation, 410 Lincoln Building, Cleveland 14, Ohio. Applicant's attorney: John S. Fessenden, 618 Perpetual Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, from, to and between all points applicant is authorized to serve in the transportation of general commodities, including all intermediate and off-route points, as authorized in Certificate No. MC 3420 and sub numbers thereunder. Applicant is authorized to conduct operations in Ohio, Pennsylvania, New York and West Virginia.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 10761 (Sub No. 84), filed June 18, 1959. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid commodities* and *dry commodities*, in containers, including, but not limited to, *Sealdtanks* and *Sealdbins*, in standard motor vehicles, over the routes and in the territory, including all off-route and intermediate points authorized to be served by applicant under Certificate No. MC 10761 and sub numbers thereunder and authority granted in MC-F

5501, MC-F 6136, MC-F 6185 and MC-F 6491, to which as yet no sub numbers have been assigned, covering the transportation of general commodities, with certain exceptions, in Arkansas, Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Virginia, West Virginia, Wisconsin and the District of Columbia.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 10875 (Sub No. 10), filed August 6, 1959. Applicant: BRANCH MOTOR EXPRESS COMPANY, a Corporation, 300 Maspeth Avenue, Brooklyn 11, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* as presently authorized but including *liquid and dry commodities* in containers such as, but not limited to, sealed tank, sealed bin, nest-a-bin, or tote bin type, in or on ordinary vehicles, between all points over the regular and irregular routes presently authorized in Certificate No. MC 10875 and sub numbers thereunder, in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 10928 (Sub No. 37), filed July 27, 1959. Applicant: SOUTHERN-PLAZA EXPRESS, INC., 2001 Irving Boulevard, P.O. Box 10572, Dallas, Tex. Applicant's attorney: Hugh T. Matthews, 305 Empire Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities* in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins", or the equivalent thereof, over all routes and between all points applicant is presently authorized to transport general commodities, with certain exceptions, as authorized in Certificate No. MC 10928 and sub numbers thereunder. Applicant is authorized to conduct operations in Missouri, Illinois, Tennessee, Texas, Arkansas, Oklahoma, and Kansas.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 17398 (Sub No. 3), filed May 28, 1959. Applicant: THE H. T. SMITH EXPRESS COMPANY, P.O. Box 1000, Staunton, Va. Applicant's attorney: Francis W. McInerny, Commonwealth Building, 1625 E Street NW, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, over the regular and irregular routes between all points in Connecticut, Massachusetts, New Jersey and New York applicant is presently author-

ized to engage in the transportation of general commodities in Certificate No. MC 17398. Applicant is authorized to conduct operations in the above-specified States.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 24379 (Sub No. 26), filed May 29, 1959. Applicant: LONG TRANSPORTATION COMPANY, a Corporation, 3755 Central Avenue, Detroit, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks and Sealdbins when transported in standard vehicles, from, to and between all points applicant is authorized to transport General Commodities, with certain exceptions, including all intermediate and off-route points, in the States of Michigan, Ohio, Indiana, Illinois, Pennsylvania, New York, and New Jersey, as outlined in Certificate No. MC 24379 and sub numbers thereunder. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, New Jersey, New York, Ohio, and Pennsylvania.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 28813 (Sub No. 21), filed July 30, 1959. Applicant: MOTOR EXPRESS, INC. OF INDIANA, 701 Illinois Building Indianapolis 4, Ind. Applicant's attorney: John S. Fessenden, 618 Perpetual Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, from, to and between all points applicant is authorized to serve in the transportation of general commodities, including all intermediate and off-route points, as authorized in Certificate No. MC 28813 and sub numbers thereunder. Applicant is authorized to conduct operations in Indiana, Illinois, Ohio and Wisconsin.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 29910 (Sub No. 51), filed May 22, 1959. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. Applicant's attorney: Thomas Harper, Kelley Building, P.O. Box 297, Fort Smith, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* in collapsible tanks or bins bearing the trade names "Sealdtank", "Sealdbin" or the equivalent thereof, between all points and over all routes applicant is presently authorized to serve in the transportation of general commodities as outlined in Certificate No. MC 29910 and Sub numbers

thereunder. Applicant is authorized to conduct operations in Arkansas, Louisiana, Oklahoma, Tennessee, Texas, Kansas, Missouri, Illinois, Indiana and Ohio.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 35484 (Sub No. 41), filed June 24, 1959. Applicant: VIKING FREIGHT COMPANY, a Corporation, 614 South 6th Street, St. Louis 2, Mo. Applicant's attorney: G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealdtanks or Sealdbins, whether furnished by shipper or shippers or owned or leased by applicant, over the regular and irregular routes, between the points, and in the territory, including all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 35484 and Sub Numbers thereunder, covering the transportation of general commodities, with certain exceptions, in Missouri, Illinois, Tennessee, Ohio, Kentucky, Indiana, Oklahoma, Texas, Mississippi, Louisiana, and Arkansas.

NOTE: This application is accompanied by a Motion to Dismiss on the ground that applicant's general commodity authority has no restriction as to the size of the containers in which a shipment may be tendered; that it is applicant's position that in the absence of such a restriction, applicant can presently lawfully handle lading tendered to it in containers as described in the application.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 40302 (Sub No. 29), filed June 18, 1959. Applicant: FEDERAL EXPRESS, INC., 4930 North Pennsylvania Street, Indianapolis, Ind. Applicant's attorney: Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to sealdtank, sealdbin, sealdrum, and Nest-a-Bin containers, in or upon ordinary vehicles, over the regular routes and in the territory, including all termini and all intermediate and off-route points, authorized to be served by applicant in Certificates in No. MC 40302 and Sub Numbers thereunder, in the transportation of general commodities, with exceptions, in Illinois, Indiana, Kentucky, Michigan, Missouri and Ohio. Applicant is authorized to conduct operations in the above-specified States.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Burroughs.

No. MC 41432 (Sub No. 82), filed July 24, 1959. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 623 North Washington, P.O. Box 7667 (Fair Park Station), Dallas 10, Tex. Appli-

cant's attorney: Hugh T. Matthews, Empire Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, including but not limited to those known as "Sealdtanks" or "Sealdbins", or the equivalent thereof, over the specified regular routes and over the irregular routes, and between the points and in the territory between which applicant is presently authorized to transport general commodities, with certain exceptions, in Certificates in No. MC 41432 and Sub Numbers in Arkansas, Illinois, Louisiana, Missouri, Tennessee and Texas. Applicant is authorized to conduct operations in the above-named States.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 44290 (Sub No. 13), filed June 29, 1959. Applicant: HUSMANN & ROPER FREIGHT LINES, INC., 1717 North Broadway, St. Louis 6, Mo. Applicant's attorney: G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers, or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points, authorized to be served by applicant in Certificate MC 44290 and sub numbers thereunder covering the transportation of general commodities, with certain exceptions, in Missouri, Ohio, Kentucky, Indiana, Illinois and Kansas.

NOTE: Applicant has filed a Motion to Dismiss the above application on the ground that it is presently authorized to transport lading tendered to it in containers, regardless of size, and that it requires no additional authority therefor.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 45657 (Sub No. 23), filed June 26, 1959. Applicant: PIC-WALSH FREIGHT CO., a Missouri Corporation, 731 Campbell Avenue, St. Louis 15, Mo. Applicant's attorney: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealdtanks or Sealdbins, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points, authorized to be served by applicant in Certificate No. MC 45657 and sub numbers thereunder, covering the transportation of general commodities, with certain

exceptions, in the States of Missouri, Illinois, Ohio, Indiana, Arkansas, and Tennessee.

NOTE: Applicant has filed a Motion to Dismiss the above application on the grounds that it presently holds authority to perform the above transportation.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 48958 (Sub No. 36) Filed August 17, 1959. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *all liquid or dry commodities*, except Class A and B explosives, in collapsible tanks or bins, or the equivalent thereof, including, but not limited to those known as "sealdtanks" or "sealdbins", whether furnished by shipper or shippers, or owned or leased by applicant, over all routes and between all points, including all intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 48958 and sub Numbers thereunder, throughout its entire scope of operations in Illinois, Iowa, Nebraska, Wyoming, Colorado, New Mexico, Arizona, California, and Nevada.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 49387 (Sub No. 12), filed August 3, 1959. Applicant: ORSCHELN BROS. TRUCK LINES, INC., 339 North Williams Street, Moberly, Mo. Applicant's attorney: G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealdtanks or Sealdbins, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points authorized to be served by applicant by virtue of Certificate No. MC 49387 and Subs thereunder, covering the transportation of General commodities, with certain exceptions, in the States of Missouri, Illinois, Iowa, and Kansas.

NOTE: Applicant has filed a Motion to Dismiss the instant application on the ground that it presently holds the authority requested above.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 52657 (Sub No. 573), filed August 24, 1959. Applicant: ARCO AUTO CARRIERS, INC., 7530 S. Western Avenue, Chicago 20, Ill. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, except those designed to be drawn by passenger automobiles, and *trailer chassis*, in initial truckaway service, from points in Beaver

and Cambria Counties, Pa., to points in the United States, including Alaska. Applicant is authorized to conduct operations throughout the United States.

HEARING: October 16, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 52709 (Sub No. 92), filed September 2, 1959. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including shipper-owned compressed gas trailers loaded with compressed gas* (other than liquefied petroleum gas), or *empty*, but excluding livestock, commodities of unusual value, household goods as defined by the Commission, and those requiring special equipment, and commodities in bulk, serving ballistic missiles testing and launching sites and supply points therefor (1) within sixty (60) miles of Denver, Colo., as off-route points in connection with applicant's authorized regular route operations to and from Denver and (2) within seventy (70) miles of Cheyenne, Wyo., in connection with applicant's authorized regular route operations to and from Cheyenne.

NOTE: Applicant has authority in MC 52709 (Sub No. 85) to serve missile launching sites within twenty-five miles of Cheyenne; the purpose of this application is to broaden such authority in view of new missile sites scheduled for construction in said area which are beyond the scope presently authorized.

HEARING: September 29, 1959, at the New Customs House, Denver, Colo., before Joint Board No. 50.

No. MC 60319 (Sub No. 7), filed August 6, 1959. Applicant: MURDOCH & HATCH MOTOR TRANSPORT, INC., 300 Maspeth Avenue, Brooklyn 11, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities, including liquid and dry commodities*, in containers, including but not limited to sealed tank, sealed bin, nest-a-bin, or tote bin type in or on ordinary vehicles, between all points over the regular and irregular route presently authorized in Certificate No. MC 60319 in Connecticut, Massachusetts, New Jersey, New York, Rhode Island, and the District of Columbia. Applicant is authorized to conduct regular route operations in Connecticut, Massachusetts, New York and Rhode Island, and irregular route operations in Connecticut, Massachusetts, New Jersey, New York, and the District of Columbia.

NOTE: Duplication with present authority to be eliminated.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 61440 (Sub No. 72), filed July 31, 1959. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *All liquid or dry commodities*, in collapsible tanks or bins marketed by the U.S. Rubber Company

under the trade names "Seal tanks" or "Seal bins", or the equivalent thereof, between points applicant is authorized to serve in the transportation of general commodities (between specified points in Texas, Kansas, Oklahoma, Missouri and Illinois), in Certificate No. MC 61440 and sub numbers thereunder.

NOTE: Applicant states it seeks, if it does not already have, authority to transport both liquid and dry commodities throughout its entire scope of operations when such transportation takes place in "Seal tanks" or "Seal bins" or other collapsible containers of the same or similar nature and design.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 62835 (Sub No. 13), filed June 29, 1959. Applicant: C. E. S. TRUCK LINES, INC., Highway 61-67, Crystal City, Mo. Applicant's attorney: G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as "Seal tanks" or "Seal bins", whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points authorized to be served by applicant in its Certificate No. MC 62835 and sub numbers thereunder, covering the transportation of general commodities, with certain exceptions, as more fully set forth in the application.

NOTE: Applicant has also filed a Motion to Dismiss the above application on the ground that it is presently authorized to transport lading tendered to it in containers, regardless of size thereof.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 66990 (Sub No. 7) (REPUBLICATION), filed May 14, 1959. Published FEDERAL REGISTER issue of August 5, 1959. Applicant: DON EATON TRANSFER & STORAGE, INCORPORATED, 119 South Frisco, Tulsa, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Household goods* as defined by the Commission in Ex Parte No. MC 19, 176.1 as amended, (1) between points in Alaska, and (2) between points in Alaska, on the one hand, and, on the other, points in Oklahoma, Texas, New Mexico, Colorado, Nebraska, Kansas, Missouri, Arkansas, Louisiana, Iowa, Minnesota, Illinois, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Ohio, Michigan, Pennsylvania, New York, and New Jersey. Applicant is authorized to conduct operations in the above-named States except Alaska.

NOTE: This notice was inadvertently published under the "No Hearing" Procedures.

HEARING: Remains as assigned September 15, 1959, at the Mayo Hotel, Tulsa, Okla., before Examiner Jair S. Kaplan.

No. MC 69275 (Sub No. 32), filed June 24, 1959. Applicant: M & M TRANSPORTATION COMPANY, a Massachusetts Corporation, 250 Mystic Avenue, Somerville, Mass. Applicant's attorney: John S. Fessenden, Suite 618 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Seal tank" and "Seal bin" containers, in or upon ordinary vehicular equipment, between all points applicant is presently authorized to serve in the transportation of general commodities, including all intermediate and off-route points, as well as all points at which service is to be authorized by reason of the purchase of rights from Chelsea Contracting and Trucking Co., MC-F 6917. Applicant is authorized to conduct operations in Massachusetts, Pennsylvania, Rhode Island, Connecticut, New Jersey, New York, Maryland, and Delaware.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 69281 (Sub No. 37), filed June 16, 1959. Applicant: THE DAVIDSON TRANSFER & STORAGE CO., a Corporation, 6201 Pulaski Highway, Baltimore 3, Md. Applicant's attorney: John S. Fessenden, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Seal tank" and "Seal bin" containers, in or upon ordinary vehicular equipment, between all points applicant is authorized to serve in the transportation of general commodities, in Certificate No. MC 69281. Applicant is authorized to transport general commodities, with certain exceptions, between specified points in Maryland, New York, Delaware, New Jersey, Pennsylvania, Virginia and the District of Columbia.

NOTE: Applicant states it seeks, if it does not already have, authority to transport both liquid and dry commodities throughout its entire scope of operations when such transportation takes place in "Seal tanks" or "Seal bins" or other collapsible containers of the same or similar nature and design, as more fully described in its proposed application.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 73262 (Sub No. 13), filed July 6, 1959. Applicant: MERCHANTS FREIGHT SYSTEM, INC., 1401 North 13th Street, Terre Haute, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, between all points applicant is presently authorized to serve in the transportation of general commodities as authorized in Certificate No. MC 73262 and sub numbers there-

under, in Michigan, Ohio, Illinois, Indiana, Missouri, and Kentucky.

NOTE: Applicant states it is seeking the above authority, if it does not already hold the same under its present authority, when such transportation takes place in "Seal tanks" or "Seal bins" marketed by the U.S. Rubber Company, or other collapsible containers of similar nature and design.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 75320 (Sub No. 90), filed June 4, 1959. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., P.O. Box 390, 2330 East Mill Street, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins similar or identical with so-called "Seal tank" or "Seal bin" containers, or containers of a similar nature in design, or containers that are of substantial equivalent thereof, between the points, over the regular and irregular routes, and in the territory, including intermediate and off-route points, authorized to be served by applicant in Certificate No. MC 75320 and Sub Numbers thereunder, in Alabama, Arkansas, Illinois, Indiana, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee and Texas.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 75406 (Sub No. 16), filed June 29, 1959. Applicant: SUPERIOR FORWARDING COMPANY, INC., 2600 South Fourth Street, St. Louis 18, Mo. Applicant's attorney: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Seal tanks or Seal bins, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points, authorized to be served by applicant in Certificate No. MC 75406 and subnumbers thereunder, covering the transportation of general commodities, with certain exceptions, in the States of Missouri, Illinois and Arkansas.

NOTE: Applicant has filed a Motion to Dismiss the instant application on the grounds that it presently holds the above requested authority.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 75527 (Sub No. 20), filed August 24, 1959. Applicant: LAHN TRANSPORTATION, a Corporation, P.O. Box 17, Bridgeton, N.J. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Glassware*, and *glass containers*, from points in Cumber-

land and Salem Counties, N.J., to points in Maine, New Hampshire, and Vermont, and rejected, returned and damaged glassware and glass containers, used pallets, used platforms, and used skids, on return. Applicant is authorized to conduct operations in New York, New Jersey, New Hampshire, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, Ohio, West Virginia, Connecticut, Rhode Island, Massachusetts, and the District of Columbia.

HEARING: October 9, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Donald Sutherland.

No. MC 78712 (Sub No. 7), filed June 11, 1959. Applicant: MILLER TRANSPORTATION, INC., 1200 South Home Avenue, Kokomo, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Avenue, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, between all points over the irregular routes applicant is presently authorized to serve in the transportation of general commodities in Certificate No. MC 78712, in Indiana, Kentucky, Missouri, Ohio, Illinois and Michigan.

NOTE: Applicant states it is seeking this authority, if it does not already hold the same under the provisions of its present certificate, when such transportation takes place in sealdtanks or sealdbins, marketed by the U.S. Rubber Company, or other collapsible containers of similar nature and design. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Missouri, New York, Ohio, Pennsylvania and Wisconsin.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 80430 (Sub No. 94) filed August 12, 1959. Applicant: GATEWAY TRANSPORTATION CO., an Illinois Corporation, 2130-2150 South Avenue, LaCrosse, Wis. Applicant's attorney: John C. Bradley, Suite 618, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, from, to and between all points, including all intermediate and off-route points, applicant is authorized to conduct operations as authorized in Certificate No. MC 80430 and Sub numbers thereunder. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, New York and Wisconsin.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 82944 (Sub No. 6), filed September 2, 1959. Applicant: FREDERIC A. BETHKE, doing business as BETHKE TRUCK LINES, Gilcrest, Colo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except Class A and B explosives, household goods as defined by the Commission, livestock, commodities requiring special equipment, and liquid commodities in bulk, serving ballistic missile testing and launching sites and supply points therefor located within a 60-mile radius of Denver, Colo., as off-route points in connection with applicant's authorized regular route operations to and from Denver, Colo. Applicant is authorized to conduct operations in Colorado.

HEARING: September 29, 1959, at the New Customs House, Denver, Colo., before Joint Board No. 126.

No. MC 83539 (Sub No. 51), filed July 9, 1959. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to Sealdtanks, Sealdbins, Nest-a-bin, or totebin containers, in or upon ordinary vehicles, between points in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 96079 (Sub No. 1) (CLARIFICATION), filed April 24, 1959, published in the August 26, 1959 issue of the FEDERAL REGISTER. Applicant: KELLY AUGUSTA CRAWFORD, doing business as KELLY CRAWFORD TRANSFER, Richlands, Va. Applicant's attorney: R. Roy Rush, Box 614, Boxley Building, Roanoke, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Richlands, Va., to points in West Virginia; to points in Kentucky on and east of a line beginning at the Kentucky-Ohio State line and extending along U.S. Highway 25 to Lexington, Ky., thence along U.S. Highway 27 to junction Kentucky Highway 34 near Bryantsville, Ky., thence along Kentucky Highway 34 to Danville, Ky., and thence along Kentucky Highway 35 to the Kentucky-Tennessee State line; to points in Tennessee on and east of Tennessee Highway 28; to points in North Carolina on and west of U.S. Highway 1; and to

points in Virginia on and west of U.S. Highway 15. Applicant is authorized to conduct operations in Virginia and West Virginia.

HEARING: Remains as assigned September 28, 1959, at the U.S. Court Rooms, Roanoke, Va., before Examiner Richard H. Roberts.

No. MC 96339 (Sub No. 6), filed September 2, 1959. Applicant: MONA RIDGELY, doing business as ARROW MOVING & STORAGE CO., 1509 Bent Avenue, Cheyenne, Wyo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, and commodities in bulk, between Cheyenne, Wyo., on the one hand, and, on the other, intercontinental ballistics missile launching sites located in Wyoming within a 70-mile radius of Cheyenne, Wyo. Applicant is authorized to conduct operations in Wyoming, Colorado and Nebraska.

NOTE: Applicant states it is authorized to transport the involved commodities between Cheyenne, Wyo., and intercontinental ballistics missile launching sites in Wyoming located within 25 miles of Cheyenne; that because a number of new missile sites are scheduled for construction which are beyond the 25 mile radius authorized, applicant files the instant application for the enlarged area so as to serve such additional sites.

HEARING: September 29, 1959, at the New Customs House, Denver, Colo., before Joint Board No. 197.

No. MC 103654 (Sub No. 49), filed July 2, 1959. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 649 Pelham Boulevard, St. Paul, Minn. Applicant's attorney: Donald A. Morken, 1100 First National Soo-Line Building, Minneapolis, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, or in containers including sealdbins, sealdtanks, shipper-owned containers, from Grand Forks, N. Dak., Superior, Wis., and points in Minnesota, to points in Minnesota, Wisconsin, Iowa, Illinois, North Dakota, South Dakota and the Upper Peninsula of Michigan, and *empty containers and rejected shipments*, on return. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Minnesota, North Dakota and Wisconsin.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 104004 (Sub No. 140), filed July 17, 1959. Applicant: ASSOCIATED TRANSPORT, INCORPORATED, 380 Madison Avenue, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, in collapsible containers known by the manufacturer's trade name of "Sealdtanks" and "Sealdbins" but not restricted to that manufacturer's containers, from, to and between all points applicant is authorized

to conduct operations as authorized in Certificate No. MC 104094 and sub numbers thereunder. Applicant is authorized to conduct operations in Connecticut, Delaware, Georgia, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, Massachusetts, Rhode Island, and the District of Columbia.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 106943 (Sub No. 67), filed May 15, 1959. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities* (except Class A and B explosives), in collapsible cargo containers, from, to and between all points applicant is authorized to conduct operations, including all intermediate and off-route points, by virtue of Certificate No. MC 106943 and sub numbers thereunder, in the transportation of General commodities, with certain exceptions, in the States of Delaware, Indiana, Illinois, Iowa, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, West Virginia, and the District of Columbia.

NOTE: Applicant has filed a Motion to Dismiss the instant application on the grounds that it presently has the authority to perform the above operations.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 108158 (Sub No. 49), filed June 16, 1959. Applicant: MID-CONTINENT FREIGHT LINES, INC., 4350 West Roosevelt Road, Chicago 24, Ill. Applicant's attorney: John S. Fessenden, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Liquid and dry commodities*, in containers, including but not limited to "Sealdtank" and "Sealdbin" containers, in or upon ordinary vehicular equipment, between all points applicant is authorized to serve in the transportation of general commodities, in Certificate MC 108158 and sub numbers thereunder. Applicant is authorized to transport general commodities, with certain exceptions, between specified points in Texas, Oklahoma, Illinois, Missouri, Indiana, Minnesota, Wisconsin, Kansas, and Ohio.

NOTE: Applicant states it seeks, if it does not already have, authority to transport both liquid and dry commodities throughout its entire scope of operations when such transportation takes place in "Sealdtanks" or "Sealdbins" or other containers of the same or similar nature and design, as more fully described in its proposed application.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 108302 (Sub No. 2) (REPUBLICAN), filed June 30, 1959, published issue FEDERAL REGISTER August 5, 1959. Applicant: G. & S. CITY TRUCKING CO., INC., 345 West 38th Street, New York 18, N.Y. Applicant's representative: Charles H. Trayford, 155 East 40th Street, New York 16, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Garments, piece goods*, cut or in the original piece, *trimmings, buttons, notions, fasteners*, between Ossining, N.Y., and points in the New York, N.Y., Commercial Zone, as defined by the Commission, on the one hand, and, on the other, Cleveland, Ohio. Applicant is authorized to conduct operations in New Jersey and New York.

HEARING: Remains as reassigned September 29, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Thomas F. Kilroy.

No. MC 109095 (Sub No. 8), filed June 29, 1959. Applicant: ANDERSON MOTOR SERVICE, INC., 1516 North Fourteenth Street, St. Louis 6, Mo. Applicant's attorney: Gregory M. Rebman, 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, including but not limited to tanks or bins known as Sealdtanks or Sealdbins, whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory including all off-route and intermediate points authorized to be served by applicant by virtue of Certificate No. MC 109095 and Subs thereunder covering the transportation of general commodities, with certain exceptions, in the States of Indiana, Ohio, Illinois, and Missouri.

NOTE: Applicant has filed a Motion to Dismiss the instant application on the ground that it presently holds the authority requested above.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 110388 (Sub No. 16), filed June 17, 1959. Applicant: UNION PACIFIC MOTOR FREIGHT COMPANY, a Corporation, 1416 Dodge Street, Omaha 2, Nebr. Applicant's attorney: John J. Burchell, 1416 Dodge Street, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, household goods as defined by the Commission, and commodities requiring special equipment, (1) between Pocatello, Idaho, and Butte, Mont.: from Pocatello over U.S. Highway 91 to Butte; (2) between Blackfoot, Idaho, and Mackay, Idaho: from Blackfoot over U.S. Highway 26 to Arco, thence over Alternate U.S. Highway 93 to Mackay; (3) between Idaho Falls, Idaho, and Swan Valley, Idaho: from Idaho Falls over U.S. Highway 26 to Swan Valley; (4) between junction U.S. Highways 20 and 26 near Atomic City, Idaho, and West Yellowstone, Mont.: from junction U.S. High-

ways 20 and 26 over U.S. Highway 20 to West Yellowstone; (5) between Roberts, Idaho, and Ririe, Idaho: from Roberts over Idaho Highway 48 to Ririe; (6) between Menan, Idaho and Lorenzo, Idaho: from Menan over Idaho Highway 80 to Lorenzo; (7) between Swan Valley, Idaho, and junction Idaho Highway 33 and U.S. Highway 20: from Swan Valley over Idaho Highway 31 to Victor, thence over Idaho Highway 33 to junction U.S. Highway 20, near Sugar City; (8) between junction Idaho Highways 32 and 33, and Ashton, Idaho: from junction Idaho Highways 32 and 33, near Teton, over Idaho Highway 32 to Ashton; (9) between American Falls, Idaho, and Blackfoot, Idaho: from American Falls over Idaho Highway 39 to Blackfoot; (10) between Pocatello, Idaho, and Boise, Idaho: from Pocatello over U.S. Highway 30-N to Burley, thence over U.S. Highway 30 to Boise; (11) between Kimama and Bliss, Idaho: from Kimama over Idaho Highway 24 to junction Idaho Highway 25, thence over Idaho Highway 25 to Bliss; (12) between junction U.S. Highway 30 and unnumbered county road, and Oakley, Idaho: from junction U.S. Highway 30 and unnumbered county road (approximately one mile west of Murtaugh), thence over such unnumbered county road to Oakley; (13) between Burley, Idaho, and junction Idaho Highway 77 and U.S. Highway 30-N: from Burley over U.S. Highway 30-S to Declo, thence over Idaho Highway 77 to junction U.S. Highway 30-N (near Rupert); (14) between Paul and Oakley, Idaho: from Paul over Idaho Highway 27 to Oakley; (15) between Twin Falls, Idaho, and junction Idaho Highways 25 and 50: from Twin Falls over Idaho Highway 50 to junction Idaho Highway 25; (16) between Twin Falls, Idaho, and junction Idaho Highway 74 and U.S. Highway 93: from Twin Falls over Idaho Highway 74 to junction U.S. Highway 93; (17) between Ketchum, Idaho, and Wells, Nev.: from Ketchum over U.S. Highway 93 to junction U.S. Highway 40, near Wells, thence over U.S. Highway 40 to Wells; (18) between Wendell, Idaho, and junction unnumbered highway and U.S. Highway 30: from Wendell over unnumbered highway to junction U.S. Highway 30, near Hagerman; (19) between junction Idaho Highway 79 and U.S. Highway 93, and junction Idaho Highway 79 and U.S. Highway 93: from junction Idaho Highway 79 and U.S. Highway 93, over Idaho Highway 79, via Jerome, Idaho, to junction Idaho Highway 79 and U.S. Highway 93; (20) between Shoshone, Idaho, and Dietrich, Idaho: from Shoshone over Idaho Highway 24 to Dietrich; (21) between Bliss, Idaho, and junction Idaho Highway 23 and U.S. Highway 93, near Bellevue, Idaho: from Bliss over U.S. Highway 26 to Carey, Idaho, thence over Idaho Highway 23 to junction U.S. Highway 93; (22) between junction Idaho Highways 25 and 46, south of Wendell, Idaho, and Hill City, Idaho: from junction Idaho Highways 25 and 46 over Idaho Highway 46 to junction Idaho Highway 68, thence over Idaho Highway 68 to Hill City; (23) between junction Idaho Highways 46 and 68 and junction Idaho Highway 68 and U.S. Highway 93: from junction Idaho

Highways 46 and 68, approximately 4 miles east of Fairfield, Idaho, thence over Idaho Highway 68 to junction U.S. Highway 93; and return over the above-described routes, serving all intermediate points on said routes and all off-route points which are stations on the lines of the Union Pacific Railroad Company, subject to the following conditions: (1) The service proposed by applicant shall be limited to service which is auxiliary to or supplemental of the service of Union Pacific Railroad Company; (2) No service shall be rendered to or from any point not a station on the rail lines of Union Pacific Railroad Company; (3) No shipment shall be transported by applicant between any of the following points, or through or to or from more than one of said points: Pocatello, Boise and Gooding, Idaho, Butte, Mont., and Wells, Nev.; (4) All contractual arrangements between the carrier and Union Pacific Railroad Company shall be reported to the Commission and shall be subject to revision by it if and as it may be found necessary in order that such arrangements shall be fair and equitable to the parties; (5) Such further conditions as the Commission, in the future, may find it necessary to impose in order to restrict carrier's operation by motor vehicle to service which is auxiliary to, or supplemental of, the rail service of Union Pacific Railroad Company. Applicant is authorized to conduct operations in Idaho, Utah, Missouri, Kansas, Wyoming, Colorado, Iowa, Oregon, Washington, Nevada and California.

NOTE: Applicant states that highway descriptions between Blackfoot and Mackay have been changed due to recent new construction; and that if the authority here sought is granted, it is willing that its Certificate in No. MC 110388 Sub 1 be canceled in order that duplicate authority may be eliminated and its certificates simplified.

HEARING: October 5, 1959, at the U.S. Court Rooms, Pocatello, Idaho, before Joint Board No. 410, or, if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

No. MC 110683 (Sub No. 13), filed May 28, 1959. Applicant: SMITH'S TRANSPORT CORPORATION OF STAUNTON, VA., P.O. Box 1000, Staunton, Va. Applicant's attorney: Francis W. McInerney, Commonwealth Building, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, or the equivalent thereof, over the regular and irregular routes, from, to, and between all points in Delaware, Kentucky, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Virginia, West Virginia, and the District of Columbia, that applicant is presently authorized to serve in the transportation of general commodities in Certificate No. MC 110683 and Sub Numbers thereunder. Applicant is authorized to conduct operations in the above-specified States.

NOTE: Common control may be involved.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Com-

mission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 111320 (Sub No. 39), filed August 28, 1959. Applicant: CURTIS KEAL TRANSPORT COMPANY, INC., East 54th Street and Cleveland Shoreway, Cleveland 14, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roadbuilding, earth moving, mining and quarrying equipment including articles* named in Appendix 8 of Exparte MC 45 and *parts* of such commodities moving with, or separately, from the above-described commodities, in both driveaway and truckaway methods, between Evansville, Ind., on the one hand, and, on the other, points in the United States except Alaska. Applicant is authorized to conduct operations throughout the United States.

HEARING: September 18, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Examiner Michael B. Driscoll.

No. MC 111320 (Sub No. 40), filed August 28, 1959. Applicant: CURTIS KEAL TRANSPORT COMPANY, INC., East 54th Street and Cleveland Shoreway, Cleveland 14, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Avenue, Cleveland 14, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water, oil, blast hole, quarry and mining drills*, self-propelled, or mounted on trailers and *parts* of the above commodities when moving with the above-described commodities, or separately, in driveaway, towaway or truckaway methods, between Wayne County, Ind. on the one hand, and, on the other, points in the United States, except Alaska. Applicant is authorized to conduct operations throughout the United States.

HEARING: September 18, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Examiner Michael B. Driscoll.

No. MC 111594 (Sub No. 15), filed June 22, 1959. Applicant: CENTRAL WISCONSIN MOTOR TRANSPORT COMPANY, a Corporation, 610 High Street, Wisconsin Rapids, Wis. Applicant's attorney: Hamilton R. Winton, Jr., Harris Trust Building, 111 West Monroe Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid and dry commodities*, in collapsible tanks and bins marketed by the U.S. Rubber Company under the trade names "Sealdtank" or "Sealdbin" or the equivalent thereof, between all points over the regular and irregular routes, including all intermediate and off-route points, which applicant is presently authorized to serve in the transportation of general commodities, with exceptions, in Certificate No. MC 111594 and Sub Numbers thereunder, in Illinois, Indiana, Minnesota and Wisconsin. Applicant is authorized to conduct operations in the above-specified States.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 112497 (Sub No. 145) (CLARIFICATION), published in the FEDERAL REGISTER August 26, 1959 at page 6929. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins St., P.O. Box 3096, Baton Rouge, La. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between Mobile, Ala., on the one hand, and, on the other, Baton Rouge, La. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee and Texas.

HEARING: Remains as assigned November 16, 1959, at the Federal Office Building, 600 South Street, New Orleans, La., before Joint Board No. 165, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 113255 (Sub No. 15), CORRECTION, filed June 29, 1959 published in the August 5, 1959 issue of the FEDERAL REGISTER. Applicant: MILK TRANSPORT, INC., P.O. Box 398, New Brighton, Minn. Applicant's attorney: Clay R. Moore, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus juice*, in bulk in insulated tank vehicles without mechanical refrigeration, from points in Florida to points in Illinois, Wisconsin, Minnesota; and Iowa, and *rejected shipments* of the above-specified commodity on return. Applicant is authorized to conduct operations in Arkansas, Colorado, Florida, Illinois, Louisiana, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, Ohio, Pennsylvania, New Mexico, New York, Oklahoma, and Texas.

HEARING: Remains as assigned September 21, 1959, at the U.S. Custom House, Room 852, 610 South Canal Street, Chicago, Ill., before Examiner Leo A. Riegel.

No. MC 113524 (Sub. No. 18), filed June 11, 1959. Applicant: JAMES F. BLACK, doing business as PARKVILLE TRUCKING COMPANY, 3618 Pulaski Highway, Baltimore, Md. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk, and *liquid commodities*, other than edible products, in bulk, to be transported in collapsible containers, on van type or flat bed trailers, between Baltimore, Md., on the one hand, and, on the other, points in Delaware, New Jersey, Ohio, points in Virginia on and east of U.S. Highway 1, Batavia, Brockport, Fairport, Leroy and points on Long Island, N.Y., Coatesville, Chester, Marcus Hook, Philadelphia and Warren, Pa., and Washington, D.C. Applicant is authorized to conduct operations in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, the District of Columbia, New York, and Ohio.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allen F. Borroughs.

No. MC 113832 (Sub No. 13) (CORRECTION), filed July 20, 1959, published issue FEDERAL REGISTER August 19, 1959. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski, 620 South 29th Street, Milwaukee 46, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk and in packages, (1) from the plant site of Marquette Cement Manufacturing Company, located in or near St. Louis, Mo., to points in Kentucky west of Cumberland, Adair, Green, Larue, Nelson, Bullitt and Jefferson Counties, Ky., points in Arkansas north of Polk, Montgomery, Garland, Hot Spring, Dallas, Cleveland, Drew and Chicot Counties, Ark., and points in Missouri, Illinois, and Indiana; and (2) from the plant site of Marquette Cement Manufacturing Company, located in or near Cape Girardeau, Mo., to points in Illinois south of Mercer, Henry, Bureau, Putnam, LaSalle, Grundy and Will Counties, Ill., points in Arkansas north of Polk, Montgomery, Clark, Dallas, Cleveland, Drew and Chicot Counties, Ark., and points in Missouri, Indiana, Kentucky and Tennessee. Applicant is authorized to conduct operations in Illinois, Indiana and Wisconsin.

NOTE: Applicant indicates the above operations are to be performed under a continuing contract with the Marquette Cement Manufacturing Company, Chicago, Ill.

HEARING: Remains as assigned October 14, 1959, at the U.S. Court House and Custom House, 1114 Market Street, St. Louis, Mo., before Examiner Lacy W. Hinely.

No. MC 115975 (Sub No. 1), filed June 1, 1959. Applicant: C. B. W. TRANSPORT SERVICE, INC., 115 West Lorena Street, Wood River, Ill. Applicant's attorney: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis 1, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, shortening, refined vegetable oils, lard, animal fats, salad dressing, sandwich spread, substitute salad oils, and cooking oils*, from St. Louis, Mo., to points in Alabama, Arkansas, Colorado, North Dakota, South Dakota, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, and *vegetable oils, soybeans, corn, cottonseed, and lard*, on return.

HEARING: October 26, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Allan F. Borroughs.

No. MC 117340 (Sub No. 2) (REPUBLICATION) Filed July 13, 1959, published FEDERAL REGISTER issue of August 26, 1959. Applicant: TRIO BUTCHERS

TRUCKING CORP., 636 West 131st Street, New York 27, N.Y. Applicant's representative: Charles H. Trayford, 155 East 40th Street, New York 16, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream*, in insulated vehicles with mechanically refrigerated units, from Elizabeth, N.J., to New York, New Rochelle, Scarsdale, Yorktown Heights, Hewlett, Roslyn, Yonkers, Larchmont, Pelham, Harrison, White Plains, Hartsdale, Mamaroneck, Riverdale, Mount Vernon, Ardsley, Briarcliff Manor, Long Beach, Bronxville, Pelham Manor, Tuckahoe, Cedarhurst, Rye, Spring Valley, Elmsford, Great Neck, Monticello, and Rockville Center, N.Y., Bayonne, Passaic and Hackensack, N.J., and Stamford and Greenwich, Conn., and *rejected, returned or damaged shipments of Ice cream* on return movements. Applicant is authorized to conduct operations in Connecticut, New Jersey, and New York.

NOTE: Any duplication with present authority to be eliminated. The purpose of this republication is to show the correct spelling of applicants name.

HEARING: Remains as assigned October 8, 1959 at the Governor Clinton Hotel, 31st & 7th Ave., New York, N.Y., before Examiner Harry Ross, Jr.

No. MC 118876 (Sub No. 2), filed August 24, 1959. Applicant: HENRY G. GRAVES, CHARLES L. GRAVES AND WM. E. GRAVES, doing business as GRAVES TRANSFER, Georgetown, Del. Applicant's attorney: H. James Company, Jr., Bank of Delaware Building, Wilmington, Del. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish oil and fish solubles* moving in bulk in tanks, and *fish scrap and fish meal* in bulk, from Lewes, Del., to Denton and Hagerstown, Md., Rohrertown, Allentown and York, Pa., Romney, W. Va., Cartersville, Ga., Akron and Wooster, Ohio, and Lakewood, N.J.

HEARING: October 13, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 119177, filed August 26, 1959. Applicant: ALFOSTER FRANCIS BERRY, 5216 Cloud Place NE., Washington 19, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Calf skins*, (green salted), from Washington, D.C. to Wilmington, Del., and refused or rejected shipments of the above-described commodity on return, and (2) *dog food*, from Philadelphia, Pa. to Washington, D.C., and *refused or rejected shipments* of dog food, on return.

HEARING: October 9, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo W. Cunningham.

APPLICATION FOR BROKERAGE LICENSE

MOTOR CARRIER OF PASSENGERS

No. MC 12698 (REPUBLICATION), filed March 13, 1959, published issue FEDERAL REGISTER August 26, 1959. Applicant: CLARENCE E. WIDELL, doing business as VIKING TRAVEL AGENCY,

207 North Broadway, Camden 2, N.J. and 50 Tanner Street, Haddonfield, N.J. Applicant's attorney: Walter S. Anderson, Wilson Building, Broadway at Cooper Street, Camden 2, N.J. The previous publications of the notice of filing in the issues of the FEDERAL REGISTER, dated May 27, 1959 and August 26, 1959, did not clearly describe the proposed operations. At the hearing held June 24, 1959, before Examiner Lucian A. Jackson, the discrepancies in the publication of May 27, 1959 were noted. Correctly stated, and as restrictively amended at the hearing and as now amended, applicant proposes to engage in operations as a broker at Camden and Haddonfield, N.J., in arranging for transportation in interstate or foreign commerce by motor vehicle, of *Passengers and their baggage*, in the same vehicle with passengers, as follows: (1) Groups in all-expense or "package" sightseeing or vacation tours, beginning and ending at points in Camden and Gloucester Counties, N.J., Burlington County, N.J. (except Fort Dix and McGuire Air Base), and Philadelphia County, Pa., and extending to points in the United States, including ports of entry on the International Boundary Lines between the United States and Canada and the United States and Mexico, and (2) individual passengers and their baggage, in the same vehicle with such passengers, in both regular-route and special bus operations by common carrier by motor vehicle.

NOTE: Applicant states that, in respect of the all-expense or "package" sightseeing or vacation tours, he "proposes to assemble persons into groups for excursion and sightseeing trips, to issue all-expense coupons to such passengers, to receive from such passengers their acceptance of an appointment of applicant as agent for the group, collectively, for the purpose of obtaining charter transportation by motor carrier, in accordance with the principle which evolved from the Tauck Tours, Inc. cases."

NOTE: The purpose of this republication is to include the symbol (1) above which was inadvertently omitted, and also to correct the spelling of McGuire Air Base.

CONTINUED HEARING: October 8, 1959, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Herbert L. Hanback.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARINGS IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 1942 (Sub No. 5) (AMENDMENT), filed July 13, 1959, published FEDERAL REGISTER of August 5, 1959. Applicant: MARVIN STROBEL AND MERRITT McDONALD, doing business as RICHMOND TRUCK LINE, Richmond, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Feed in bulk*, (1) between Richmond, Kans., and Kansas City, Mo., from Richmond over U.S. Highway 59 to Lawrence, Kans., thence over Kansas Highway 10 to Kansas City, Kans., thence over city streets to Kansas City, Mo., and return over the same route, serving the intermediate and off-route points of North Kansas City, Mo., Kansas City, Kans., and those within 20 miles of Richmond, Kans.; (2)

between junction U.S. Highways 50 and 59, four miles west of Baldwin City, Kans., and junction U.S. Highway 50 and Kansas Highway 10, near Merriam, Kans., over U.S. Highway 50, serving no intermediate points, as an alternate route for operating convenience only, serving the termini for purpose of joinder only.

NOTE: Applicant is authorized to transport General commodities, except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, over the above-specified routes. The purpose of this application is to remove the restriction against the transportation of feed in bulk.

No. MC 29591 (Sub No. 1), filed August 27, 1959. Applicant: B & M EXPRESS COMPANY, INCORPORATED, Salem, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over a regular route, transporting: *General commodities*, including *commodities in bulk*, but excluding articles of unusual value, Class A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment; between the site of the Floyd Bros. Charcoal Co. plant, located approximately ¼ mile north of Howes, Mo., and junction unnumbered county road and Missouri Highway 19 at or near Howes, Mo., over unnumbered county road, serving the intermediate point of the rail siding of St. Louis-San Francisco Railway near Howes, Mo. Applicant is authorized to conduct operations in Illinois and Missouri.

NOTE: Applicant indicates it proposes to tack the above operation to the authority presently held by it in order to render through service between said point and the points now authorized to be served.

No. MC 32430 (Sub No. 3) filed August 31, 1959. Applicant: FERGUSON TRANSFER COMPANY, a Corporation, 320 North Front Street, P.O. Box 337, Coos Bay, Oreg. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid glues*, in bulk, in tank vehicles, from Coos Bay, Oreg. to Samoa, Calif. and points within 5 miles thereof, and returned and rejected shipments of liquid glues, on return. Applicant is authorized to conduct operations in Oregon.

No. MC 42405 (Sub No. 12), filed August 27, 1959. Applicant: MISTLETOE EXPRESS SERVICE, doing business as MISTLETOE EXPRESS, 111 Harrison, Oklahoma City, Okla. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle over regular routes, transporting: *General commodities*, except Class A and B explosives, moving in express service, between Durant, Okla., and Sherman, Tex., over U.S. Highway 75, serving no intermediate points, but serving Durant as a point of joinder only. Applicant is authorized to conduct operations in Texas and Oklahoma.

No. MC 66562 (Sub No. 1550), filed August 27, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx, 219 East 42d Street, New York 17, N.Y. Authority sought to operate as a common carrier, by motor vehicle over regular routes, transporting: *General commodities, including Class A and B explosives*, moving in express service, between Binghamton, N.Y., and Ithaca, N.Y., from Binghamton over New York Highway 17 to the junction of New York Highway 26, thence over New York Highway 26 to the junction of New York Highway 38B, thence over New York Highway 38B to the junction of New York Highway 38, thence over New York Highway 38 to the junction of New York Highway 79, thence over New York Highway 79 to Ithaca, and return over the same route, serving the intermediate points of Newark Valley and Berkshire, N.Y. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 (Sub No. 1552), filed September 1, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx, 219 East 42d Street, New York 17, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities, including Class A and B explosives*, moving in express service, between Boston, Mass., and Brockton, Mass., from Boston over the Southeast Expressway to Quincy, thence over city streets of Quincy and Braintree to junction of Massachusetts Highway 37, thence over Massachusetts Highway 37 to Brockton, and return over the same route, serving the intermediate point of Quincy. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 (Sub No. 1553), filed September 1, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. Applicant's attorney: William H. Marx, 219 East 42d Street, New York, N.Y. Authority sought to operate as a common carrier, by motor vehicle over regular routes, transporting: *General commodities, including Class A and B explosives*, moving in express service, (1) between Mansfield, Pa., and Troy, Pa., over U.S. Highway 6; (2) between Blossburg, Pa., and Trout Run, Pa., over U.S. Highway 15, serving no intermediate points on the above specified routes. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 (Sub No. 1554), filed September 1, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. Applicant's attorney: William H. Marx, 219 East 42d Street, New York, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities, including Class A and B explosives*, moving in express service, (1) between Providence, R.I., and Mid-

dleboro, Mass., over U.S. Highway 44, serving the intermediate point of Taunton, Mass.; (2) between Wareham, Mass., and Hyannis, Mass., from Wareham over U.S. Highway 6 to junction Massachusetts Highway 28, thence over Massachusetts Highway 28 to junction Massachusetts Highway 132, thence over Massachusetts Highway 132 to junction unnumbered highway near Hyannis, thence over unnumbered highway to Hyannis, and return over the same route, serving the intermediate or off-route points of West Barnstable and Buzzards Bay, Mass. Applicant is authorized to conduct operations throughout the United States.

No. MC 101915 (Sub No. 2), filed August 26, 1959. Applicant: WILLIAM F. MADDEN, doing business as MADDEN'S TRANSFER & STORAGE, 12 Lake Flower Avenue, Saranac Lake, N.Y. Applicant's attorney: John J. Brady, Jr., 75 State Street, Albany 7, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fresh meats, packing house products and dairy products* as defined in Group A, B, and C of Appendix 1, Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Saranac Lake, N.Y., to points in St. Lawrence County, N.Y., and rejected and damaged shipments of the commodities specified in this application on return. Applicant is authorized to conduct contract carrier operations in New York.

NOTE: Applicant holds common carrier authority in Certificates No. MC 94170 and Sub 2. Section 210, dual operations may be involved.

No. MC 107022 (Sub 149), filed August 26, 1959. Applicant: W. M. CHAMBERS TRUCK LINE, INC., 920 Louisiana Blvd.-P.O. Box 547, Kenner, La. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid wax*, in bulk, in tank vehicles, from West Lake Charles, La., to Mobile, Ala., and Pensacola, Fla. Applicant is authorized to conduct operations in Louisiana, Mississippi, Tennessee, Arkansas, Alabama, Kentucky, Florida, Georgia, Texas, North Carolina, South Carolina, Oklahoma, Pennsylvania, Missouri, Connecticut, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Ohio, Kansas, Rhode Island, Virginia, Wisconsin, West Virginia and the District of Columbia.

No. MC 112985 (Sub No. 7), filed August 28, 1959. Applicant: R. E. NEWBROUGH, Wesley, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., and Omaha, Nebr., to Arnolds Park, Iowa and empty malt beverage containers on return. Applicant is authorized to conduct operations in Illinois, Iowa, Minnesota, Nebraska, and Wisconsin.

NOTE: Applicant states that occasionally he will traverse Minnesota in performing service between Milwaukee, Wis., and Arnolds Park, Iowa.

No. MC 114106 (Sub No. 17), filed August 28, 1959. Applicant: MAYBELLE TRANSPORT COMPANY, a Corporation, Box 461, 1820 South Main Street, Lexington, N.C. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and invert sugar*, in bulk, in tank vehicles, from Port Wentworth, Ga., to Lexington, N.C. Applicant is authorized to conduct operations in Georgia, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE: Applicant also has contract carrier authority under Permit No. MC 115176, dated May 14, 1956. Dual authority under Section 210 may be involved.

No. MC 114194 (Sub No. 23), filed August 14, 1959. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ethylene dibromide* and *methyl bromide*, ranging from 95 percent ethylene dibromide and 5 percent methyl bromide to 95 percent methyl bromide and 5 percent ethylene dibromide, in bulk in tank vehicles, from Filer City, St. Louis, and Midland, Mich., and Eldorado, Ark., to points in the United States, including ports of entry on the International Boundary line between the United States and Canada and including Alaska and *empty containers or other such incidental facilities* (not specified), used in transporting the above commodities, and *rejected and refused shipments* on return. Applicant is authorized to conduct operations in Illinois, Missouri, Tennessee, Indiana, Ohio, Iowa, Virginia, West Virginia, South Carolina, North Carolina, North Dakota, South Dakota, Michigan, Wisconsin, Minnesota, Pennsylvania, Kentucky, Arkansas, the District of Columbia, Georgia, Mississippi, Alabama, Louisiana, Oklahoma, Colorado, Kansas, Texas and Nebraska.

NOTE: Applicant states that the above commodities are Class B poison and an end product, not to be further processed but will be packaged and sold to the general public, and will also be applied directly from bulk containers to grain bins as a fumigant. Applicant further states that based on the Maxwell Case, these commodities are not considered liquid chemicals as the term is used in operating authorities.

No. MC 114194 (Sub No. 24), filed Aug. 28, 1959. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Lime*, common, hydrated quick, or slaked and *limestone products*, in bulk, from Ste., Genevieve and Mosher, Mo., to points in Madison County, Ill., and *rejected and refused shipments*, on return. Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Indiana, Iowa, Kentucky, Kansas, Louisiana, Missouri, Michigan, Minnesota, Nebraska, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas and Wisconsin.

No. MC 116282 (Sub No. 1), filed August 7, 1959. Applicant: ONILE P. FRANCOEUR, doing business as NEIL'S

BAKERY PRODUCTS TRANSPORTATION, 246 Broad Street, Auburn, Maine. Applicant's attorney: William D. Pinansky, 403-4-5 Clapp Memorial Building, 443 Congress Street, Portland, Maine. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from Boston, Mass., to Augusta, Bangor, Biddeford, Brunswick, Ellsworth, Lewiston, Newport, Portland, Rockland, Rumford, and Waterville, Maine, and from Dover, N.H., to Bangor, Livermore Falls, and Rumford, Maine; and *Containers* used in transporting such commodities on return.

NOTE: The purpose of this application is to obtain authority to enter into contracts with the Continental Baking Company of Rye, N.Y., and with the Berwick Cake Company of Boston, Mass., to transport bakery products from and to the above points. In Permit No. MC 116282 the carrier is specifically limited to three shippers, and this application is filed to obtain this additional authority, although it does not request any additional territory.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub No. 169), filed August 25, 1959. Applicant: THE GREYHOUND CORPORATION, 5600 Jarvis Avenue, Chicago 48, Ill. Applicant's attorney: Earl A. Bagby, Western Greyhound Lines (Division of The Greyhound Corporation), Greyhound Building, Market and Fremont Streets, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, serving all intermediate points. Interstate routes within the State of California: On Proposed Revised Sheet No. 17. Route 71. Between the Nevada-California State line at Cal-Nava and Tahoe City: From the point where California Highway 28 contacts the Nevada-California State line, over California Highway 28 to junction California Highway 89 (Tahoe City). (Connects with Nevada route 3.) Service is authorized to be conducted in special operations only, except that regular service is authorized to be conducted on occasions of and for the purpose of affording transportation to and from advertised special events to be held in the Squaw Valley area to which the general public is invited. Interstate Routes within the State of Nevada. On Proposed Revised Sheet No. 56, Route 3. Between Reno Hot Springs Junction and Cal-Neva: From the junction of U.S. Highway 395 and Nevada Highway 27 (Reno Hot Springs Junction), over Nevada Highway 27 to junction Nevada Highway 28 (Incline), thence over Nevada Highway 28 to the Nevada-California State line (Cal-Neva). (Connects with California route 71.) Service is authorized to be conducted in special operations only, except that regular service is authorized to be conducted between Incline and Cal-Neva on occasions of and for the purpose of affording transportation to and from advertised special events to be held in the Squaw Valley, Calif., area to which the general public is invited. On Proposed Revised

Sheet No. 57. Route 5. Between Incline and Spooners Station: From the junction of Nevada Highway 27 and Nevada Highway 28 (Incline), over Nevada Highway 28 to junction U.S. Highway 50 (Spooners Station). Service is authorized to be conducted in special operations only, except that regular service is authorized to be conducted on occasions of and for the purpose of affording transportation to and from advertised special events to be held in the Squaw Valley, Calif., area to which the general public is invited. The carrier is presently authorized to operate over the above-specified regular routes and no new route or change in route authorized is requested, but it is proposed that the special conditions presently applicable to each of such routes reading: "Service is authorized to be conducted in special operations only" be changed to the special condition shown after each of the above numbered routes. Applicant is authorized to conduct operations throughout the United States.

No. MC 1504 (Sub No. 147), filed August 24, 1959. Applicant: ATLANTIC GREYHOUND CORPORATION, 1100 Kanawha Valley Building, Charleston, W. Va. Applicant's attorney: Raymond H. Warns, Commerce Counsel, The Greyhound Corporation, 5600 Jarvis Avenue, Chicago 48, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *Passengers and their baggage, and express, newspapers and mail*, in the same vehicle with passengers, between junction of Interstate Highway 95 and U.S. Highway 1, located approximately one mile south of Petersburg, Va., and Richmond, Va., from the junction of Interstate Highway 95 and U.S. Highway 1 over Interstate Highway 95 to Richmond, and return over the same route, serving all intermediate points. Applicant states it proposes to join or tack this authority, if granted, with its present authority at the junction of Interstate Highway 95 and U.S. Highway 1, Richmond, Va., and at all points intermediate to the termini of the proposed route. Applicant is authorized to conduct operations in Georgia, North Carolina, South Carolina, Tennessee, Ohio, Virginia, West Virginia, and the District of Columbia.

No. MC 39416 (Sub No. 3), filed August 26, 1959. Applicant: THE GRAY LINE COMPANY, an Oregon corporation, 628 NW. Sixth Avenue, Portland, Ore. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in seasonal operations between June 1 and September 15th of each year, in special operations, sightseeing and pleasure tours, between points in Multnomah and Hood River Counties, Ore., and points in Clark and Skamania Counties, Wash. Applicant is authorized to conduct operations in Oregon.

NOTE: Applicant states that the total service proposed will in every instance be on a round-trip basis, normally one segment thereof will be a boat trip on the Columbia River. The two vehicles will be coordinated

so that one group of passengers will leave Portland, Oreg. (in every instance the origin and destination) by boat and return by bus, and a second group will leave by bus and return on the boat. On rare occasions an individual may use motor carrier service for the round trip.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under Section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 7300. Authority sought for purchase by WHITESCARVER TRANSPORTATION CORP., 46 Oakwood Avenue, Orange, N.J., of the operating rights of TUOHY TRUCKING CORPORATION, 733 State Highway 17, Carlstadt, N.J., and for acquisition by FRANKLIN WHITESCARVER, PAUL S. WHITESCARVER, JR., and PAUL S. WHITESCARVER, SR., all of Orange, of control of such rights through the purchase. Applicants' attorney: Bowes & Millner, 1060 Broad Street, Newark 2, N.J. Operating rights sought to be transferred: Groceries and such merchandise and fixtures as are used in the operation of chain grocery stores, under special and individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who operate retail stores, the business of which is the sale of food, as a contract carrier over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Fairfield County, Conn., Orange, Rockland, and Westchester Counties, N.Y., and Bergen and Passaic Counties, N.J.; groceries and such merchandise and fixtures as are used in the operation of chain grocery stores, under special and individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who operate retail stores, the business of which is the sale of such commodities, between New York, N.Y., on the one hand, and, on the other, points in Morris, Essex, and Sussex Counties, N.J., and between New York, N.Y., on the one hand, and, on the other, points in Pike County, Pa.; 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, under special and individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who operate retail stores, the business of which is the sale of such commodities, between New York, N.Y., on the one hand, and, on the other, points in Warren and Ulster Counties, N.J., and Sullivan and Ulster Counties, N.Y.; such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, under individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who operate wholesale, retail, and chain stores, the business of which is the sale of food, between Carlstadt, N.J., on the one hand, and, on the other, certain points in New York, Connecticut and Pennsylvania,

and from Carlstadt, N.J., and New York, N.Y., to points in New Haven and Hartford Counties, Conn.; soaps, soap powders, soap products, shortenings, edible oils, toilet preparations, glycerine, washing compounds, and cleansing compounds, in containers, and advertising matter and premiums in connection therewith, from Port Ivory, N.Y., to points in Westchester County, N.Y.; such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses, under individual contracts or agreements with persons (as defined in section 203(a) of the Interstate Commerce Act) who operate wholesale or retail stores, the business of which is the sale and distribution of food, between New York, N.Y., on the one hand, and, on the other, points in Middlesex, Monmouth, and Somerset Counties, N.J.; such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, limited to a transportation service to be performed under a continuing contract, or contracts, with the Grand Union Company, East Paterson, N.J., from New York, N.Y., to points in Burlington and Ocean Counties, N.J., and from Mt. Kisco, N.Y., to certain points in New Jersey, Pennsylvania and New York. Vendee has applied for temporary authority in Docket No. MC 118956 Sub ITA, to operate as a contract carrier in New Jersey, New York and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

NOTE: A motion to dismiss the Section 5 application has been filed simultaneously.

No. MC-F 7302. Authority sought for purchase by NATIONAL TRANSPORTATION COMPANY; 251 State Street Extension, Bridgeport, Conn., of the operating rights and property of LEON E. TAYLOR, doing business as TAYLOR TRUCKING COMPANY, 247 Summit Street, Norwich, Conn., and for acquisition by DAVID C. GOLD, RAYMOND PULVER and THEODORE KRAMER, all of Bridgeport, of control of such rights and property through the purchase. Applicants' attorney, Joseloff, Murrett & Ahearn, 410 Asylum Street, Hartford 3, Conn. Operating rights sought to be transferred: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes between New London, Conn., and Providence, R.I., serving certain intermediate and off-route points. Vendee is authorized to operate as a common carrier in Massachusetts, Maryland, Connecticut, New York, Pennsylvania, New Jersey, and Delaware. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7303. Authority sought for control and merger by BRADA CARTAGE COMPANY, 4001 Central Avenue, Detroit 10, Mich., of the operating rights and property of MILLER TRANSPORTATION, INC., 1200 South Home Street, Kokomo, Ind., and for acquisition by C. RUSSELL WAGSTAFF, also of Detroit, of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman & Steiner,

39 South LaSalle Street, Chicago 3, Ill., and Howell Ellis, 520 Illinois Building, Indianapolis, Ind. Operating rights sought to be controlled and merged: General commodities, except articles of unusual value, and except dangerous explosives, household goods as defined by the Commission, and liquid commodities in bulk, as a common carrier over irregular routes, between Kokomo, Ind., and points within 50 miles of Kokomo, on the one hand, and, on the other, Louisville, Ky., St. Louis, Mo., points in Ohio and Illinois, and certain points in Michigan; household goods, as defined by the Commission, between Kokomo, Ind., on the one hand, and, on the other, certain points in Illinois and Michigan; ferro alloy (stellite), stellite dies, iron and steel products, power pumps, measuring pumps and parts, stellite scrap, chromium and carbon electrodes (graphite), sugar, fertilizer, dry chemicals in bags, liquid chemicals in carboys, farm machinery and farm implements and parts, beans, sugar, malt beverages, and composition building slabs, loose or individually packaged, from, to or between points and areas, varying with the commodity transported, in Indiana, Illinois, Ohio, Missouri, Kentucky, Michigan, Pennsylvania, New York, and Wisconsin. RESTRICTIONS: (1) The authority granted in Certificate No. MC 78712 is subject to the conditions that such operations shall be conducted separately from said carrier's other activities, that a separate accounting system therefor shall be maintained, and that said carrier shall not transport both as a public and private carrier at the same time in the same vehicle; and (2) the authority granted in Certificate No. MC 78712 Sub 4 in restricted against service at points any part of which is traversed by the indicated portions of the highways referred to in said certificate, and also against service at Detroit, Mich., and points in the Detroit, Mich., Commercial Zone, as defined by the Commission. BRADA CARTAGE COMPANY is authorized to operate as a common carrier in Michigan, Ohio, Indiana, Illinois and Kentucky. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7304. Authority sought for purchase by COLONIAL REFRIGERATED TRANSPORTATION, INC. (ALABAMA CORPORATION), 1215 Bankhead Highway, Birmingham, Ala., of the operating rights and property of COLONIAL REFRIGERATED TRANSPORTATION, INC. (DELAWARE CORPORATION), 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala., and for acquisition by C. E. McBRIDE, also of Birmingham, of control of such rights and property through the purchase. Applicants' attorney: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham 3, Ala. Operating rights sought to be transferred: Frozen fish, fresh fish, including shellfish and crabmeat, frozen fruits and vegetables, fresh and frozen poultry, frozen foods, dairy products, as defined by the Commission, cheese, frozen dough, frozen pastries, fresh meats, meats, meat products, and meat byproducts, as defined by the Com-

mission, *fresh fruits and vegetables, grape juice, jams, jellies, preserves, tomato juice, chocolate, chocolate confectionery and the ingredients thereof, prepared foods, bakery products, dessert topping, bakery goods topping, canned goods, frozen fruit juices, articles distributed by meatpacking houses, food-stuffs, confectionery, grape products, frozen vegetable juices, and cooked or cured meats, as a common carrier over irregular routes, from, to or between points and areas, varying with the commodity transported, in Maine, Massachusetts, Rhode Island, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Connecticut, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, the District of Columbia, Delaware, Arkansas, Oklahoma, Texas, Missouri, New Hampshire, Vermont, California, Oregon, and Washington.* Vendee holds no authority from this Commission. However, its controlling stockholder also owns the controlling stock in (1) vendor, a newly-formed corporation. (2) COLONIAL & PACIFIC FRIGIDWAYS, INC., and (3) COLONIAL FAST FREIGHT LINES, INC., which are authorized to operate as *common carriers* in (2) Illinois, Iowa, Wisconsin, California, Washington, Oregon, Tennessee, Alabama, Nebraska, Minnesota, Indiana, Missouri, Kansas, Arizona, Idaho, Utah, Arkansas, Michigan, Pennsylvania, New York, Massachusetts, Connecticut, Rhode Island, and the District of Columbia, and (3) Alabama, Florida, Georgia, Tennessee, Mississippi, and Louisiana, respectively. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7305. Authority sought for control by WOODS INDUSTRIES, INC., 4900 North Santa Fe, Oklahoma City, Okla., of AUTO TRANSPORTS, INC., UNITED TRANSPORTS, INC., TEXAS AUTO TRANSPORTS, INC., AUTO WAREHOUSES, INC., TEXAS AUTO WAREHOUSES, INC., OKLAHOMA CITY TERMINALS, INC., and WOODS PETROLEUM CORPORATION, all of 4900 North Santa Fe, Oklahoma City, Okla., and for acquisition by ROY G. WOODS, also of Oklahoma City, of control of AUTO TRANSPORTS, INC., UNITED TRANSPORTS, INC., TEXAS AUTO TRANSPORTS, INC., AUTO WAREHOUSES, INC., TEXAS AUTO WAREHOUSES, INC., OKLAHOMA CITY TERMINALS, INC., and WOODS PETROLEUM CORPORATION through the acquisition by WOODS INDUSTRIES, INC. Applicant's attorney: James W. Wrape, Sterick Building, Memphis, Tenn. Operating rights sought to be controlled: (AUTO TRANSPORTS, INC.) *New motor vehicles, vehicle cabs and bodies, and automobile show equipment and paraphernalia, when transported with display vehicles, by driveaway and truckaway methods in initial movements, as a contract carrier over irregular routes, from points in Wyandotte County, Kans., to points in Arkansas, Colorado, Illinois, Iowa, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, Oklahoma,*

South Dakota, Texas, Utah, and Wyoming; the above-described commodities, in secondary movements, between points in Arkansas, Colorado, Illinois, Iowa, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah, Wyoming, and Kansas; motor vehicles, in initial movements, by driveaway and truckaway methods, and vehicle cabs and bodies, and automobile show equipment and paraphernalia, from points in Wyandotte County, Kans., to points in North Dakota, Wisconsin, and Indiana; (UNITED TRANSPORTS, INC.) (A) new automobiles, new trucks, new bodies, new cabs, new chassis, and parts thereof, in initial movements, in driveaway and truckaway service, as a common carrier over irregular routes, from places of manufacture and assembly in St. Louis and Kansas City, Mo., to points in Oklahoma and Texas; (B) new buses, new chassis, and parts thereof, in driveaway service, from Richmond, Ind., to points in Oklahoma, new trucks, and new chassis, in initial movements, in driveaway service, from Springfield, Ohio, to Joplin, Mo., and points in Oklahoma, with the right to stop shipments in transit for installation of bodies or parts, on shipments from Springfield to points in Oklahoma, and new trucks, new bodies, new cabs, new chassis, and parts thereof, in initial movements, in truckaway service, from Springfield, Ohio, to Joplin, Mo.; (C) automobiles, trucks, chassis, and automobile parts, new, used, or unfinished, in secondary movements, in truckaway service, from St. Louis, Mo., to certain points in Missouri and Kansas; (D) new trucks, new commercial cars, new chassis, and parts thereof, in initial movements, in driveaway service, from places of manufacture and assembly in Fort Wayne, Ind., to points in Oklahoma, with the right to stop shipments in transit for the installation of bodies or parts; (E) automobiles, trucks, bodies, cabs, chassis, and parts thereof, new, used, unfinished, and/or wrecked, in secondary movements, in driveaway and truckaway service, between St. Louis, Kansas City, and Joplin, Mo., and points in Texas, Oklahoma, and that part of Kansas on and south of U.S. Highway 66; in addition to the authority described in paragraphs (A), (B), (C), (D), and (E), the carrier is authorized to perform through service (1) under a combination of the initial authority described in paragraph (B) and the secondary authority described in paragraph (E), provided the carrier is authorized in paragraph (B) to transport the shipment to a gateway point from which it is authorized to transport such shipments in paragraph (E), and provided that in each instance the movement is made through such authorized gateway point and (2) under a combination of the secondary authorities described in paragraphs (B), (C), and (E) when under one of such paragraphs the carrier is authorized to transport the shipment to a gateway point from which the shipment is authorized to be transported under the other of such paragraphs and provided in each instance the movement is made through such au-

thorized gateway point; new vehicles or chassis that have been rejected by a dealer or distributor, from points in Oklahoma to Fort Wayne, Ind., and Springfield, Ohio; automobiles, trucks, tractors, chassis, cabs, bodies, and parts thereof, restricted to secondary movements, in truckaway or driveaway service, from St. Louis, Mo., to points in New Mexico and certain points in Kansas, and between points in Kansas, on the one hand, and, on the other, points in Missouri, Oklahoma, and Texas; automobiles, trucks, tractors, chassis, cabs, bodies, and parts thereof, restricted to initial movements, in driveaway service, from points of manufacture and assembly in Fort Wayne, Ind., and Springfield, Ohio, to points in Arizona; automobiles, trucks, tractors, trailers, chassis, bodies, cabs, and parts thereof (when accompanying the vehicle for which they are intended) in truckaway service, from Memphis, Tenn., to points in Texas, restricted to shipments which have had a prior or which will have a subsequent movement by barge; automobiles, trucks, tractors, cabs, chassis, bodies, and parts thereof (when accompanying the vehicle for which they are intended), and automobile show equipment (when accompanying the motor vehicle), by the driveaway and truckaway methods, restricted to secondary or subsequent movements, between points in Missouri, on the one hand, and, on the other, points in Arizona, New Mexico, Oklahoma, and Texas, between points in Arizona, on the one hand, and, on the other, points in New Mexico, Oklahoma, and Texas, between points in New Mexico, on the one hand, and, on the other, points in Oklahoma and Texas, and from Memphis, Tenn., to points in Arizona, New Mexico, Oklahoma, and Texas, where the shipment has had a prior movement by water carrier; trailers, other than those designed to be drawn by passenger automobile, in truckaway service, in secondary movements, from Memphis, Tenn., to points restricted to an immediately prior movement by water carrier; in Arizona, Oklahoma, New Mexico, and Texas, automobiles, trucks, tractors, and chassis, in secondary movements, by the driveaway and truckaway methods, and cabs, bodies, and automobile show equipment, from Memphis, Tenn., to points in Arizona, New Mexico, Oklahoma, and Texas; motor vehicles (other than automobiles and trailers) and chassis, in initial movements, in driveaway service, from Fort Wayne, Ind., and Springfield, Ohio, to points in Kansas, Oklahoma, Texas, Arizona, and New Mexico; motor vehicles (other than automobiles and trailers) and chassis, in secondary movements, in driveaway service, between points in Kansas, Oklahoma, Texas, Arizona, and New Mexico, restricted to the transportation of vehicles which have previously been transported in initial movements from Bridgeport, Conn., Fort Wayne, Ind., or Springfield, Ohio; parts of, or accessories for, such vehicles as are described above, when transported with vehicles moving under the above-described authority, from Fort Wayne, Ind., and Springfield, Ohio, to points in

Kansas, Oklahoma, Texas, Arizona, and New Mexico, and between points in Kansas, Oklahoma, Texas, Arizona, and New Mexico; *new automobiles*, in initial movements, in truckaway service, from the site of the Cadillac Motor Car Division of General Motor Corporation at Detroit, Mich., to points in Kansas, Missouri, Oklahoma, and Texas; *new automobiles, new trucks, and new assembled and partially assembled automobile chassis*, in initial movements, in truckaway and driveaway service, from Evansville, Ind., to San Antonio, San Marcos, Austin, Laredo, and Sequin, Tex.; *new automobiles, new trucks, and new assembled and partially assembled automobile chassis*, in initial movements, in driveaway service, from Detroit, Mich., to San Antonio, San Marcos, Austin, Laredo, and Sequin, Tex.; *new automobiles, new trucks, and new assembled and partially assembled automobile chassis*, in initial movements, in truckaway service, from Detroit, Mich., and Willow Run in Washtenaw County Mich., to certain points in Texas; *new automobiles, new trucks, and new assembled and partially assembled automobile chassis*, in secondary movements, in driveaway and truckaway service, from Memphis, Tenn., and Houston, Tex., and points within five miles of each, to certain points in Texas; the initial-movement authority specified in No. MC 71902 Sub 60 is restricted against tacking with

carrier's otherwise authorized secondary movement authority so as to prohibit the transportation of traffic moving from Detroit, Mich., and Evansville, Ind., to points in Missouri, Kansas, Oklahoma, Arizona, and New Mexico (TEXAS AUTO TRANSPORTS, INC.); *motor vehicles, vehicle cabs and bodies, and automobile show equipment and paraphernalia*, in initial movements, by driveaway and truckaway methods, as a *contract carrier* over irregular routes, from Arlington, Tex., to points in Texas, Louisiana, Oklahoma, New Mexico, Arizona, Utah, Colorado, Kansas, Arkansas, Wyoming, Nebraska, and Missouri, and to Memphis, Tenn. WOODS INDUSTRIES, INC., holds no authority from this Commission. However, its controlling stockholder is affiliated with (1) UNITED TRANSPORTS, INC., (2) AUTO TRANSPORTS, INC., and (3) TEXAS AUTO TRANSPORTS, INC., which are authorized to operate as (1) *common carrier*, (2) and (3) *contract carriers*. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F 7301. Authority sought for control by FERGUSON-BROADWAY BUS LINES, INC., 10100 West Florissant Avenue, Dellwood 36, Mo., of BROWN MOTOR LINES, INC., 225 Wilson Ave-

nue, Alton, Ill., and for acquisition by ROY E. KRUPP, 1310 Highmount, Ferguson 35, Mo., CHARLES CALDWELL, 222 Wesley Avenue, Ferguson 35, Mo., BERT CALDWELL, 3023 West Main, Belleville, Ill., CARL BEHLE, 215 Dellwood Avenue, St. Louis 35, Mo., and WALTER FRANKE, 214 North Floridale, St. Louis 36, Mo., of control of BROWN MOTOR LINES, INC., through the acquisition by FERGUSON-BROADWAY BUS LINES, INC. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. Operating rights sought to be controlled: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, as a *common carrier* over regular routes, between Alton, Ill., and St. Louis, Mo., serving all intermediate points; *passengers and their baggage*, between Alton, Ill., and St. Louis, Mo., serving all intermediate points on Illinois Highway 111. FERGUSON-BROADWAY BUS LINES, INC., is authorized to operate as a *common carrier* in Missouri and Illinois. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy, Secretary.

[F.R. Doc. 59-7515; Filed, Sept. 9, 1959; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

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3	7065	25 CFR		12	7177
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6	7072	<i>Proposed rules:</i>		32	7179
7	7074	221	7163	33	7179
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40	7253	<i>Proposed rules:</i>		35	7181
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7	7204	3	7259	111	7192
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60	7164	131	7245	176	7197
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