

(4) When grown, produced, manufactured, stored or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(b) *Limited permits.* Limited permits may be issued by the inspector for the movement of noncertified regulated articles under § 301.80-4 to specified destinations for limited handling, utilization, or processing, or for treatment.

(c) *Dealer-carrier agreement.* As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will maintain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

§ 301.80-8 *Assembly of articles for inspection.* Persons intending to move any of the regulated articles under § 301.80-4 shall make application for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation, and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection.

§ 301.80-9 *Cancellation of certificates or limited permits.* Certificates or limited permits for any regulated articles issued under the regulations in this subpart may be withdrawn or cancelled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of witchweed.

§ 301.80-10 *Inspection and disposal.* Any properly identified inspector is authorized to stop and inspect, without a warrant, any person or means of conveyance moving from any State, Territory, or District of the United States into or through any other such State, Territory, or District and any plant pest and any product and article of any character whatsoever carried thereby, upon probable cause to believe that such means of conveyance, product, or article is infested or infected by or contains any plant pest or is moving subject to this subpart or any other regulations under the Federal Plant Pest Act or that such person or means of conveyance is carrying any plant pest subject to that act, and to stop and inspect, without a warrant, any means of conveyance so moving, upon probable cause to believe it is carrying any product or article prohibited or restricted movement under the Plant Quarantine Act or any quarantine or order thereunder. Such inspector is authorized to seize, destroy, or otherwise dispose of, or require disposal of, products, articles, means of conveyance, and plant pests in accordance with section

105 of the Federal Plant Pest Act and section 10 of the Plant Quarantine Act.

§ 301.80-11 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the provisions in this subpart other than for the services of the inspector.

This quarantine and the related regulations shall be effective on September 6, 1957.

The purpose of the quarantine and regulations is to prevent the spread of the witchweed from North Carolina and South Carolina, where it is known to occur, to other parts of the United States. The regulations provide methods whereby most host material and other carriers may be inspected or treated or otherwise made eligible for interstate movement from the regulated areas. The regulations also govern movement of witchweed for scientific purposes.

The quarantine and regulations are supplemented by administrative instructions listing regulated areas and providing certain exemptions from specified requirements (§§ 301.80-2a, 301.80a, post).

This quarantine and its related regulations should be effective as soon as possible in order to be of maximum benefit in preventing the spread of the witchweed. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 57-7326; Filed, Sept. 5, 1957;
8:51 a. m.]

[P. P. C. 628]

PART 301—DOMESTIC QUARANTINE NOTICES
SUBPART—WITCHWEED

ADMINISTRATIVE INSTRUCTIONS EXEMPTING
CERTAIN ARTICLES FROM SPECIFIED RE-
QUIREMENTS

On July 12, 1957, there was published in the FEDERAL REGISTER (22 F. R. 4917), under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making relating to proposed administrative instructions exempting certain articles from proposed witchweed quarantine regulations (7 CFR 301.80, 301.80-1 et seq., supra). After due consideration of all relevant matters presented, and pursuant to § 301.80 of said regulations under the Federal Plant Pest Act (Public Law 85-36) and sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions to be designated as 7 CFR 301.80a are hereby issued as follows:

§ 301.80a *Administrative instructions exempting certain articles from specified requirements.* (a) It has been found

that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations in this subpart which make it safe to make less stringent the requirements of § 301.80-4 (a) of the regulations with respect to the movement of such articles from any regulated area into or through any point outside of the regulated areas, as hereinafter provided. The following articles are hereby exempted from the requirements of § 301.80-4 (a), under the conditions set forth below:

(1) Root crops, such as turnips, carrots, and sweet potatoes, when moving to a designated processing plant, or when washed free of soil and thereafter protected from infestation to the satisfaction of the inspector.

(2) Seed cotton when moving to a designated gin.

(3) Tobacco when moving to a designated warehouse or storage facility, provided it has been subjected to a temperature of 180° F. for 12 hours in the curing barn and subsequently protected from contamination.

(4) Soybeans if the beans and any containers for the beans did not come in contact with the soil during harvesting and if the beans are moving forthwith to a designated oil mill or storage facility for crushing or uses other than planting.

(5) Small grain if the grain and any containers for the grain did not come in contact with the soil during harvesting and if the grain is moving forthwith to a designated storage facility for uses other than planting.

(6) Ear corn when harvested from the stalk and placed, without coming in contact with the soil, in a wagon or truck for direct transportation to storage or other handling facility.

(7) Used farm tools and implements, when washed, steam cleaned or air cleaned, and thereafter protected from infestation, to the satisfaction of the inspector. (This exemption does not apply to mechanical cotton or corn pickers, combines, or hay balers or to cotton picking sacks.)

(b) Information as to designated processing plants, oil mills, warehouses, storage facilities, and gins may be obtained from the inspector.

These administrative instructions shall become effective on September 6, 1957.

The administrative instructions allow the movement of certain articles without a certificate or limited permit or compliance with related requirements under the witchweed quarantine, unless the articles are found by an inspector to present a hazard of spread of witchweed in specific cases. The tobacco exemption has been modified from that stated in the notice of rule making to provide that the tobacco be heated to 180° F. for 12 hours, a normal processing practice, and to require protection from reinfestation after heating.

The instructions provide exemptions from certain restrictions imposed by the witchweed quarantine regulations which are to be made effective as soon as possible. The modification with respect to the tobacco exemption is deemed necessary to provide fullest protection against the spread of witchweed and must be in-

cluded in the instructions. The instructions should be made effective at the same time as the regulations in order to be of maximum benefit to affected shippers. Therefore under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that further notice or other public rule-making procedure with respect to the modified instructions would be impractical and contrary to the public interest, and good cause is found for making the modified instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318, sec. 106, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F. R. Doc. 57-7325; Filed, Sept. 5, 1957;
8:51 a. m.]

[P. P. C. 627]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WITCHWEED

ADMINISTRATIVE INSTRUCTIONS DESIGNATING
REGULATED AREAS

On July 12, 1957, there was published in the FEDERAL REGISTER (22 F. R. 4916), under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making to designate regulated areas under the proposed witchweed quarantine regulations. After due consideration of all relevant matters presented, and pursuant to § 301.80-2 of the regulations supplemental to the witchweed quarantine (7 CFR 301.80-2, supra), under the Federal Plant Pest Act (Public Law 85-36) and sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions to appear in 7 CFR 301.80-2a are hereby issued as follows:

§ 301.80-2a *Administrative instructions designating regulated areas under the witchweed quarantine.* Infestations of the witchweed have been determined to exist, in the quarantined States, in the civil divisions and premises, or parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Accordingly, such civil divisions and premises, and parts thereof, are hereby designated as witchweed regulated areas within the meaning of the provisions in this subpart:

NORTH CAROLINA

Bladen County. That area of Bladen County lying west and north of U. S. Highway No. 701.

Columbus County. The area bounded by a line beginning at a point where North Carolina Highway No. 410 crosses the Columbus-Bladen County Line and extending south

along said highway to its intersection with the Atlantic Coastline Railroad, thence westward along said railroad to its intersection with the Columbus-Robeson County Line (including the area within the corporate limits of the Town of Fair Bluff), thence northeasterly along said county line to the Columbus-Bladen County Line, thence south-east along said county line to the point of beginning.

The Maggie Hobbs farm located one mile south of the Bladen-Columbus County Line on the west side of Mount Olive-Bladenboro Road, including all highways and roadways abutting thereon.

The George Elkin farm located on a dirt road one mile south of the junction of said dirt road with U. S. Highway No. 701, said junction being 2.7 miles southwest of the Columbus-Bladen County Line, including all highways and roadways abutting thereon.

The Malcolm Ransom farm located one mile south of the Bladen-Columbus County Line on the east side of Mount Olive-Bladenboro Road, including all highways and roadways abutting thereon.

The Chadbourn Veneer Company property, located in the Town of Chadbourn, south of the Atlantic Coastline Railroad tracks and approximately 0.1 mile east of the Town Hall, including all highways and roadways abutting thereon.

The Minnie I. Tedder farm located six miles southeast of Chadbourn on the west side of Hewitt Road, including all highways and roadways abutting thereon.

Cumberland County. The area bounded on the north by State Highway No. 24, on the east by the Cumberland-Sampson County Line, on the south by the Cumberland-Bladen County Line and the Cumberland-Robeson County Line, and on the west by U. S. Highway No. 301, excluding the area within the corporate limits of the City of Fayetteville.

The Mrs. D. D. Carter farm located 1.5 miles east of Vander at the junction of the Clement Road with State Highway No. 24, including all highways and roadways abutting thereon.

Harnett County. The area included within a circle having a three-mile radius and center at the point where the Overhills-Lillington dirt road crosses McLeod Creek.

Hoke County. The Edwin Pate, Jr., farm operated by Marshall Hearn, located on a dirt road 0.5 mile north of the junction of said dirt road with the Anticok-Dundarrach Road, said junction being 0.5 mile southwest of Dundarrach, including all highways and roadways abutting thereon.

Robeson County. All of Robeson County.

Sampson County. The area bounded by a line beginning at a point where Big Swamp empties into South River and extending northwesterly along said river to its junction with North Carolina Highway No. 24, thence eastward along said highway to its junction with Autryville-Salemburg Highway, thence northeasterly along said highway to its intersection with Big Swamp, thence following Big Swamp in a southerly direction to the point of beginning, excluding the area within the corporate limits of the Town of Autryville.

The H. A. Pope farm located on the west side of Old Fayetteville Road, 1.8 miles southeast of the junction of Old Fayetteville Road and North Carolina Highway No. 24, said junction being 2.5 miles northwest of Roseboro, including all highways and roadways abutting thereon.

The J. F. Simmons farm located on a dirt road, one mile west of the junction of said dirt road and North Carolina Highway No. 411, said junction being 3.5 miles north of Parkersburg, including all highways and roadways abutting thereon.

The Lulla Brinson farm located on a dirt road, one mile east of the junction of said dirt road and North Carolina Highway No.

411, said junction being three miles northeast of Parkersburg, including all highways and roadways abutting thereon.

The D. D. McLarium farm located on the south side of Loop Road, 1.3 miles north of the junction of said Loop Road and North Carolina Highway No. 24, said junction being 1.8 miles east of Roseboro, including all highways and roadways abutting thereon.

The Earl Patterson farm located on the south side of a dirt road, two miles south of the junction of said dirt road and the Salemburg-Clinton Highway, said junction being 2.1 miles northeast of Salemburg, including all highways and roadways abutting thereon.

The James Howard farm located on the east side of a dirt road, one mile southeast of the junction of said dirt road and Clement-Halls Store Road, said junction being 2.1 miles northeast of Clement, including all highways and roadways abutting thereon.

Scotland County. That area within Scotland County included within a circle having a 4.3 miles radius and center at Johns.

The William Cagle farm located on the Laurinburg-Maxton Air Base Road, one mile north of the Air Base, including all highways and roadways abutting thereon.

SOUTH CAROLINA

Darlington County. The J. B. Howle farm located on a dirt road, 0.6 mile northeast of the junction of said dirt road and South Carolina State Secondary Highway No. 29, said junction being 1.8 miles northwest of Mechanicsville, including all highways and roadways abutting thereon.

Dillon County. The portion of the county lying east of the Seaboard Airline Railroad right-of-way, said right-of-way beginning at Smithboro, and extending in a northwesterly direction to the Dillon-Marlboro County Line.

The southwestern portion of the county bounded by a line beginning at a point where Little Reedy Creek crosses the Dillon-Marlboro County Line, thence southeasterly along said creek to its junction with Buck Swamp and continuing in a southeasterly direction along Buck Swamp to its junction with U. S. Highway No. 301, thence along said highway in a southwesterly direction to the Dillon-Marion County Line, thence in a southwesterly direction along said county line to the Great Pee Dee River, thence along said river in a northwesterly direction to the Dillon-Marlboro County Line, thence along the Dillon-Marlboro County Line to the point of beginning.

Horry County. The northwestern portion of the county bounded by a line beginning at a point where U. S. Highway 76 crosses the North Carolina-South Carolina State Line and extending southwest along said highway to its junction with South Carolina Secondary Highway No. 44, thence southwest along said secondary highway to its junction with South Carolina Secondary Highway No. 19, and continuing southeast along said highway No. 19 to its junction with Lake Swamp Creek, thence in a westerly and southerly direction along Lake Swamp Creek to the Little Pee Dee River, thence in a northeasterly direction along said river to the Lumber River, thence in a northeasterly direction along said river to the North Carolina State Line, thence in a southeasterly direction along the North Carolina-South Carolina State Line to the point of beginning.

That area included within a circle having a five mile radius and center at Good Hope Church located on South Carolina State Secondary Highway No. 97, including all highways and roadways abutting thereon.

The George H. Harrelson farm located on the north side of a dirt road, 0.6 mile west of the junction of said dirt road and South Carolina State Secondary Highway No. 31, said junction being approximately one mile north of Red Bluff Crossroads, including all highways and roadways abutting thereon.

The Hortense Hughes farm located on the south side of a dirt road, 0.5 mile west of the junction of said dirt road with South Carolina State Secondary Highway No. 31, said junction being approximately 1.5 miles north of Red Bluff Crossroads, including all highways and roadways abutting thereon.

Marion County. An area bounded by a line beginning at the junction of the Little Pee Dee River and South Carolina Secondary Highway No. 60 and extending northeasterly along said highway to its junction with South Carolina Secondary Highway No. 30, thence along said highway No. 30 southeasterly to the corporate limits of the City of Nichols, thence southerly along said corporate limits to the junction of U. S. Highway No. 76, thence southwesterly along said highway to the Little Pee Dee River, thence along said river in a northwesterly direction to the point of beginning, including all highways and roadways abutting thereon.

That area bounded by a line beginning at a point where South Carolina Primary Highway No. 41 crosses the Marion-Dillon County Line and extending southerly along said highway to its junction with South Carolina Primary Highway No. 41A, thence northwesterly along said highway to its junction with U. S. Highway No. 501, thence northwesterly along said highway to its junction with the Marion-Dillon County Line, thence easterly along said county line to the point of beginning, excluding the area within the corporate limits of the Towns of Mullins and Marion.

The Walter W. Larrimore farm located on the north side of U. S. Highway No. 378, 0.3 mile northwest of the Potato Bed Ferry Bridge across the Little Pee Dee River, including all highways and roadways abutting thereon.

The Mrs. John Steadman farm, located on the north side of U. S. Highway No. 378, 0.3 mile northwest of the Potato Bed Ferry Bridge across the Little Pee Dee River, including all highways and roadways abutting thereon.

Marlboro County. The southern portion of the county bounded on the east by the Dillon-Marlboro County Line, on the south by the Florence-Marlboro County Line, on the west by the Darlington-Marlboro County Line, and on the north by South Carolina Secondary Highway No. 57 and South Carolina Secondary Highway No. 49, including all highways and roadways abutting thereon.

The area bounded by a line beginning at a point where U. S. Highway No. 15 crosses the North Carolina-South Carolina State Line, and extending thence in a southeasterly direction along said state line to the Dillon-Marlboro County Line, thence in a southwesterly direction along said county line to its intersection with South Carolina Primary Highway No. 9, thence along said highway No. 9 in a northwesterly direction to its intersection with U. S. Highway No. 15, thence in a northeasterly direction along said highway No. 15 to the point of beginning, including all highways and roadways abutting thereon.

These administrative instructions shall become effective September 6, 1957.

Since publication in the notice of rule making on July 12, 1957, of the proposed designation of regulated areas, a number of additional witchweed infestations have been discovered. Consequently, the regulated areas designated hereby are greater in number and scope than proposed in the notice.

These administrative instructions list the areas that are regulated under the new witchweed quarantine to become effective September 6, 1957. They must be made effective concurrently with such quarantine to effectuate the purposes

thereof. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that further notice of rule making and other public procedure with respect to the instructions would be impracticable and contrary to the public interest and good cause is found for making the instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318, sec. 105, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F. R. Doc. 57-7324; Filed, Sept. 5, 1957; 8:51 a. m.]

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

PART 728—WHEAT

SUBPART—1958-59 MARKETING YEAR

COUNTY ACREAGE ALLOTMENTS FOR 1958 CROP OF WHEAT

Correction

In F. R. Document 57-6829 appearing in the issue for Friday, August 23, 1957, at page 6821, make the following change for the State of New York: In column 2, opposite the entry for Broome, the figure "283" should read "238".

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

[959.315 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 in 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 (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established pursuant to said marketing agreement and amended order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, 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, 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 et seq.) 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) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating on and after the effective date of this amendment the shipment of potatoes in the manner hereinafter set forth; (3) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date; (4) reasonable time is permitted, under the circumstances, for such preparation; and (5) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

Order, as amended. The provisions of paragraph (b) (2) of § 959.315 (FEDERAL REGISTER July 13, 1957; 22 F. R. 5532) are hereby amended to read as follows:

(2) During the period from September 9, 1957, through June 30, 1958, and subject to the requirements set forth in subparagraph (1) of this paragraph, no handler shall ship:

(i) Potatoes of any variety grown in District No. 1, 2, or 4 if such potatoes are more than "slightly skinned," as such term is defined in said United States Standards, which means that not more than ten percent of such potatoes have more than one-fourth of the skin missing or "feathered"; or

(ii) Potatoes of any variety grown in District No. 3 if such potatoes are more than "moderately skinned," as such term is defined in said United States Standards, which means that not more than ten percent of such potatoes have more than one-half of the skin missing or "feathered": *Provided*, That during such period, any handler may ship not to exceed a total of 100 hundredweight of each variety of such potatoes every seven days without regard to the aforesaid skinning requirements if prior to such handling the handler reports to the Oregon-California Potato Committee the name and address of the producer of such potatoes, and each such shipment is handled as an identifiable entity.

Except as otherwise provided, terms used in this amendment shall have the same meaning as when used in said marketing agreement, as amended, and order, as amended.

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

Dated: September 3, 1957, to become effective September 9, 1957.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 57-7321; Filed, Sept. 5, 1957; 8:51 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1464]

[Oregon 04996]

OREGON

Correction

In F. R. Doc. 57-6636, appearing at page 6511 of the issue for Wednesday, August 14, 1957, the following change should be made:

That portion of the seventh line following the heading in the land description, now reading "Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{2}$," should read "Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{4}$."

[Public Land Order 1477]

[1825763]

UTAH

PARTIALLY REVOKING EXECUTIVE ORDERS NOS. 8579 OF OCTOBER 29, 1940 AND 8652 OF JANUARY 28, 1941, WHICH RESERVED LANDS FOR USE OF THE WAR DEPARTMENT AS AN AERIAL BOMBING AND GUNNERY RANGE

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

1. Executive Orders Nos. 8579 of October 29, 1940, and 8652 of January 28, 1941, which reserved the public lands within described areas in Utah for use of the War Department as an aerial bombing and gunnery range, are hereby revoked so far as they affect the following-described lands:

IN EXECUTIVE ORDER NO. 8579

SALT LAKE MERIDIAN

T. 1 N., Rgs. 12, 13, and 14 W., unsurveyed.
T. 1 S., Rgs. 12, 13, and 14 W., unsurveyed.
T. 1 S., R. 15 W.,
Secs. 19 to 36, inclusive.
T. 1 S., R. 16 W.,
Secs. 19 to 36, inclusive.
T. 1 S., R. 17 W.,
Secs. 19 to 36, inclusive.
T. 1 $\frac{1}{2}$ S., R. 15 W.,
Secs. 31 to 36, inclusive.
T. 2 S., Rgs. 12 and 13 W., unsurveyed.
Secs. 1 to 18, inclusive.
T. 2 S., Rgs. 14, 15, 16, and 17 W.,
Secs. 1 to 18, inclusive.

The areas described aggregate 248,810.84 acres.

Excepting, however, a strip of land in T. 1 N., and 1 S., R. 12 W., containing approximately 275.48 acres, which will remain withdrawn in connection with its continued use by the Department of the Air Force as a low flight strip.

IN EXECUTIVE ORDER NO. 8652

SALT LAKE MERIDIAN

T. 1 N., R. 15 W.,
T. 1 S., R. 15 W.,
Secs. 1 to 18, inclusive.
T. 2 S., R. 18 W.,
Sec. 1, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Secs. 12, 13, and 14;
Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$.

The areas described aggregate 37,591.04 acres.

2. The following-described lands in the areas described in paragraph 1 of this order have been patented without a reservation of minerals to the United States:

SALT LAKE MERIDIAN

T. 2 S., R. 14 W.,
Sec. 21.
T. 1 S., R. 15 W.,
Sec. 26, W $\frac{1}{2}$;
Sec. 35, W $\frac{1}{2}$.
T. 2 S., R. 15 W.,
Sec. 2, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 7, lots 7, 8, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 11, W $\frac{1}{2}$;
Sec. 14, W $\frac{1}{2}$;
Sec. 16, W $\frac{1}{2}$;
Sec. 17, E $\frac{1}{2}$.
T. 1 S., R. 16 W.,
Sec. 21.
T. 2 S., R. 16 W.,
Sec. 5, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 8, E $\frac{1}{2}$;
Sec. 9, S $\frac{1}{2}$;
Sec. 10, S $\frac{1}{2}$;
Sec. 11, S $\frac{1}{2}$;
Sec. 12, S $\frac{1}{2}$;
Sec. 17, E $\frac{1}{2}$.
T. 1 S., R. 17 W.,
Sec. 19, lots 1, 2, 3, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, lot 1, W $\frac{1}{2}$ of lot 2, and W $\frac{1}{2}$ of lot 3.

The areas described aggregate 6,561.28 acres.

3. The following-described lands in the areas described in paragraph 1 of this order are state school lands:

SALT LAKE MERIDIAN

T. 1 N., R. 15 W.,
Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$, and SE $\frac{1}{4}$;
Secs. 32 and 36.
T. 2 S., R. 14 W.,
Secs. 2 and 16.
T. 1 S., R. 15 W.,
Secs. 2, 16, 32, and 36.
T. 1 $\frac{1}{2}$ S., R. 15 W.,
Secs. 32 and 36.
T. 2 S., R. 15 W.,
Sec. 2, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 16, E $\frac{1}{2}$.
T. 1 S., R. 16 W.,
Secs. 32 and 36.
T. 2 S., R. 16 W.,
Secs. 2 and 16.
T. 1 S., R. 17 W.,
Secs. 32 and 36.
T. 2 S., R. 17 W.,
Secs. 2 and 16.

The areas described aggregate 12,284.19 acres.

4. Sections 14, 15, 22, and 23, T. 1 S., R. 12 W., will remain within the withdrawal made by Executive Order No. 4872 of May 3, 1928, for use of the Department of Commerce as an air navigation site. The NE $\frac{1}{4}$, sec. 18, T. 1 S., R. 14 W., is within Air Navigation Withdrawal No. 70, created by departmental order of October 20, 1931.

5. The remaining lands, aggregating approximately 263,036 acres, are located on the salt flats to the east of Wendover, Utah. They are barren of vegetation and have no value for grazing purposes. The released land is a portion of the Wendover Bombing and Gunnery Range.

6. No application for the opened lands may be allowed under the homestead, desert-land, small tract or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

7. Subject to any valid existing rights and the requirements of applicable law, the public lands released from withdrawal by this order, are hereby opened to filing of applications, selections, and locations in accordance with the following; the unsurveyed lands being opened to such applications, selections, and locations as are allowable on unsurveyed lands.

(a) Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications for surveyed lands under the Homestead, Desert Land, and Small Tract Laws and for unsurveyed lands under the Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, presented prior to 10 a. m., on October 5, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m., on January 4, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs 7 (a) (1) and 7 (a) (2) above, and applications and offers under the Mineral Leasing Laws presented prior to 10:00 a. m., on January 4, 1958, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

(b) The opened lands will be open to applications and offers under the mineral-leasing laws, and to location under the United States mining laws beginning at 10:00 a. m., on January 4, 1958.

8. Persons claiming veterans preference rights under paragraph 7 (a) (2) above, must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming

preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

ROGER C. ERNST,
Assistant Secretary of the Interior.

AUGUST 30, 1957.

[F. R. Doc. 57-7294; Filed, Sept. 5, 1957;
8:47 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter C—Drugs

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTI-BIOTIC-CONTAINING DRUGS

ANIMAL FEEDS CONTAINING ANTIBIOTIC DRUGS

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F. R. 1045), the general regulations for the certification of antibiotic and antibiotic-containing drugs (21 CFR, 1956 Supp., 146.26; 22 F. R. 1932) are amended as follows:

1. Section 146.26 (b) (9) is amended by adding thereto the following sentence: "When intended for the uses specified in this subparagraph, it may also contain, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section."

2. Section 146.26 (b) (10) is amended by adding thereto the following sentence: "When intended for the uses specified in this subparagraph, it may also contain, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section."

3. Section 146.26 (b) (27) is amended to read as follows:

(27) It is intended for use as an aid in maintaining or increasing egg production, hatchability of eggs, prevention of early mortality of chicks when due to organisms that are sensitive to chlortetracycline, and for improving feed efficiency as related to egg production; its labeling bears adequate directions and warnings for such use; and it contains not less than 50 grams of chlortetracycline per ton of feed, except that if it is intended for use in the presence of disease outbreaks it shall contain not less than 100 grams of chlortetracycline per ton of feed.

4. Section 146.26 (b) is amended by adding thereto the following new subparagraphs:

(30) It is intended for use as an aid in the prevention of early mortality of chicks when due to organisms that are sensitive to streptomycin and penicillin; its labeling bears adequate directions and warnings for such use; and it contains, per ton of feed, not less than 75 grams of streptomycin and 15 grams of penicillin.

(31) It is intended for use in nursing sows to stimulate milk flow; it contains 100 milligrams of iodinated casein per pound; and its labeling bears information that it is to be administered as the complete ration for 3 days before farrowing and for the first week of lactation. It may also be intended for use in the prevention or treatment of bacterial swine enteritis if it contains the antibiotics in the amounts prescribed by this section for that disease.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry, since it relaxes certain requirements, and since it would be against public interest to delay publication of these amendments.

I further find that animal feeds containing antibiotic drugs and conforming with the conditions prescribed in these amendments need not comply with the requirements of sections 502 (1) and 507 of the Federal Food, Drug, and Cosmetic Act in order to ensure their safety and efficacy.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interpret or apply secs. 502, 507, 52 Stat. 1051, 59 Stat. 463, as amended; 21 U. S. C. 352, 357)

Dated: August 30, 1957.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.

[F. R. Doc. 57-7289; Filed, Sept. 5, 1957;
8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

Subchapter C—Military Personnel

PART 56—MEDICAL CARE FOR DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES HOSPITAL

The following amendment to § 56.5-3 (a) (1) of this Part 56 has been authorized by the Secretary of Defense and the Secretary of Health, Education, and Welfare:

(1) *Hospital.* The word "hospital" shall mean only an institution which is operated in accordance with the laws of the jurisdiction in which it is located pertaining to institutions identified as

hospitals, is primarily engaged in providing diagnostic and therapeutic facilities for surgical and medical diagnosis, treatment and care of injured and sick persons by or under the supervision of staff physicians or surgeons, and continuously provides 24-hour nursing service by registered graduate nurses. It shall specifically exclude any institution which is primarily a place of rest, a place for the aged, a place for the treatment of drug addiction or alcoholism, a nursing home, a convalescent home, or a facility operated by the Federal Government or any agency thereof, except Freedmen's Hospital, Washington, D. C. If the experience of the Executive Agent indicates that the care provided in a hospital is substandard, or charges of a hospital are excessive, Government approval of its use in the future may be withdrawn and payment of charges by the Government denied for patients admitted subsequent to the withdrawal of approval unless the case is certified as an emergency by the attending physician or surgeon.

(Secs. 101-103, 201-204, 301-305, 70 Stat. 250-254; 37 U. S. C. 401-403, 411-414, 421-423, 404-405)

MAURICE W. ROCHE,
Administrative Secretary.

Approved: August 14, 1957.

FRANK B. BERRY,
Assistant Secretary of Defense
(Health and Medical).

Approved: August 27, 1957.

EDWARD FOSS WILSON,
Acting Secretary of Health,
Education, and Welfare.

[F. R. Doc. 57-7282; Filed, Sept. 5, 1957;
8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 110—DESTRUCTION OF RECORDS

SUBPART A—RAILROAD COMPANIES

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 21st day of August A. D. 1957.

The matter of regulations to govern the destruction of records of railroad companies being under consideration pursuant to provisions of section 20 (7) (b) of the Interstate Commerce Act, as amended; and,

It appearing, that a notice of proposed rule making was issued July 3, 1957 showing in detail revised regulations which were receiving consideration, such notice being published in the FEDERAL REGISTER issue of July 18, 1957 (22 F. R. 5713) pursuant to provisions of section 4 (a) of the Administrative Procedure Act; and after consideration of written views or comments received on or before August 15, 1957 as provided in such notice;

It is ordered, That the order entered April 20, 1945 which prescribed the Regulations to Govern the Destruction

of Records of Steam Railroads—Issue of 1945, as subsequently modified by orders entered May 12, 1949, June 27, 1949, and April 16, 1954, respectively, be and it is hereby vacated and set aside effective October 1, 1957, in conformity with which, Part 110 Subpart A (§§ 110.1-110.12) of Title 49 in the Code of Federal Regulations is hereby canceled and the regulations hereinafter prescribed are substituted in lieu thereof, the title of Subpart A being changed to agree with the heading of this order; and,

It is further ordered, That effective October 1, 1957, all carriers by railroad subject to provisions of the Interstate Commerce Act and not independently operated as electric lines, including lessors thereof, shall comply with the Regulations to Govern the Destruction of Records of Railroad Companies—Issue of 1957, which were previously issued as a proposed rule and which are attached hereto and are by this reference made a part hereof, before destroying operating, accounting or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents; and,

It is further ordered, That a copy of this order with the regulations set forth below shall be served on each such carrier by railroad and lessor thereof which is subject to its provisions, and on every trustee, receiver, executor, administrator, or assignee of any such carrier or lessor, and notice of this order shall be given to the general public by depositing a copy thereof with the attached regulations in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, division 2.

[SEAL] HAROLD D. McCoy,
Secretary.

Sec.	
110.0	Regulations prescribed.
110.1	Introduction.
110.2	Authority to destroy records.
110.3	Photographic copies.
110.4	Supervision of destruction.
110.5	Record of destroyed records.
110.6	Carriers going out of business.
110.7	Prescribed periods of retention.

AUTHORITY: §§ 110.0 to 110.7 issued under sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended, 49 U. S. C. 20.

SPECIAL NOTE: Section 20 (7) (b) of the Interstate Commerce Act includes the following provision:

Any person who shall knowingly and willfully make, cause to be made, or participate in the making of, any false entry in any annual or other report required under this section to be filed, or in the accounts of any book of accounts or in any records or memoranda kept by a carrier, or required under this section to be kept by a lessor or other person, or who shall knowingly and willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such accounts, records, or memoranda, * * * shall be deemed guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction to a fine of not more than five thousand dollars or imprisonment for not more than two years, or both such fine and imprisonment: *Provided,* That the Commission may in its discretion issue orders specifying such operating, accounting, or financial

papers, records, books, blanks, tickets, stubs, correspondence, or documents of such carriers, lessors, or other persons as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

§ 110.0 *Regulations prescribed.* Effective October 1, 1957, all railroad companies not independently operated as electric lines, including lessors thereof, shall comply with the regulations in this subpart before destroying any operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents.

§ 110.1 *Introduction.* The following regulations specify the records and documents which may be destroyed and prescribe the length of time the same shall be preserved, but mention of a record or document hereinafter imposes no requirement that it shall be installed if its purpose is otherwise being adequately served. Compliance with the regulations in this subpart will not exempt a carrier from statutory requirements, other than provisions of the Interstate Commerce Act, for retention of records or documents for periods longer than those herein prescribed.

§ 110.2 *Authority to destroy records—*
(a) *General authority.* Railroad companies which are not independently operated as electric lines may destroy records or documents named or described in these regulations after they have been preserved for the prescribed periods of time. Permanent records are those which may not be destroyed without special authority.

(b) *Special authority.* A carrier subject to the provisions of the regulations in this subpart proposing to destroy records or documents which are not named or described in the regulations in this subpart, or which if named or described have not been retained for the period required by the regulations, may request special authority to destroy them. Applications for such special authority shall describe in detail the records or documents to be destroyed and shall explain why their continued retention is unnecessary.

§ 110.3 *Photographic copies.* (a) Records and documents may be destroyed if they have been suitably photographed, and the microfilm is retained in lieu of the original record or document for the period prescribed for such originals, subject however to the following limitations:

(1) The records listed in § 110.7 with a permanent retention period may not be destroyed after being photographed for preservation unless special authority is first secured as provided in § 110.2 (b).

(2) Records and documents listed in the following items of § 110.7 shall be retained in their original form throughout the entire period of retention prescribed for them respectively, unless special authority to destroy them is first secured as provided in § 110.2 (b):

Item	Description
1	Corporate elections.
6	Records of securities owned.
16	Tax records.
51 (a)	Original payrolls and summaries.

Item	Description
55 (a)	Registers of audited invoices and vouchers, and indexes thereto.
(b)	Paid drafts, paid checks, and receipts for cash paid out.
(c)	Paid and canceled vouchers, audit office copies of vouchers, and supporting papers.
60 (a)	Registers of bills collectible and indexes thereto.
70 (c)	Records and memoranda pertaining to depreciation of road and equipment.
(d)	Contracts and other agreements relating to the construction, acquisition, or sale of road property.
334	Correspondence which pertains to records or documents required by this subsection to be retained in original form.

(3) The records and documents listed below, which are required under the regulations in this subpart to be retained two years or more, shall be retained in their original form at least two years, even after they have been photographed for preservation:

Item	Description
13	Original records summarizing the results of or non-carrier operations for entry in the general books.
21	Miscellaneous records pertaining to agents' accounts.
30	Records of revenue.
31	Interline freight settlements.
33	Records of passenger receipts.
36	Records of revenue from operations other than transportation.
50	Labor records which pertain to transportation employees covered by the Hours of Service Act.
110	Signal department records.
132	Records and reports of equipment in and out of service.
151	Diversion of freight.
173	Records of hours of service.
179	Car movements.
180	Car distribution.
210	Claim register.
211	Claim papers.
230 to 257	Agencies, yards, and accounting bureaus.
270 to 283	Joint associations, bureaus, and similar agencies.
300 (k) to 300 (o)	Locomotive inspection and repair reports.
334	Correspondence which pertains to records or documents required by this subsection to be retained two years in original form.

(b) To be acceptable in lieu of original records, photographic copies must meet the following minimum requirements:

(1) Photographic copies shall be no less readily accessible than the original record or document as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies.

(2) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made.

(3) The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(4) Film used for photographing copies shall be of permanent record type

meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer shall be observed to protect it from deterioration or accidental destruction.

§ 110.4 Supervision of destruction.

(a) Within six months after the effective date of the regulations in this subpart, or within six months after becoming subject to this provision, each carrier shall appoint an officer or other responsible employee to supervise the destruction of records and documents. Such appointment shall be by formal corporate act of the carrier's Board of Directors.

(b) Authority to supervise the destruction of carrier records maintained by an association, joint bureau, etc., may be delegated to the manager or other chief officer by the supervising officer of each member line.

(c) The Board of Directors at its option may by a similar formal act of appointment delegate to a bank, trust company, or similar institution having custody of railroad records in the normal course of business, the authority to destroy such records upon compliance with the requirements of the regulations in this subpart.

§ 110.5 Record of destroyed records.

(a) The supervising officer or other designated employee shall maintain a record of all carrier records and documents which have been destroyed pursuant to the regulations in this subpart, except those the retention of which is optional with the carrier. However, the record shall include all records and documents destroyed under the supervision of persons other than the supervising officer pursuant to § 110.4 (b) and (c), including those the retention of which is optional and which could be omitted if the supervising officer had directed the destruction.

(b) The record shall be available for inspection in the office of the supervising officer and shall be in such detail that the destroyed records or documents may be identified and the time, place, and method of destruction can be established. If the destruction is by accident or at the hand of an unauthorized person not subject to the carrier's control, then the record shall include a statement of the relevant circumstances.

§ 110.6 Carriers going out of business.

The records and documents relating to operations of a Carrier subject to the regulations in this subpart may be destroyed without regard to the prescribed periods of retention after carrier status is abandoned for purposes of the Interstate Commerce Act: *Provided however,*

(a) If the carrier is a corporation being dissolved by act of the authority which created it, the records may not be destroyed until dissolution is otherwise complete, and (b) if the carrier is not incorporated or is being kept alive for purposes other than carrier operations, records relating to former carrier operations may not be destroyed until all

transactions relating to such operations are completed.

§ 110.7 Prescribed periods of retention. The following list describes the purpose for which a record is necessary and the prescribed periods shall be ob-

served even if a record by some other name serves the described purpose. If identical copies of the same document serve more than one such described purpose, only one copy is required to be retained by the regulations in this subpart.

Item	Description of records	Period to be retained
CORPORATE AND FINANCIAL		
1	Corporate elections: (a) Proxies of holders of voting securities..... (b) Lists of holders of voting securities presented at meetings..... (c) Qualification oaths of judges of election..... (d) Qualification oaths of directors..... (e) Ballots cast and tabulations of vote..... (f) Judges' reports of election results.....	3 years. Do. Optional. Do. 3 years. Do. Permanent.
2	Minute books of directors', executive committee's, stockholders', and other meetings.....	Optional.
3	Code and cipher books, file copies of.....	10 years.
4	Capital stock records: (a) Capital stock ledger..... (b) Capital stock certificates, records of or stubs of..... NOTE: If the information shown on the stubs described in this item 4 (b) is recorded in permanent records, the stubs are required to be retained only for a period of three years. (c) Stock transfer register..... (d) Memoranda and bills of sale or of transfer of capital stock..... (e) Capital stock subscription notices and requests for allotment..... (f) Canceled capital stock certificates. (See item 7.)	Do. 2 years. 1 year.
5	Bond records: (a) Registered bond ledger..... (b) Records or stubs of bonds..... NOTE: If the information shown on the stubs described in this item 5 (b) is recorded in permanent records, the stubs are required to be retained only for a period of three years. (c) Memoranda and bills of sale or of transfer of registered bonds..... (d) Records of interest coupons paid and unpaid..... (e) Funded debt subscription notices and requests for allotment..... (f) Canceled bonds, paid interest coupons, and unissued bonds. (See item 7.)	10 years. Do. 2 years. Do. 1 year.
6	Record of securities owned: Record of securities owned, in treasury, or with custodians.....	10 years after disposition.
7	Retired securities: Stock certificates, bonds, notes, interest coupons, receiver's certificates, and temporary certificates taken up and canceled.	Optional, but see sec. 110.5.
8	Reports to stockholders: (a) Annual reports or statements to stockholders, file copies of..... (b) Supporting papers.....	Permanent. 10 years.
9	Ledgers: (a) General and auxiliary ledgers and indexes thereto, except as provided for elsewhere in these regulations..... (b) Balance sheets of general ledgers..... (c) Trial balance sheets of general and auxiliary ledgers.....	Permanent. 10 years. Do. Permanent.
10	General journals.....	15 years.
11	Cash books: (a) Original general cash books..... (b) Auxiliary cash books.....	6 years. 6 years.
12	Journal entries: (a) Original general journal entries..... (b) Copies of general journal entries and supporting papers.....	Permanent. 15 years.
13	Original records of auxiliary or noncarrier operations: Original records summarizing the results of auxiliary or noncarrier operations for entry in general books. NOTE: Ledgers, journals, abstracts, reports, vouchers, tickets, etc., shall be retained for the same periods as are provided for similar documents elsewhere in these regulations.	Do.
14	Deeds and other title papers and franchises.....	Permanent.
15	Contracts, leases, and agreements, except those provided for in items 70 and 230.....	5 years after termination, expiration or completion.
16	Tax records: (a) Copies of schedules and returns to taxing authorities for tax purposes..... (b) Records of appeals, tax bills, and statements.....	6 years. 6 years after settlement.
17	Copies of applications to and authorities from regulating bodies for the issuance of stocks, bonds and other securities. (See item 300q.)	Permanent when approved; optional when denied.
18	Fidelity bonds: Records and files of fidelity bonds of employees.....	3 years after expiration of coverage.
19	Insurance records: (a) Schedules of fire and other insurance, also records of payment of premiums and of amounts recovered..... (b) Insurance policies..... (c) Record of policies in force..... (d) Inspector's reports of condition of property..... (e) Reports of property in transit covered by insurance, such as cotton at compresses, cotton in transit, etc. (f) Telegraphic reports of merchandise at terminals, in warehouses, compresses, etc. (g) Letter and telegraphic reports of fire damages..... (h) Reports of minor losses by fire not covered by insurance or less than minimum amount collectible.	3 years. 2 years after expiration of coverage. Do. Optional. Do. Do. Do. Do.
20	Treasurer's records: (a) Statements and summaries of balances on hand and with depositaries..... (b) Statements from depositaries of funds received, disbursed, and transferred..... (c) Authorities for and statements of transfer of funds from one depositary to another..... (d) Records pertaining to verifications of treasurer's cash, or securities..... (e) Records of outstanding vouchers, checks, drafts, etc., issued and not presented.....	3 years. Do. Do. 2 years. 3 years.

RULES AND REGULATIONS

Item	Description of records	Period to be retained	Item	Description of records	Period to be retained
20	<p>Treasurer's records—Continued</p> <p>(f) Periodical statements of working cash balances.....</p> <p>(g) Bank deposit books, and stubs, ledgers, or records.....</p> <p>(h) Slips or statements giving the postings of miscellaneous receipts and payments of funds.....</p>	Optional. 3 years. Do.	54	<p>EXPENDITURES—continued</p> <p>Distribution of expenditures for material and supplies; Records and memoranda showing the detailed distribution of expenditures for materials and supplies chargeable to all accounts, including memorandum recapitulation sheets.</p>	4 years.
21	<p>(i) Lists of vouchers, drafts and checks showing mailing dates.....</p> <p>(j) Copies of deposit slips.....</p> <p>(k) Miscellaneous records pertaining to agents' accounts:</p> <p>(a) General office records or ledgers of agents' accounts showing debits and credits from various sources.....</p> <p>(b) Records and files of indemnity bonds incident to transportation and other charges.....</p> <p>(c) General office records relating to extension of credit for transportation and other charges.....</p>	Optional. 2 years. 3 years. Do.	55	<p>Vouchers:</p> <p>(a) Register of audited invoices and vouchers and indexes thereto.....</p> <p>(b) Paid drafts, paid checks, and receipts for cash paid out.....</p> <p>(c) Paid and canceled vouchers, audit office copies of vouchers and supporting papers.....</p> <p>(d) Lists containing authorities for payments of specific vouchers.....</p> <p>(e) Reports of drafts issued by claim agents, station agents, and others.....</p> <p>(f) Record or index of vouchers to be made, with notations of dates of issue.....</p> <p>(g) Defect and repair cards attached to bills supporting vouchers. (See item 125.).....</p>	15 years. 6 years. Do. 2 years. 1 year. Optional. Do.
22	<p>(l) Statements of corrections in agents' accounts.....</p> <p>Reports of examinations, audits, and transfers by special accountants, traveling auditors, time inspectors, weight inspectors, etc., and supporting papers.</p>	2 years after discontinuance of credit arrangement. 3 years. Do.	60	<p>MISCELLANEOUS ACCOUNTS RECEIVABLE</p> <p>Bills collectible:</p> <p>(a) Register of bills collectible and indexes thereto.....</p> <p>(b) Audit office copies of bills issued for collection, and supporting papers which do not accompany the original bills.....</p> <p>(c) Periodical statements of unsettled accounts, except trial balance sheets.....</p> <p>(d) Record or index of bills to be issued, with notations of dates of issue.....</p>	15 years. 4 years. Optional. Do.
30	<p>REVENUES</p> <p>Record of revenue:</p> <p>Records summarizing the debits and credits arising from settlements with agents, conductors, and others and from interline settlements with other carriers, as follows: freight, passenger, baggage, sleeping car, parlor and chair car, mail, express, other passenger-train, milk, switching, water transfers, dining and buffet, hotel and restaurant station, travel, and boat privileges, parcel room, storage, demurrage, communication, grain elevator, power, rents of buildings and other property, and miscellaneous.</p>	4 years.	70	<p>ROAD AND EQUIPMENT PROPERTY RECORDS</p> <p>Road and equipment records:</p> <p>(a) Records and memoranda of the cost or the inventory value of road property.....</p> <p>(b) Records and memoranda of the cost or the inventory value of equipment, including shop and power plant machinery.....</p> <p>(c) Records and memoranda pertaining to depreciation of road and equipment.....</p> <p>(d) Contracts and other agreements relating to the construction, acquisition, or sale of road property.....</p>	Permanent. 3 years after sale or retirement. 20 years. 10 years after termination, expiration or completion of contract or agreement, sale or retirement. 3 years after termination, expiration or completion of contract or agreement. 3 years. 10 years, if transferred by items (a) to (e) above.
31	<p>Interline freight settlements:</p> <p>(a) Abstracts, recapitulations, correction accounts, and summaries.....</p> <p>(b) Statements of differences.....</p>	Do. 1 year after disposition.	71	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	Permanent. Optional. Do.
32	<p>Unsettled waybills:</p> <p>(a) Record of unsettled waybills, waybills in suspense, etc.....</p> <p>(b) Tracers and supporting papers concerning unsettled freight waybills.....</p>	Do. Until receipt of settlement.	80	<p>MATERIAL LEDGERS:</p> <p>(a) Records of material and supplies on hand.....</p> <p>(b) Telegraphic reports of supplies on hand other than fuel.....</p> <p>(c) Balance sheets of material and supplies received, issued, and on hand at division storehouses, shops, and other places.....</p>	4 years. Optional. 2 years.
33	<p>Distributions of revenue receipts:</p> <p>stations; conductors' accounts; ferry and steamer accounts.</p>	4 years.	81	<p>INVENTORIES OF MATERIALS AND SUPPLIES:</p> <p>(a) General inventories of materials and supplies on hand, with record of adjustments between accounts.....</p> <p>(b) Stock cards, inventory cards, and other detail records pertaining to the taking of inventories, if abstracted into records covered by (a) above.....</p> <p>(c) Minor inventories of materials and supplies on hand, if not used for adjustments.</p>	Do. 1 year. Do.
34	<p>Interline passenger fare settlements:</p> <p>Interline ticket reports, summaries, statements of differences, statements of corrections, and accounts current pertaining to settlements of interline passenger relations between carriers, passenger associations, and mileage and scrip bureaus.</p>	Do.	82	<p>PURCHASES AND SALES:</p> <p>(a) Copies of orders for the purchase of materials and supplies.....</p> <p>(b) Invoices for materials and supplies purchased whether attached to vouchers or filed separately. (See item 55c.).....</p>	2 years. 4 years. 2 years. 1 year.
35	<p>Records of cash fare collections on trains.....</p>	2 years.	83	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	Permanent. Optional. Do.
36	<p>Records of revenue from operations other than transportation:</p> <p>(a) Records summarizing the debits and credits to the various accounts.....</p> <p>(b) Reports of station and train privileges, parcel and other coin books, telephone, telegraph, rents, and miscellaneous revenue.....</p> <p>(c) Originals and copies of telegrams.....</p>	4 years. 2 years. 1 year.	84	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	Permanent. Optional. Do.
50	<p>DAILY OR PERIODIC REPORTS OF LABOR, MATERIAL AND SUPPLIES:</p> <p>Time books, time slips, overtime tickets, delayed-time tickets, work orders, job tickets, check rolls, and other papers pertaining to services of employees and reports of material and supplies used.</p>	2 years.	85	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	Permanent. 3 years after abandonment.
51	<p>PAYROLL RECORDS:</p> <p>(a) Original payrolls and summaries.....</p> <p>(b) Applications and authorities for changes in payrolls.....</p> <p>(c) Applications for payroll changes not authorized.....</p> <p>(d) Records and memoranda pertaining to deductions from payrolls.....</p> <p>(e) Received pay checks, receipted time tickets, certificates issued for wages, discharge tickets, and other evidences of payments for services rendered by employees. (See items 20c, e.).....</p> <p>(f) Canceled pay checks drawn in favor of "bearer" in payment of wages for which receipt is shown on payrolls or other records retained by carrier.....</p> <p>(g) Copy of payroll or analytical statements of payrolls.....</p>	10 years. Optional. Do. Do. 3 years.	86	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	Permanent. 3 years after abandonment.
52	<p>Assignments of work, attachment, and garnishment of employees' salaries:</p> <p>(a) Record of assignment, attachment, and garnishment of employees' salaries.....</p> <p>(b) Files containing correspondence relating thereto.....</p>	Optional. Do. 1 year.	87	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	Do. 1 year. Do.
53	<p>Distribution of labor expenditures:</p> <p>Records showing the detailed distribution of labor expenditures charged to all accounts, including memoranda and memorandum recapitulation sheets.</p>	4 years.	88	<p>Engineering records:</p> <p>(a) Maps, profiles, plans, specifications, estimates of work, records of engineering studies, and similar records pertaining to extension, addition, and betterment projects which have been put into execution.....</p> <p>(b) Maps, profiles, plans, specifications, estimates of work, records of engineering studies and similar records pertaining to extension, addition, and betterment projects which have been abandoned.....</p>	2 years. 6 years.

Item	Description of records	Period to be retained
REPORTS TO REGULATORY AGENCIES—continued		
300	Financial and statistics reports—Continued	
	(k) Monthly locomotive boiler inspection and repair reports, file copies of, and supporting papers.	2 years.
	(l) Annual locomotive boiler inspection and repair reports, file copies of, and supporting papers.	5 years.
	(m) Special orders from Interstate Commerce Commission for repairs to locomotive boilers, and file copies of special repair reports covering such repairs.	2 years.
	(n) Quarterly boiler inspection and repair reports, other than steam locomotive, file copies of, and supporting papers.	5 years.
	(o) Specification cards for locomotive boilers, file copies of, and supporting blueprints and alteration reports.	1 year after boiler is retired.
	(p) Freight car location reports, file copies of, and supporting papers.	1 year.
	(q) Reports to regulating bodies regarding expenditures of proceeds from sale of authorized securities, file copies of, and supporting papers.	5 years.
ADMINISTRATIVE, FINANCIAL, AND STATISTICAL REPORTS		
310	Monthly or other periodical statements of general balance sheet, income, and retained income accounts, comparative or otherwise.	2 years.
311	Monthly or other periodical statements of revenues and expenses, comparative or otherwise, and analyses of increases and decreases.	Do.
312	Monthly or periodical statements of estimated or approximate revenues and expenses, when not used as bases for crediting or charging the accounts.	Optional.
313	Agents' daily or weekly reports of tonnage, revenue, or receipts, used only for preparing statements of estimated revenues or the movement of traffic.	Do.
314	Monthly or other periodical statements of tonnage handled, by tons, ton-miles, commodities, divisions, or otherwise.	2 years.
315	Monthly or other periodical statements of car-miles, train-miles, and movements of freight and passenger cars.	Do.
316	Monthly or other periodical statements of performances of locomotives.	Do.
317	Monthly or other periodical statements of employees by duties, days, compensation, or otherwise.	Do.
318	Monthly or other periodical statements of passenger traffic, by number of passengers, passenger-miles, divisions, or otherwise.	Do.
319	Working papers or records on which are assembled figures for records covered by items 310, 311, 314-318.	Do.
320	Miscellaneous statistical reports, statements, and summaries used for administrative purposes only. (Not otherwise provided for herein.)	Optional.
MISCELLANEOUS		
330	Records of employees:	
	(a) Applications for employment, reports and certificates of examinations, service records, efficiency tests, employees' rosters, and other similar records pertaining to employees.	1 year after termination of service.
	(b) Applications for employment and replies thereto not resulting in employment of applicant.	Optional.
331	Instructions to agents and others:	
	(a) Books and circulars of instructions to agents and others, in the general file of the department in which the complete official file is maintained.	3 years after expiration or cancellation.
	(b) Surplus copies of books and circulars of instructions and copies in other departments and at agencies, if copies of the same issues are preserved in the general file referred to in (a) above.	Optional.
332	Land, industrial, and immigration department records:	
	(a) Reports, records, and correspondence containing inquiries from and replies to prospective homeseekers and industries regarding localities and conditions.	2 years.
	(b) Agents' periodical itinerary reports.	1 year.
	(c) Agents' periodical field or work reports.	Do.
	(d) Periodical reports from agents, industries, and others, furnishing data for annual reports for industrial, commercial, and agricultural directories, and similar publications.	Do.
333	Provident department records:	
	Records of provident departments, such as employees' relief, hospital, insurance and savings departments, other than records pertaining to the receipt and disbursement of funds.	1 year after termination.
	NOTE: The records pertaining to the receipt and disbursement of funds must be retained for the same periods as are provided for similar records elsewhere in this order.	
334	Correspondence:	
	(a) Correspondence and records thereof relating to subjects listed in items 1 to 333 inclusive.	For the period prescribed for the records to which the correspondence relates.
	(b) Operators' copies of telegrams, including relay copies, if the original or other copies of such messages are retained, as provided for in (a) above.	Optional.
	(c) Stenographers' notebooks and phonograph and other mechanical device records, if transcripts thereof are retained, as provided for in (a) above.	Do.
	(d) Extra copies of letters, etc., used for tracing or following up correspondence, or for other purposes, if original or other copies are retained as provided for in (a) above.	Do.
335	Data processing:	
	Tabulating cards, tapes, and other media used in the compilation of accounts and statistics and other data, when the results are transcribed to other records covered by these regulations.	Do.
336	(a) Duplicate copies of records and documents covered by items 231-233; 237-239; 243-249; 251, 253, 256, when held by agents.	See § 110.7.
	(b) Duplicates of other accounts, records, and memoranda listed in these regulations when they are not provided for otherwise and when they contain no information other than that shown on the originals.	Optional.
337	The official record of records and documents destroyed (see § 110.5)	Permanent.

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZONA

OPERATION AND MAINTENANCE CHARGES

Notice is hereby given of intention to modify the regulations in Part 130 dealing with operation and maintenance assessments against the irrigable lands of the Colorado River Indian Irrigation Project, Arizona, as set forth below. This modification would increase the basic allowance of irrigation water from 5 acre-feet per acre to from 6 to 8 acre-feet per acre on certain sandy areas; revoke the charges for stock water; advance the due date for payment of basic charges from March 1 to February 1; eliminate the partial cash payment rate of \$3 per acre, in the old portion of the project; remove the 10 acre limitation contained in present § 130.8a *Advance payment may be waived*, and combine the modified provisions thereof with § 130.8; and renumber § 130.8b *Water users responsible for water after delivery* by assigning § 130.8a thereto.

Interested persons are hereby given opportunity to participate in the proposed revisions by submitting their views, data, or arguments in writing to the Area Director, Bureau of Indian Affairs, P. O. Box 7007, Phoenix, Arizona, within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 30, 1957.

1. Section 130.6 is amended to read as follows:

§ 130.6 *Charges.* Pursuant to the provisions of the acts of Congress approved August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385-387), the annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed at \$6 per irrigable acre, whether water is used or not. Payment of this charge will entitle the water user to from six to eight acre-feet of water per acre on certain sandy areas as described in a schedule on file at the Colorado River Indian Agency and available for inspection by interested parties, and to five acre-feet of water per irrigable acre on all other lands. With the ap-

proval of the Superintendent excess water may be allowed on certain alkali tracts at no additional charge for the purpose of reclaiming lands by the usual methods, such as flooding, leaching, etc. The foregoing charges and allotments of water shall become effective for the calendar year of 1958 and continue in effect thereafter until further notice.

2. Section 130.7 is amended to read as follows:

§ 130.7 *Excess water charges.* Additional water, if and when available, in excess of basic allowances, may be delivered upon written request to the Superintendent by landowners or users at the rate of \$1.50 per acre-foot, or fraction thereof.

3. Section 130.7a *Charges for stock water* is revoked.

4. Section 130.8 is amended to read as follows:

§ 130.8 *Time of payments.* The basic water charge fixed in § 130.6 shall become due on February 1 of each year and shall be payable on or before that date each year, and in advance of delivery of water, except when:

(a) The Superintendent is convinced that an Indian landowner, whose land is not under lease to a non-Indian, is financially unable to pay his operation and maintenance charges from proceeds of labor performed on the project works, or from the proceeds of the crops being grown on the land, or from any other source, the delivery of water may be continued if a written certificate is issued by the Superintendent stating that such Indian is not financially able to pay such charges. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

(b) The Superintendent allows postponement of payment of the water charges by Indians in hardship cases. Such postponements, however, are not to exceed sixty days from February 1.

(c) Assignments or leases of Indian lands that become effective during the last half of the calendar year, and basic charges have not been paid in full, and irrigation water is desired during that half of the calendar year, the assignee or lessee will be required to pay prior to delivery of water, one-half the annual basic charge, for delivery of not to exceed one-half of the annual basic allotment of water, and if the lease term ends on June 30, the lessee shall be charged one-half of annual basic assessment for that calendar year, plus excess water charges for water used in excess of one-half of the annual basic allotment.

(1) The excess water charge is payable at the time of written request for such water and must be paid prior to delivery of the excess water, except as provided under paragraph (a) of this section.

(2) No water shall be delivered for use on Indian trust lands under lease until the Superintendent of the Indian Reservation has certified that the lessee has paid the required operation and maintenance charges and complied with all the terms of the lease contract.

5. Section 130.8a *Advance payment may be waived* is revoked.

6. Section 130.8b *Water users responsible for water after delivery* is renumbered § 130.8a.

[F. R. Doc. 57-7290; Filed, Sept. 5, 1957; 8:46 a. m.]

Bureau of Land Management

[43 CFR Part 76]

LAND GRANT FOR MENTAL HEALTH PROGRAM, ALASKA

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 202 of the act of July 28, 1956 (70 Stat. 709, 711, 712), and Revised Statutes 2478 (43 U. S. C. 1201), it is proposed to issue regulations governing selection of public lands by the Territory of Alaska in satisfaction of the land grant made by said act in furtherance of the Alaska Mental Health Program.

The proposed regulations are set forth below.

Interested persons may submit in triplicate written comments, suggestions, or objections in respect to the proposed regulations to the Bureau of Land Management, Washington 25, D. C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,

Assistant Secretary of the Interior.

AUGUST 30, 1957.

SUBCHAPTER A—ALASKA

The title to Part 76 is revised to read "School Land Reservation, Grants for Educational and Institutional Purposes" and new §§ 76.7 to 76.13 are added to read as follows:

GRANT TO ALASKA FOR MENTAL HEALTH PROGRAM

- Sec.
76.7 Statutory authority.
76.8 Waiver of Territorial preference right of selection.
76.9 Lands subject to selection; patents; minerals.
76.10 Selections.
76.11 Segregative effect of selections; effect of approvals.
76.12 Publication and protests.
76.13 Appeals.

AUTHORITY: §§ 76.7 to 76.13 issued under 70 Stat. 709, 711, 712, and R. S. 2478 (43 U. S. C. 1201).

GRANT TO ALASKA FOR MENTAL HEALTH PROGRAM

§ 76.7 *Statutory authority.* (a) The act of July 28, 1956 (70 Stat. 709, 711, 712), referred to in §§ 76.7 to 76.13 as "the act", grants to the Territory of Alaska the right to select, within 10 years from July 28, 1956, not to exceed one million acres from the public lands in Alaska which are vacant, unappropriated and unreserved at the time of selection.

(b) The act further provides, that, upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than 90 days before the date on which it otherwise becomes effective during which peri-

od the Territory of Alaska shall have a preferred right of selection under the act, subject to prior existing valid rights, to equitable claims subject to allowance and confirmation, and to other preferred rights of application conferred by law other than the preferred right of application created by section 4 of the act of September 27, 1944 (58 Stat. 749; 43 U. S. C. 282), as amended.

§ 76.8 *Waiver of Territorial preference right of selection.* Where the proper selecting agent of the Territory files in writing in the appropriate land office a waiver of the preference provisions of paragraph (b) of § 76.7 in connection with the proposed revocation of an order of withdrawal, the order effecting such revocation will not provide for such preference.

§ 76.9 *Lands subject to selection; patents; minerals.* (a) Under the act, the Territory may select any vacant, unappropriated, and unreserved public lands in Alaska, whether or not they are surveyed and whether or not they contain mineral deposits. Where the preference provisions of paragraph (b) of § 76.7 do not apply, selections by the Territory of lands covered by an application filed prior to the Territorial selection will be rejected when and if such application is allowed.

(b) Patents will be issued for all selections approved under the act by the authorized officer of the Bureau of Land Management but such patents will not issue unless or until the lands are officially surveyed.

(c) Patents issued under the act will convey to the Territory all mineral deposits in the selected lands except that mineral deposits in lands which were on January 1, 1956, subject to Public Land Order No. 82 of January 22, 1943, will be reserved to the United States. Any minerals subject to the leasing laws and reserved to the United States in lands patented under the act may be disposed of to any qualified person under applicable laws and regulations. Until rules and regulations are issued, other minerals are not subject to disposition, or, except by an authorized Federal agency, to prospecting.

§ 76.10 *Selections.* (a) Selections of lands under the act will be made by the proper selecting agent of the Territory and will be filed, in triplicate, in the land office of the district in which such selected lands are situated. No special form is required but it must be typewritten and must contain the following information:

(1) A reference to the act of July 28, 1956 (70 Stat. 709).

(2) A certificate by the selecting agent showing

(i) That the selection is made under and pursuant to the laws of the Territory.

(ii) That the selection, together with other selections under the act pending or approved, does not exceed one million acres.

(iii) His official title and his authority to make the selection on behalf of the Territory.

(iv) That no portion of the selected land is occupied for any purpose by the United States and that the land is unoccupied, unimproved, and unappropriated by any person claiming the land other than the applicant.

(v) That the selected land does not extend more than 160 rods along the shore of any navigable water or that such restriction has been waived or should be waived (see § 77.4 (b) of this chapter).

(vi) All the facts relative to medicinal or hot springs or other waters upon the selected lands.

(vii) The date on which the lands were posted in accordance with § 76.11.

(3) If the selected lands are surveyed, the legal description of the lands in accordance with the official plats of survey.

(4) If the selected lands are unsurveyed, a description of the lands and a map or maps, in triplicate, sufficient to permit ready identification of the location, boundaries, and area of the lands.

(b) Selections must be accompanied by a filing fee of \$10 for each 1,000 acres or fraction thereof in the selection which fee is not returnable.

(c) All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved. A tract will not be considered compact if it adjoins other public lands available for selection which the authorized officer of the Bureau of Land Management considers a part of such tract, taking into account the situation and potential uses of all the lands involved. Not more than 6,400 acres will be included in any one selection except where the lands selected consist of one compact tract in excess of 6,400 acres.

§ 76.11 *Segregative effect of applications; effect of approvals.* (a) Lands desired by the Territory under the act will be segregated from all appropriations based upon settlement and location, including locations under the mining laws, when the Territory adequately posts the lands with notices showing the date of said posting and that it has selected the lands or intends to select them within 60 days of the date of posting such notices. Such segregation will automatically terminate if the Territory fails to make selection of the lands within 60 days of posting notice of intention to select. Otherwise it will continue until final action is taken on the selection. The Territory will be expected to remove such notices from public lands promptly upon termination of the segregation period. Lands desired by the Territory under the act will be segregated from all appropriations based upon applications upon filing of its selection in the appropriate land office.

(b) Following the selection of lands by the Territory pursuant to the requirements of §§ 76.10 and 76.12, the Territory shall be authorized to lease and make conditional sales of such selected lands pending survey of the lands, if necessary, and issuance of patent.

§ 76.12 *Publication and protests.* (a) The Territory will be required to publish once a week for five consecutive weeks in accordance with § 106.14 of this chap-

ter, at its own expense, in a designated newspaper and in a designated form, a notice allowing all persons claiming the land adversely to file in the appropriate office their objections to the issuance of patent for lands selected under the act. A protestant must serve on the Territory a copy of the objections and furnish evidence of service to the appropriate land office.

(b) The Territory must file a statement of the publisher, accompanied by a copy of the notice published, showing that publication has been had for the required time.

§ 76.13 *Appeals.* An appeal pursuant to the Rules of Practice, Part 221 of this chapter, may be taken from the decision of the authorized officer of the Bureau of Land Management.

[F. R. Doc. 57-7295; Filed, Sept. 5, 1957; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 959]

IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Secretary of Agriculture is considering the approval of a proposed revision of rules and regulations (Subpart—Rules and Regulations, 7 CFR 959.100–959.132) as hereinafter set forth, which were recommended by the Oregon-California Potato Committee, established pursuant to Marketing Agreement No. 114, as amended, and Order No. 59, as amended (7 CFR Part 959; 20 F. R. 7068), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County, issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Considerations will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, Washington 25, D. C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposed revision of the rules and regulations is as follows:

SUBPART—RULES AND REGULATIONS

GENERAL

§ 959.100 *Communications.* Unless otherwise provided in the marketing agreement and order (§§ 959.1 to 959.88), or by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection therewith shall be addressed to the committee at its principal office.

DEFINITIONS

§ 959.110 *Order.* "Order" means Order No. 59, as amended (§§ 959.1 to 959.88), regulating the handling of Irish potatoes grown in Modoc and Siskiyou

Counties in California and in all Counties in Oregon, except Malheur County.

§ 959.111 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 114, as amended.

§ 959.112 *Terms.* Terms used in this subpart shall have the same meaning as when used in said marketing agreement and order.

§ 959.113 *Area determinations.* "Immediate production area," and "immediate shipping area," respectively, are each synonymous with "district."

EXEMPTIONS

§ 959.120 *Application.* (a) Any producer or handler applying for an exemption pursuant to §§ 959.65 through 959.68 from regulations issued pursuant to § 959.52, shall file such application with the committee, or its duly designated agent for such purpose, on forms to be furnished by the committee. Each application shall state (1) the name and address of the applicant, (2) the grade, size, and quality regulations for which exemption is requested, (3) facts demonstrating that the potatoes, for which exemption is requested, were adversely affected by acts beyond the applicant's reasonable expectation and control, and (4) any further information, in addition to the information required in paragraphs (b) and (c) of this section, as the committee may find necessary in making determinations with respect to such an application.

(b) Producer applications shall set forth the information required by subparagraphs (1), (2), (3), and (4) of this paragraph:

(1) The immediate production area, the location of the applicant's farms or ranches, and the fields and storage facilities where the applicant's potato crop may be inspected;

(2) The applicant's acreage and production of potatoes for the current season, varieties produced, and the quantity of each variety stated in terms of hundredweights, grades, and sizes;

(3) An estimate of the percentage of such applicant's potato crop which cannot be shipped because of regulations issued and in effect pursuant to §§ 959.52, 959.54, 959.65 through 959.68 inclusive, or any combination thereof, stated in terms of varieties, grades, and sizes; and

(4) A statement of the respective aggregate amounts of the applicant's potato crop (i) which have been sold during the current marketing season, and (ii) are remaining to be sold, each stated in terms of varieties, hundredweights, grades, and sizes.

(c) Handler applications shall set forth the information required by subparagraphs (1), (2), (3), and (4) of this paragraph:

(1) The quantity of potatoes acquired by the applicant during and immediately following the current digging season and stored, stated in terms of varieties, hundredweights, grades and sizes;

(2) The immediate shipping area and the location of the cellars, warehouses, and other storage facilities where such potatoes are stored;

SAFEGUARDS

(3) An estimate of the percentage of applicant's holdings of ungraded potatoes which cannot be shipped because of regulations issued and in effect pursuant to §§ 959.52, 959.54, 959.65 through 959.68, inclusive, or any combination thereof, stated in terms of varieties, grades and sizes; and

(4) A statement of the respective aggregate amounts of potatoes referred to in subparagraph (1) of this paragraph which (i) have been sold by the applicant during the current marketing season and (ii) are remaining to be sold, each in terms of varieties, hundred-weights, grades, and sizes.

§ 959.121 *Investigation of applications.* (a) Each exemption application filed with the committee shall be accompanied by the applicant's certified statement setting forth the total quantity of such applicant's potatoes which have been graded; the quantity of such potatoes which meet the requirements in effect pursuant to § 959.52 on the date of the application; the quantity of such potatoes (exclusive of culls) which fail to meet such requirements on such date; and the quantity of such potatoes which are culls. Such certified statement shall be based upon the actual packout or grading of such potatoes. The committee, or any specifically authorized representative thereof, including a Federal-State inspector, may make such further investigations deemed necessary by the committee to verify the foregoing statements, and the cost of any such Federal-State inspection shall be borne by the applicant for exemption. If more than one exemption certificate is issued to an applicant during a marketing season, the total quantity of potatoes authorized to be shipped by such certificates shall not exceed the proportion specified in § 959.122.

(b) The committee shall keep account of the exemptions issued to applicants in those cases where the exemption certificate covers only a portion of the applicant's production or storage holdings. The quantity of potatoes exempted, if computed on a part of an applicant's production or storage holdings, shall be taken into consideration prior to issuing any future exemptions on the remainder of such applicant's production or storage holdings and shall be computed as part of the exemptions granted to such applicant during the then current season.

(c) In any case where the committee determines that the total quantity of graded potatoes referred to in paragraph (a) of this section is not representative of the applicant's entire production or ungraded storage holdings, the committee may require the exemption application to be accompanied by a report of a Federal-State inspector, which report shall contain the following:

(1) A statement by the inspector that he personally visited the farm, ranch, cellar, warehouse, and storage facility described in the application, and that a representative sample of the potatoes remaining therein or contained thereon was taken by him;

(2) A statement of the percentage of the potatoes so sampled by him which

meet the grade, size, and quality requirements of regulations then in effect;

(3) A statement of the defects or damage causing such potatoes, or stated percentage thereof, to fail to meet such grade, size, and quality requirements. In the event that different regulations are in effect for different varieties of potatoes, the inspector's report shall show such percentages for each variety separately. The cost of the above inspection shall be borne by the applicant for exemption. The committee, or any specifically authorized representative thereof, may make such investigation as is deemed necessary to determine whether the exemption requested should be granted.

§ 959.122 *Issuance of certificate.* (a) Whenever the committee finds and determines, from proof satisfactory to the committee, that the applicant is entitled to an exemption certificate, the committee shall issue, or authorize the issuance of, an exemption certificate which shall authorize the applicant to ship, or cause to be shipped, such quantity of potatoes, which may fail to meet the minimum grade, size, and quality requirements in effect at the time thereof, as is authorized by §§ 959.65 through 959.68, inclusive.

(b) The manager of the committee, or any employee authorized by him, may issue exemption certificates for and on behalf of the committee: *Provided*, That the committee shall have first determined the "average proportions" or percentages referred to in § 959.66.

(c) If it is determined by the committee that an applicant is not entitled to an exemption certificate, the applicant shall be so advised in writing and given the reasons therefor.

(d) Each certificate of exemption issued as provided in this section shall contain the applicable producer's or handler's name and address, the location of his farm, ranch, cellar, warehouse, and storage facility, as the case may be, the quantities of potatoes which may be shipped by virtue of such exemption; and such other information as may be necessary to evidence the rights of the applicant to ship, or cause to be shipped, potatoes which do not meet the requirements of the then current grade, size, and quality regulations. Each certificate of exemption shall be transferable, in whole or in part, with the potatoes in accordance with the amount of potatoes transferred.

§ 959.123 *Reports and records.* For the purpose of enabling the committee to perform its functions pursuant to the provisions of this part, each handler shall report shipments under exemption certificates to the committee in such form and at such times and substantiated in such manner as shall be prescribed by the committee. All forms, reports, correspondence, and documents used, pursuant to this subpart, shall be kept on file by the committee and records thereof shall be maintained by the manager of the committee. A record of all exemption certificates issued (if any) shall be furnished weekly by the manager to the Secretary of Agriculture.

§ 959.130 *Application for Certificates of Privilege.* (a) All handlers desiring to make shipments of potatoes for the following purposes shall, when such shipments are regulated pursuant to §§ 959.40 to 959.60, inclusive, or any combination thereof, obtain from the committee prior to initiating such shipments, a Certificate, or Certificates, of Privilege permitting such shipments:

(1) Grading or storing in the production area;

(2) Export;

(3) Distribution by relief agencies or consumption by charitable institutions;

(4) Manufacture or conversion into specified products or byproducts;

(5) Livestock feed.

(b) Handlers desiring to make shipments of seed potatoes may be required to first apply to the committee for and obtain a Certificate, or Certificates, of Privilege permitting such shipments.

(c) Applications for Certificates of Privilege shall be made on forms furnished by the committee. Each application shall contain the name and address of the handler, the quantity of potatoes to be shipped, name of the consignee, designation, certification as to correctness of statements made, a statement that the applicant will comply with disposition stated therein, and such other information, or be accompanied by such other documents, as the committee may require in safeguarding against the entry of such potatoes into trade channels other than those for which the Certificate, or Certificates, of Privilege were granted.

§ 959.131 *Issuance.* The committee, or its duly authorized agents, shall give prompt consideration to each application for a Certificate of Privilege. Approval of an application shall be evidenced by the issuance of a Certificate of Privilege authorizing the applicant named therein to ship potatoes for a specified purpose for a specified period of time.

§ 959.132 *Reports.* Each handler shipping potatoes under, and pursuant to, a Certificate of Privilege shall supply to the committee, upon request, a report thereon, showing the name and address of the shipper, car or truck number, Federal-State Inspection Certificate number (if such inspection is required by regulations in effect at the time of such shipment), loading point, destination, and consignee.

§ 959.133 *Denial and appeals.* The committee may rescind a Certificate, or Certificates, of Privilege, issued to a handler pursuant to this part, or deny Certificates of Privilege to a handler, upon proof satisfactory to the committee that such handler has shipped potatoes contrary to provisions of this part. Such committee action denying or rescinding a Certificate, or Certificates, of Privilege shall apply to and not exceed a reasonable period of time as determined by the committee. Any handler who has been denied a Certificate of Privilege, or who has had a Certificate of Privilege rescinded, may appeal to the

committee for reconsideration. Such appeal shall be in writing.

Dated: August 30, 1957.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 57-7283; Filed, Sept. 5, 1957;
8:45 a. m.]

Agricultural Research Service

[7 CFR Part 301]

SOYBEAN CYST NEMATODE

DOMESTIC QUARANTINE NOTICES

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Administrator of the Agricultural Research Service, pursuant to sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162) and sections 103 and 106 of the Federal Plant Pest Act (Public Law 85-36), proposes to amend notice of quarantine No. 79 relating to the soybean cyst nematode (7 CFR 301.79, 22 F. R. 5911) by adding to the quarantined States specified therein the States of Arkansas, Kentucky, and Mississippi.

A public hearing on the aforesaid proposal was held before a representative of the Agricultural Research Service in Memphis, Tennessee, on July 24, 1957.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Pest Control Division, Agricultural Research Service, U. S. Department of Agriculture, Washington 25, D. C., within 30 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Secs. 8, 9, 37 Stat. 318, as amended; 7 U. S. C. 161, 162; secs. 103, 106, Pub. Law 85-36)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 57-7322; Filed, Sept. 5, 1957;
8:51 a. m.]

[7 CFR Part 301]

SOYBEAN CYST NEMATODE

PROPOSED AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Director of the Plant Pest Control Division, pursuant to § 301.79-2 of the regulations supplemental to the soybean cyst nematode notice of quarantine (7 CFR 301.79-2, 22 F. R. 5913), under the Federal Plant Pest Act (Pub. Law 85-36) and sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), proposes to amend administrative instructions now appearing as § 301.79-2a (22 F. R. 5915) by adding to the counties, other civil

divisions, farms, other premises, and parts thereof designated as regulated areas therein the following localities in Arkansas, Kentucky, and Mississippi.

ARKANSAS

Crittenden County. The irregular portion on the eastern boundary of the county between the Mississippi River levee and the indeterminate Arkansas-Tennessee State line, bounded on the north by the Crittenden-Mississippi County line and on the south by an east-west line projected from the levee to the State line, lying one mile south of the intersection of a graded road and the levee at the head of Wapanocca Bayou.

Mississippi County. The irregular portion on the eastern boundary of the county lying between the Mississippi River levee and the indeterminate Arkansas-Tennessee State line.

The property known as the Bert Hardesty Farm, shown on some ownership maps as the E. C. Adkisson Farm, located 1½ miles north and ¾ miles east of the Town of Armored on State Highway 137, this tract of land being the S½ of SE¼ of sec. 6, T. 15 N., R. 13 E.

KENTUCKY

Fulton County. The property owned and operated by Whitson Bros., in secs. 24 and 25, T. 1 N., R. 7 W., in the detached portion of Fulton County.

MISSISSIPPI

De Soto County. That portion of secs. 28, 29, 31, and 32, T. 2 S., R. 10 W., lying between the Mississippi River levee and the Mississippi-Arkansas State line.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Director of the Plant Pest Control Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D. C., within 30 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318, sec. 106, Pub. Law 85-36, 85th Cong.; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F. R. Doc. 57-7323; Filed, Sept. 5, 1957;
8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 12065]

TABLE OF ASSIGNMENTS; TELEVISION BROADCAST STATION (LAFAYETTE-TERRE HAUTE, IND.)

EXTENSION OF TIME FOR FILING COMMENTS

In the matter of amendment of § 3.606 *Table of assignments*, Television Broadcast Stations (Lafayette-Terre Haute, Indiana).

The Commission has before it for consideration the petition of Plains Television Corporation filed on August 26, 1957, requesting that the time for filing reply comments in the above-entitled proceeding be extended to September 9, 1957.

On June 24, 1957, the Commission released a Notice of Proposed Rule Making in this proceeding with respect to the proposal of Lafayette Broadcasting Company, Inc. for the shifting of television Channel 10 from Terre Haute to Lafayette, Indiana. The Notice specified that comments should be filed by August 1, 1957. On July 30, 1957, the Commission adopted an Order extending the time for filing comments to August 16, 1957, with reply comments to be filed by August 26, 1957.

On the last day for filing reply comments, Plains Television filed the subject request for an extension to September 9, 1957. Plains states that Northwestern Publishing Company (WDAN-TV), Danville, Illinois, submitted a counterproposal for the assignment of Channel 10 to Danville or to Danville-Lafayette and urges that this counterproposal has altered the issues in the proceeding and will require the filing of more extensive comments. Plains Television states, also, that the time for preparation of reply comments "fell within the August recess period" and that for this reason and due to the press of other business, it has been unable to complete preparation of reply comments in time for filing by the August 26th date.

The Commission is of the view that Plains Television has established good cause for extending the time for filing reply comments in this proceeding and that such extension will serve the public interest, convenience and necessity.

In view of the foregoing: *It is ordered*, That the aforesaid request of Plains Television Corporation for an extension of time to file reply comments in this proceeding is granted; and that the time for filing comments in the above-entitled proceeding is extended from August 26, 1957 to September 9, 1957.

Adopted: August 29, 1957.

Released: August 30, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7327; Filed, Sept. 5, 1957;
8:52 a. m.]

[47 CFR Parts 7, 8]

[Docket No. 11374; FCC 57-944]

SHIP AND COAST STATIONS USING RADIO-TELEPHONY ON THE MISSISSIPPI RIVER AND CONNECTING INLAND WATERS (EXCEPT THE GREAT LAKES)

EXTENSION OF TIME FOR FILING PROPOSED FINDINGS OF FACTS AND CONCLUSIONS OF LAW AND REPLIES THERETO

In the matter of amendment of parts 7 and 8 of the Commission's rules to delete the frequencies 6240 and 6455 kc and to make 4372.4 kc available on a full-time basis for ship and coast stations using radiotelephony on the Mississippi River and connecting inland waters (except the Great Lakes), Docket No. 11374.

At a session of the Federal Communications Commission, held at its offices in

Washington, D. C., on the 30th day of August 1957;

The Commission having before it for consideration a petition filed by American Waterways Operators, Inc. in the above-entitled proceeding; requesting that the time for filing proposed findings of fact and conclusions of law be extended from September 5 until September 12, 1957, and that the time for filing replies be extended from September 16 to September 18, 1957;

It appearing that good cause having been shown in the petition for the requested extension of time; and

It further appearing that while this is an expedited proceeding and that the Commission has ordered the record to be certified to it for final decision, the requested extension will delay the filing of pleadings for only two days; and

It further appearing that all other parties to the proceeding have indicated that they have no objection to the granting of this petition, and have agreed to a waiver of § 1.745 of the Commission's rules;

It is ordered, That the petition of American Waterways Operators, Inc. is granted, and the time for filing proposed findings of fact and conclusions of law is extended to September 12, 1957, and the time for filing replies thereto is extended to September 18, 1957.

Released: September 3, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7328; Filed, Sept. 5, 1957;
8:52 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Part 260]

[Docket No. R-162]

SUBMISSION OF DATA BY INDEPENDENT
PRODUCERS; REVISION OF FORM

ORDER DENYING MOTION FOR HEARING, POST-
PONEMENT OF ORAL ARGUMENT AND FILING
OF BRIEFS

AUGUST 29, 1957.

On August 21, 1957, Sam Sklar, Carter-Jones Drilling Company, Nemours Corporation, J. C. Trahan Drilling Contractors, Inc., Bluford Stinchcombe, M. Ascher, Frank J. Anderson, B. E. Barnhill, L. D. Sinclair, Herbert Liese, Helen E. Anderson, Margaret A. Boden, Associated Oil & Gas Company, Orange Grove Oil and Gas Corporation, H. J. Mosser, Independent Petroleum Association of America, Continental Oil Company, Seaboard Oil Company, Phillips Petroleum Company, Gulf Oil Corporation, Humble Oil & Refining Company, Pan American Petroleum Corporation (formerly Stanolind Oil and Gas Company), and Rocky Mountain Oil & Gas Association, filed in this matter a Motion for Hearing, Postponement of Oral Argument and Filing of Briefs.

The Commission has carefully considered the allegations contained in the motion and is of the opinion that ample time was given by its order issued July 25, 1957, to prepare for the oral argu-

ment set for September 5, 1957, and that the opportunity afforded to file briefs and present oral argument is in complete accord with the provisions of the Natural Gas Act and the Administrative Procedure Act.

The Commission finds: No good cause has been shown for the Commission to grant the above-mentioned motion filed on August 21, 1957, and the motion should be denied.

The Commission orders: The motion for hearing and for other relief filed in this proceeding on August 21, 1957, as described above, is hereby denied.

By the Commission.¹

[SEAL]

MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7311; Filed, Sept. 5, 1957;
8:50 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Internal Revenue Service

RELIEF FROM EXCESS PROFITS TAX BECAUSE OF AN INADEQUATE EXCESS PROFITS CREDIT

ALLOWANCE DURING FISCAL YEAR ENDED
JUNE 30, 1957

Subchapter E of Chapter 2 of the 1939 Internal Revenue Code imposes an excess profits tax on corporations for taxable years beginning after December 31, 1939. Under the provisions of this subchapter excess profits are measured by comparing the earnings for the current taxable year with a statutory excess profits credit.

Section 722 of Subchapter E reflects the recognition by Congress of the desirability and necessity of granting relief in meritorious cases to corporations which bear an excessive burden because of an inadequate excess profits credit. This section provides for the recomputation of excess profits tax on the basis of a reconstructed excess profits credit.

As required by section 6105 of the 1954 Internal Revenue Code the following list, containing the cases arranged alphabetically by internal revenue districts, shows the name and address of each corporation to which relief has been allowed, business, taxable years involved, excess profits credit before allowance of relief, increase in excess profits credit allowed, increase in excess profits credit allowed, decrease in excess profits tax, and increase in income tax. Allowance pursuant to decisions entered by The Tax Court of the United States has been made in forty-one docketed cases. These are included in the list with appropriate notations. There are included as a supplemental to this list three cases in which relief was allowed by the Commissioner and seventeen cases in which relief was allowed by The Tax Court of the United States during the fiscal year ended June 30, 1956. These cases were not included in the list of allowances made during the fiscal year 1956 previously published.

In order to determine the relief granted and the relevant data required to be published, intermediate computations of the excess profits tax and the income tax showing the amounts of taxes which would have been due without the benefits of section 722 were made. Comparison of the pertinent items and figures appearing in the application for

relief and the tax computations after allowance of relief with those appearing in the intermediate tax computations developed the required data.

Explanations of certain items, as displayed in their respective column headings of the list, and the data evolved follow:

Business in which engaged, column 2. The business in which taxpayer is engaged is that reported in the income tax return of the corporation for the taxable year or years involved; therefore, it does not necessarily correspond with the business during the base period. In those instances where the return for the year involved failed to disclose the nature of the business, information from other sources was utilized. Moreover, since the nature of business shown usually represents a general description of the predominant business activity, it does not necessarily represent or reflect the business activity with respect to which an inadequate excess profits credit was established.

Excess profits credit before allowance of relief, column 4. The excess profits credit before allowance of relief is the credit originally claimed by the taxpayer, as corrected, whether based on income or capital.

Increase in the amount of excess profits credit claimed by taxpayer, column 5. The increase in the amount of excess profits credit claimed by taxpayer is the excess of the credit based on the constructive income claimed by the taxpayer over the credit before allowance of relief shown in column 4.

Increase in the amount of excess profits credit allowed, column 6. This increase in the amount of excess profits credit allowed is the excess of the recomputed credit based on constructive income finally allowed over the credit before allowance of relief shown in column 4.

Gross reduction in the excess profits tax, column 7.

Gross increase in the income tax, column 8. The gross reduction in the excess profits tax and the gross increase in the income tax resulting from the operation of section 722 are the difference between the gross taxes which would have been due without the benefits of section 722 and the gross taxes due after relief has been granted. The gross excess profits tax is the tax due prior to the deferment under section 710 (a)

¹ Commissioner Digby dissenting.

(5), the foreign tax credit under section 729, the credit for debt retirement under section 783, the ten per cent credit under section 784, and the adjustment under section 734. The gross income tax is the tax prior to the foreign tax credit under section 131.

The changes in the income and excess profits taxes shown reflect the effect of the increase attributable to section 722 in the unused excess profits credit carried forward from prior taxable years as well as the effect of the increase in unused excess profits credit carried back from subsequent years to the extent that claims with respect to unused credit carry-overs and carry-backs determined under section 722 were allowed within the same fiscal year.

While the decrease in excess profits tax is directly related to the increase in excess profits credit allowed, a number of factors serve to invalidate a comparison of the relationship of these two items applicable to a corporation for different

taxable years or to different corporations for the same taxable year. Among the most important factors affecting this comparison are (1) increase in excess profits tax rates, (2) changes in rate structure from a graduated to a flat rate system, (3) effect of unused excess profits credits of prior and subsequent years attributable to section 722, (4) variations of provisions applicable to fiscal years, (5) limitation of excess profits tax to the amount of which 80 percent of net income exceeds the income tax, applicable to certain taxable years, and (6) relation of excess profits before the application of section 722 to the increase in excess profits credit allowed.

For taxable years beginning after December 31, 1940, a portion of the amount by which the excess profits tax is reduced by reason of the application of section 722 is offset by an increase in income tax. This offset arises from the provisions which permit the deduction of the income subject to excess profits tax (or

excess profits tax in certain taxable years) in arriving at income subject to income tax.

Lists containing the cases in which relief has been allowed for prior fiscal years have been published in the various issues of the FEDERAL REGISTER as follows:

Fiscal year ended—	Volume	No.	Date
June 30, 1942.....	9	194	Sept. 28, 1944
June 30, 1943.....	9	194	Do.
June 30, 1944.....	9	219	Nov. 2, 1944
June 30, 1945.....	10	224	Nov. 15, 1945
June 30, 1946.....	11	196	Oct. 8, 1946
June 30, 1947.....	12	197	Oct. 8, 1947
June 30, 1948.....	13	206	Oct. 21, 1948
June 30, 1949.....	14	201	Oct. 15, 1949
June 30, 1950.....	15	205	Oct. 21, 1950
June 30, 1951.....	16	211	Oct. 30, 1951
June 30, 1952.....	17	175	Sept. 6, 1952
June 30, 1953.....	18	164	Aug. 21, 1953
June 30, 1954.....	19	185	Sept. 23, 1954
June 30, 1955.....	20	219	Nov. 9, 1955
June 30, 1956.....	21	183	Sept. 20, 1956

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

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE

FISCAL YEAR ENDED JUNE 30, 1957

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (sub-ch. B) tax resulting from the operation of sec. 722	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Albany: Watervliet Tool Co., Inc., 1349 Broadway, Albany, N. Y.	Manufacturer—tools and reamers.	Dec. 31, 1941 ¹ Dec. 31, 1942 ¹ Dec. 31, 1944 ¹ Dec. 31, 1945 ¹	\$11,192.00 11,192.00 14,357.76 16,025.38	\$46,792.20 46,792.20 43,626.44 41,958.82	\$7,808.00 7,808.00 4,642.24 2,974.62	\$3,145.34 7,027.20 4,980.13 2,825.89	\$1,383.95 2,190.45 2,503.26 1,576.56
Atlanta: Peerless Woolen Mills, Rossville, Ga...	Manufacturers of woolen cloth.	June 30, 1941 ¹ June 30, 1942 ¹ June 30, 1944 ¹ June 30, 1945 ¹ June 30, 1946 ¹	353,250.01 425,834.11 461,483.99 455,552.08 442,618.59	218,185.14 351,831.04 305,832.41 310,379.03 323,312.52	30,419.24 57,004.93 11,006.30 15,552.92 28,486.41	13,688.66 34,202.96 18,845.34 8,360.83 13,948.90	None 10,602.93 9,029.53 8,360.83 5,861.21
Boston: First National Stores, Inc., 5 Middlesex Ave., Somerville, Mass.	Retail grocery and meat stores.	Mar. 31, 1943 Mar. 31, 1944 Mar. 31, 1945 Mar. 31, 1946	3,263,536.87 3,263,536.87 3,263,536.87 3,263,536.87	598,134.83 598,134.83 598,134.83 598,134.83	59,475.33 59,475.33 59,475.33 59,475.33	507,902.06 54,267.17 56,501.56 42,569.67	225,734.25 23,790.13 23,790.14 17,924.07
Fraser's Inc. (Formerly: Fraser Dry Goods Co.), 144-152 Main St., Brockton, Mass.	Retail dry goods.....	Jan. 31, 1945 ¹ Jan. 31, 1946 ¹	10,408.13 10,408.13	32,976.52 32,976.52	516.87 516.87	491.02 449.32	149.90 137.17
Peter R. Previte, Inc., 18 Charendon St., Boston, Mass.	Wholesale florists.....	Dec. 31, 1945	2,086.83	9,313.17	763.17	\$24.14	234.28
Camden: Thermoid Co., Whitehead Rd., Trenton, N. J.	Manufacturing.....	Dec. 31, 1940 ¹ Dec. 31, 1941 ¹ Dec. 31, 1942 ¹ Dec. 31, 1943 ¹ Dec. 31, 1944 ¹ Dec. 31, 1945 ¹	317,214.94 366,203.07 358,252.43 350,210.28 352,284.90 396,447.03	590,095.39 533,538.17 824,385.47 824,385.47 824,385.47 824,385.47	76,589.51 118,483.64 118,483.64 118,483.64 118,483.64 118,483.64	32,047.03 62,350.97 106,635.27 58,317.89 112,559.46 77,005.58	None None 47,393.46 58,363.51 47,393.46 32,423.40
Chicago: Aeme Visible Records, Inc., Crozet, Va. (Formerly: Chicago, Ill.) J. P. Seeburg Corp., 1510 North Dayton St., Chicago, Ill.	Visible card system..... Manufacturer of automatic musical instruments and electronic equipment.	Sept. 30, 1941 ¹ Sept. 30, 1942 ¹ Sept. 30, 1943 Sept. 30, 1944 Sept. 30, 1945	52,441.48 61,000.47 788,317.73 788,317.73 785,124.58	91,089.51 118,886.25 1,111,682.27 1,111,682.27 1,111,682.27	13,773.52 24,439.53 42,932.27 42,932.27 42,932.27	4,505.96 13,234.26 115,917.12 80,492.14 40,785.66	None 5,580.67 51,518.73 34,345.82 17,172.91
Cleveland: The Alliance Manufacturing Co., Lake Park Blvd., Alliance, Ohio.	Manufacturers of fractional horsepower motors.	Dec. 31, 1941 ² Dec. 31, 1942 ¹ Dec. 31, 1943 ¹ Dec. 31, 1944 ¹	38,242.43 24,312.96 32,528.09 49,400.89	10,643.52 24,572.99 16,317.86 62,185.21	10,259.57 24,189.04 15,933.91 1,045.11	3,393.77 21,234.09 14,333.76 5,875.43	1,052.05 12,364.93 10,082.46 3,808.17
Denver: Public Service Co. of Colorado, 900 15th St., Denver, Colo.	Electric and gas utility.....	Nov. 30, 1943 to Dec. 31, 1943 ¹ Dec. 31, 1944 ¹ Dec. 31, 1945 ¹	2,699,935.11 2,699,935.11 2,699,935.11	752,187.53 752,187.53 752,187.53	343,279.33 343,279.33 343,279.33	27,086.14 326,115.36 326,115.36	12,268.91 137,148.94 137,311.73
Des Moines: Journal—Tribune Publishing Co., 423 Douglas St., Sioux City, Iowa.	Newspaper publishers.....	Oct. 31, 1943 ³ Oct. 31, 1944 ³ Oct. 31, 1945 ³	8,791.86 12,877.82 11,082.77	282,702.98 278,617.02 280,412.07	152,708.14 152,422.18 154,217.23	124,471.53 112,795.73 104,399.10	63,428.68 64,369.41 61,886.90
Detroit: Crystal Refining Co. of Carson City, Inc., Now: Carson City Refineries Inc., Carson City, Mich.	Crude oil refinery.....	Dec. 31, 1941 ¹ Dec. 31, 1942 ¹ Dec. 31, 1943 ¹ Dec. 31, 1944 ¹ Dec. 31, 1945 ¹	83,099.80 83,099.80 83,099.80 83,099.80 83,099.80	131,923.79 131,923.79 131,923.79 131,923.79 131,923.79	49,900.20 49,900.20 49,900.20 49,900.20 49,900.20	18,089.32 87,270.56 34,010.18 94,810.38 47,405.19	5,607.69 28,790.91 19,960.08 39,920.15 19,960.08
The Detroit Edison Co., 2000 Second Ave., Detroit, Mich.	Public utility.....	Dec. 31, 1942 ¹ Dec. 31, 1943 ¹ Dec. 31, 1944 ¹ Dec. 31, 1945 ¹	8,611,292.79 8,603,713.14 8,889,846.04 29,944.29	5,996,460.62 6,016,732.32 6,057,221.39 93,555.71	218,957.21 226,536.86 268,077.82 26,533.21	416,885.87 203,883.18 254,673.93 7,314.76	185,282.61 90,614.75 107,231.13 None
Fitzjohn Coach Co., Muskegon, Mich.	Manufacturing busses.....	Nov. 30, 1941 ³ Nov. 30, 1942 ³ Nov. 30, 1943 ³ Nov. 30, 1944 ³	29,944.29 35,877.42 35,877.42 35,877.42	87,622.58 87,622.58 87,622.58 87,622.58	32,997.58 32,997.58 32,997.58 32,997.58	22,031.54 29,697.82 19,572.87	9,000.55 14,384.97 13,790.02

See footnotes at end of table.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE—Continued
FISCAL YEAR ENDED JUNE 30, 1957—continued

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (sub-ch. E) tax resulting from the operation of sec. 722	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Hartford: The Whitney Blake Co., P. O. Box K, Hamden, Conn.	Manufacturer of insulated wire.	Dec. 31, 1940 ¹	\$51,993.76	\$57,541.24	\$3,581.24	\$2,127.15	None
		Dec. 31, 1941 ¹	59,905.16	69,329.84	6,534.84	4,482.36	\$1,389.53
New Haven Terminal, Inc., 30 Waterfront St., New Haven, Conn.	Rail, water, and truck terminal.	June 30, 1944 ¹	29,375.48	106,624.52	3,549.52	17,267.71	8,559.89
		June 30, 1945 ¹	24,947.74	108,052.26	4,977.26	15,830.91	6,623.59
		June 30, 1946 ¹	23,569.37	109,430.63	6,355.63	4,718.02	8,297.86
Indianapolis: Champion Corp., 4714 Sheffield Ave., Hammond, Ind.	Manufacturing farm machinery.	Nov. 30, 1943 ¹	38,339.79	111,314.18	6,310.21	5,300.79	2,355.90
		Nov. 30, 1944 ¹	38,339.79	111,314.18	6,310.21	7,604.77	3,487.24
		Nov. 30, 1945 ¹	38,339.79	111,314.18	6,310.21	5,994.70	2,739.92
		Nov. 30, 1946 ¹	38,339.79	111,314.18	6,310.21	314.83	231.85
Greater Indianapolis Amusement Co., Inc., 134 West Washington St., Indianapolis, Ind.	Motion picture theaters.....	Sept. 30, 1941 ¹	3,368.99	33,076.78	13,731.01	2,694.47	None
		Sept. 30, 1942 ¹	3,795.63	32,650.14	26,604.37	19,838.51	8,281.84
Jackson: Seminole Manufacturing Co., Columbus, Miss.	Clothing manufacturing.....	Oct. 31, 1941 ¹	74,192.51	142,028.37	14,632.49	6,794.06	None
		Oct. 31, 1942 ¹	102,029.11	164,928.87	11,970.89	11,052.89	4,630.61
		Oct. 31, 1943 ¹	103,691.42	163,286.51	10,328.53	14,454.37	6,424.17
		Oct. 31, 1945 ¹	108,176.11	163,246.84	10,288.86	12,194.42	5,154.49
Jacksonville: Moore Dry Kiln Co., 1220 West State St., Jacksonville, Fla.	Dry kiln manufacturers.....	Dec. 31, 1941 ¹	67,624.29	112,863.01	11,223.01	5,611.50	1,739.57
		Dec. 31, 1942 ¹	67,614.99	165,123.01	11,223.01	10,100.71	4,489.20
Kansas City: Nutrena Mills, Inc. (Kansas) successor to Nutrena Mills, Inc. (Missouri), 44 Ewing St., Kansas City, Kans.	Feed.....	Dec. 31, 1941 ¹	138,733.77	290,269.20	19,000.00	14,250.00	4,417.50
		Dec. 31, 1942 ¹	153,803.78	275,525.91	4,256.73	3,831.05	1,702.69
Los Angeles: General Telradio Inc. (Formerly: Thomas S. Lee Enterprises, Inc.), 1313 North Vine St., Hollywood, Calif.	Radio broadcasting.....	Dec. 31, 1940 ¹	66,709.72	353,469.52	30,665.28	1,349.10	None
		Dec. 31, 1941 ¹	85,171.75	335,007.49	33,578.25	23,763.10	7,366.56
		Dec. 31, 1942 ¹	109,941.01	313,708.28	8,808.99	7,928.09	3,523.69
		Dec. 31, 1943 ¹	112,424.11	311,225.18	6,325.89	5,693.30	2,530.35
Rocky Mountain Drilling Co., 437 South Hill St., Los Angeles, Calif.	Drilling contractors and operators.	July 31, 1944 ¹	53,629.46	118,804.00	10,970.54	40,543.54	17,455.02
		July 31, 1945 ¹	53,629.46	178,103.12	10,970.54	10,422.01	4,388.22
		July 31, 1946 ¹	53,629.46	178,103.12	10,970.54	2,258.19	1,839.43
Lower Manhattan: Allied Chemical & Dye Corp., successor by merger to National Aniline & Chemical Co., Inc., 61 Broadway, New York, N. Y.	Manufacturing and selling dyestuffs, colors, etc.	Dec. 31, 1940 ¹	2,867,855.13	638,587.16	32,019.87	12,156.62	None
		Jan. 1, 1941	3,400,695.46	757,064.55	97,481.31	64,942.72	17,032.24
		to					
		Oct. 31, 1941 ¹					
West Penn Power Co. c/o West Penn Electric Co., 50 Broad St., New York, N. Y.	Electric light and power.....	Dec. 31, 1942	6,248,792.98	2,666,337.87	280,010.51	264,892.95	112,094.21
		Dec. 31, 1943	6,259,384.76	2,655,746.09	269,435.56	482,033.88	200,903.65
		Dec. 31, 1944	6,300,031.15	2,615,099.70	228,816.05	217,375.24	91,526.42
Milwaukee: Ray-O-Vac Co., 2317 Winnebago Ave., Madison, Wis.	Manufacturing dry cell batteries.	Dec. 31, 1940 ¹	151,035.57	101,237.40	23,725.74	6,116.39	None
		Dec. 31, 1941 ¹	183,914.31	139,019.66	47,613.89	24,461.85	7,583.17
		Dec. 31, 1942 ¹	193,553.62	164,702.23	37,473.06	33,725.75	14,980.22
		Dec. 31, 1943 ¹	192,559.33	164,720.19	37,491.02	28,704.28	14,990.41
Nashville: D. Canale & Co., 408 South Front St., Memphis, Tenn.	Produce and beer distributors.	Mar. 31, 1943 ¹	40,352.52	51,558.08	7,147.48	6,432.73	3,445.49
		Mar. 31, 1944 ¹	42,119.01	49,791.59	5,380.99	5,245.28	1,029.22
		Mar. 31, 1945 ¹	43,545.28	48,365.32	3,954.72	4,017.60	1,091.62
		Mar. 31, 1946 ¹	45,920.06	45,084.54	1,573.94	1,268.15	533.96
Newark: Martin Weiner Corp., (formerly: Wohl Fabrics Co.) 225 Clifton Blvd., Clifton, N. J.	Converters of piece goods.....	Dec. 31, 1941 ¹	34,166.87	150,643.28	7,158.13	3,221.16	998.56
		Dec. 31, 1942 ¹	35,766.87	150,643.28	7,158.13	6,442.32	7,793.81
New Orleans: Pan-Am Southern Corp., (formerly: Root Petroleum Co.) P. O. Box 2, New Orleans, La.	Oil.....	Dec. 31, 1941 ¹	299,408.20	801,490.55	129,449.36	140,842.70	43,661.24
		Dec. 31, 1942 ¹	300,666.52	781,552.08	125,923.16	113,330.84	50,369.27
		Dec. 31, 1943 ¹	275,675.37	811,336.76	149,605.80	134,645.30	59,842.95
		Dec. 31, 1944 ¹	238,414.29	831,923.18	156,095.24	143,429.00	74,438.09
		Dec. 31, 1945 ¹	246,729.99	828,424.65	170,101.92	112,162.86	70,440.77
Oklahoma City: Rocky Mountain Pipe Line Co., P. O. Drawer 1267, Ponca City, Okla.	Transportation of crude oil by pipeline.	Dec. 31, 1940 ¹	403,664.77	359,361.81	31,160.01	13,354.18	None
		Dec. 31, 1941 ¹	509,575.99	404,228.80	38,000.00	41,800.00	12,958.00
		Dec. 31, 1942 ¹	509,575.99	404,228.80	38,000.00	11,948.48	5,310.43
Omaha: Johnson Fruit Co., 717 West First St., Hastings, Nebr.	Wholesale fruit and vegetables.	Dec. 31, 1942 ¹	14,710.83	35,299.47	9,959.17	21,736.66	11,612.55
		Dec. 31, 1943 ¹	15,950.63	34,059.67	8,749.37	11,095.40	5,519.81
		Dec. 31, 1944 ¹	17,595.90	32,414.40	7,194.10	6,839.15	3,815.52
		Dec. 31, 1945 ¹	19,454.49	30,555.81	5,245.51	5,009.36	2,794.09
The Famous Mercantile Corp., 1218 O St., Lincoln, Nebr.	Retail ladies' ready-to-wear....	Aug. 31, 1943 ¹	2,339.85	12,932.14	3,645.15	10,114.53	3,058.08
		Sept. 1, 1943					
		to					
		July 31, 1944 ¹	2,793.18	12,478.81	3,191.82	2,751.15	796.51
Parkersburg: Ohio—Apex, Inc., Nitro, W. Va.....	Manufacturing chemicals.....	Oct. 31, 1942 ¹	105,609.32	511,890.68	51,140.68	34,460.45	12,768.02
		Oct. 31, 1943 ¹	105,609.32	511,890.68	51,140.68	34,784.97	20,456.28
		Oct. 31, 1944 ¹	105,655.41	511,890.68	51,140.68	23,876.95	20,456.26
		Oct. 31, 1945 ¹	105,655.41	511,890.68	51,140.68	42,694.74	20,456.28
		Oct. 31, 1946 ¹	105,674.71	511,936.77	51,140.68	8,119.47	3,418.72
Philadelphia: Hanover Canning Co., Hanover, Pa....	Vegetable canning.....	May 31, 1941 ¹	7,152.47	17,100.00	9,947.53	943.28	None
		May 31, 1942 ¹	8,076.85	47,507.13	9,023.15	3,792.47	1,175.67
		May 31, 1943 ¹	8,191.54	52,378.46	8,908.46	8,017.61	2,447.29
		May 31, 1944 ¹	10,392.63	60,570.00	8,546.17	4,746.51	3,328.93
		May 31, 1945 ¹	14,453.94	50,916.06	7,446.06	8,462.32	4,239.23
Pittsburgh: Latrobe Electric Steel Co., 2626 Ligonier St., Latrobe 22, Pa.	Manufacturing iron and steel....	Dec. 31, 1940 ¹	199,117.27	481,610.80	41,232.73	18,799.61	None
		Dec. 31, 1941 ¹	241,745.28	587,558.70	76,501.72	46,713.94	14,061.52
Portsmouth: Claremont Waste Manufacturing Co., Claremont, N. H.	Flock manufacturers.....	Dec. 31, 1941 ¹	76,748.58	113,251.42	4,719.96	1,887.99	685.27
Verney Corp. (formerly: Verney Mills, Inc.), McGregor St., Manchester, N. H.	Textile manufacturing.....	June 30, 1942 ¹	29,633.01	146,176.16	41,616.99	25,740.85	7,979.67
		July 1, 1943	72,939.50	701,570.85	18,470.50	9,390.50	6,580.35
		to					
		Dec. 31, 1943 ¹					
		June 30, 1943 ¹	65,521.40	706,937.88	23,837.53	32,665.16	15,297.77
		Dec. 31, 1945 ¹	86,833.28	687,677.07	4,576.72	12,036.93	7,534.60

See footnotes at end of table.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE—Continued
SUPPLEMENTAL LIST FOR FISCAL YEAR ENDED JUNE 30, 1956—continued

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subch. E) tax resulting from the operation of sec. 722	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
St. Louis: The Berland Shoe Stores, Inc., 4241 Folsom St., St. Louis 10, Mo.	Retail women's footwear.....	Jan. 31, 1941 ¹	\$102,277.03	\$318,162.89	\$24,781.08	\$6,810.28	None	
		Jan. 31, 1942 ¹	120,837.33	293,623.45	29,481.73	14,740.87	\$4,569.67	
		Feb. 1, 1942 ¹	126,347.76	309,952.21	23,720.34	10,586.42	4,744.06	
		to						
		July 31, 1942 ¹	126,347.76	355,440.07	23,720.34	19,261.16	9,488.14	
International Shoe Co., 1509 Washington Ave., St. Louis 3, Mo.	Shoe manufacturing.....	July 31, 1943 ¹	126,347.76	355,440.07	23,720.34	22,038.53	9,488.13	
		July 31, 1944 ¹	7,211,052.76	5,869,737.59	384,197.24	1,661.66	None	
		Nov. 30, 1941 ¹	8,698,196.64	4,382,593.71	564,303.36	409,545.09	155,580.76	
		Nov. 30, 1942 ¹	8,698,196.64	4,382,593.71	564,303.36	507,873.03	225,721.34	
		Nov. 30, 1943 ¹	8,698,196.64	4,382,593.71	564,303.36	15,266.35	6,464.92	
San Francisco: Fliottl Products, Inc., Fresno and South Aves., Stockton, Calif.	Cannery.....	Aug. 31, 1941 ¹	55,348.80	302,820.80	19,918.41	3,012.05	None	
		Aug. 31, 1942 ¹	65,758.01	450,812.77	67,241.99	62,028.29	21,992.17	
		Aug. 31, 1943 ¹	65,758.01	450,812.77	67,241.99	57,751.15	26,896.80	
		Aug. 31, 1944 ¹	65,758.01	450,812.77	67,241.99	62,759.17	26,896.77	
		May 31, 1942 ¹	6,616.31	21,833.69	4,783.69	2,450.57	1,078.25	
Frank Raiter Canning Co., Foot of East San Luis St., Salinas, Calif.	Canning fruits and vegetables.	May 31, 1943 ¹	5,457.88	23,042.12	5,942.12	5,672.26	2,451.04	
		May 31, 1944 ¹	6,180.11	22,319.89	5,219.89	3,248.05	1,944.24	
		May 31, 1945 ¹	12,729.64	25,797.36	None	2,644.91	891.91	
		May 31, 1946 ¹	14,202.62	24,324.38	None	350.15	106.94	
		Dec. 31, 1944 ¹	3,270.43	63,279.65	3,854.57	3,835.58	1,090.11	
Tacoma: Washington Asphalt Co., 309 West 39th St., Seattle, Wash.	Paving contractors.....	Dec. 31, 1944 ¹	3,270.43	63,279.65	3,854.57	3,835.58	1,090.11	
Upper Manhattan: The American Home Magazine Co., 300 Park Ave., New York, N. Y.	Publishing.....	Dec. 31, 1944	134,919.06	523,559.19	57,721.94	164,507.53	69,298.33	
		Dec. 31, 1945	80.00	151,112.50	70,017.65	50,412.66	29,417.46	
Celanese Chemical Corp., Celanese Corporation of America, successor, 180 Madison Ave., New York, N. Y.	Sale of chemicals and chemical products.	Dec. 31, 1945	80.00	151,112.50	70,017.65	50,412.66	29,417.46	
		Dec. 31, 1945	80.00	151,112.50	70,017.65	50,412.66	29,417.46	
DeBoer & Livingston, Inc., 274 Madison Ave., New York, N. Y.	Manufacturer and wholesaler dresser sets, perfume bottles, etc.	Apr. 30, 1942 ¹	2,254.76	35,745.24	2,115.24	477.83	104.41	
		Apr. 30, 1944 ¹	2,818.47	35,181.53	1,551.53	810.62	243.19	
Magazines of Industry, Inc., 99 Church St., New York, N. Y.	Publishing.....	Apr. 30, 1945 ¹	2,983.70	35,016.30	1,386.30	1,316.98	374.30	
		Oct. 31, 1943 ¹	15,137.65	58,819.95	2,912.45	2,621.20	1,521.60	
Thomas Wilson & Co., Inc., 200 Madison Ave., New York, N. Y.	Lace manufacturers and importers.	Oct. 31, 1944 ¹	16,707.87	57,249.63	1,342.13	1,263.83	657.64	
		Oct. 31, 1946 ¹	16,924.56	56,073.29	165.79	26.32	14.69	
Dec. 31, 1941 ¹		Dec. 31, 1941 ¹	51,815.62	118,803.17	5,184.38	2,073.76	642.96	
		Dec. 31, 1942 ¹	51,814.72	118,804.07	10,885.28	9,796.75	4,354.11	
Dec. 31, 1943 ¹		Dec. 31, 1943 ¹	51,814.72	118,804.07	10,885.28	9,796.75	4,354.13	
		Dec. 31, 1944 ¹	51,814.72	118,804.07	10,885.28	10,341.02	4,254.11	
Dec. 31, 1945 ¹		Dec. 31, 1945 ¹	51,814.72	118,804.07	10,885.28	10,341.01	4,354.12	

SUPPLEMENTAL LIST FOR FISCAL YEAR ENDED JUNE 30, 1956

Boston: Fabreeka Products Co., 222 Summer St., Boston, Mass.	Manufacturers of insulating pads and distributors of transmission and conveyor belting.	Dec. 31, 1940 ¹	\$9,578.03	\$177,136.93	\$1,887.97	\$471.09	None
		Dec. 31, 1941 ¹	9,127.90	176,790.70	8,856.74	3,985.53	\$1,235.52
Brooklyn: The Blum Folding Paper Box Co., Inc., Box 82, Valley Stream, Long Island, N. Y.	Manufacturers of folding paper boxes.	Dec. 31, 1942 ¹	12,177.84	64,453.91	9,107.16	8,496.10	3,013.83
		Dec. 31, 1943 ¹	13,110.80	63,520.95	8,264.20	7,530.22	2,716.56
		Dec. 31, 1944 ¹	14,825.49	61,806.26	6,549.51	6,222.03	3,429.36
Chicago: Meyer & Wenthe, Inc., 30 South Jefferson St., Chicago, Ill.	Manufacture marking devices.	Dec. 31, 1941 ¹	7,548.96	70,745.29	3,376.04	1,198.23	275.59
		Dec. 31, 1942 ¹	7,923.21	70,371.04	3,001.79	2,057.89	810.48
		Dec. 31, 1943 ¹	8,106.91	70,187.34	2,818.09	4,021.32	1,206.41
		Dec. 31, 1944 ¹	8,732.00	69,562.25	2,193.00	2,083.31	611.03
Cleveland: Bardons & Oliver, Inc., 1133 West Ninth St., Cleveland, Ohio.	Machine tool manufacturing.	Dec. 31, 1940 ¹	33,652.99	255,984.91	15,390.53	6,925.74	None
		Dec. 31, 1941 ¹	49,467.57	264,032.43	19,000.00	11,400.00	3,534.00
Jacksonville: Publix Super Markets, Inc. (formerly Lakeland Grocery Co., Inc.), 115 North Florida Ave., Lakeland, Fla.	Wholesale and retail grocery..	Dec. 31, 1942 ¹	25,412.04	32,389.09	1,187.96	1,068.16	475.19
		Dec. 31, 1943 ¹	25,412.04	32,389.09	1,187.96	1,069.17	629.62
		Dec. 31, 1944 ¹	25,412.04	19,536.85	1,187.96	1,128.56	629.62
		Dec. 31, 1945 ¹	25,412.04	19,536.85	1,187.96	1,128.56	629.62
		Mar. 31, 1944 ¹	83,208.66	100,143.47	8,341.34	7,610.91	3,336.53
United Paper Co., P. O. Box 958, Tampa, Fla.	Fruit wraps, facial tissues, etc.	Mar. 31, 1945 ¹	83,208.66	100,143.47	8,341.34	7,924.27	3,337.53
		Mar. 31, 1946 ¹	83,208.66	100,143.47	8,341.34	5,970.35	2,513.82
		Dec. 31, 1942 ¹	288,493.25	198,381.65	34,506.75	62,112.15	27,605.40
Los Angeles: Pacific Employers Insurance Co., 1033 South Hope St., Los Angeles, Calif.	Insurance (other than life or mutual).	Dec. 31, 1943 ¹	288,082.40	198,381.65	34,506.75	13,662.44	6,072.21
		Dec. 31, 1940 ¹	37,835.90	149,723.88	4,594.48	3,563.65	None
The Plomb Tool Co., 2209 Santa Fe Ave., Los Angeles, Calif.	Manufacturers of hand tools....	Dec. 31, 1941 ¹	54,486.16	140,309.32	22,292.02	15,685.36	4,862.45
		Sept. 30, 1942 ¹	281,046.95	92,204.51	25,894.51	13,454.46	4,960.63
Seaboard Finance Co., transferee Seaboard Finance Co. of California, transferor, 945 South Flower St., Los Angeles, Calif.	Small loans.....	Sept. 30, 1942 ¹	278,105.99	92,204.51	25,894.51	15,783.41	7,014.84
		Sept. 30, 1944 ¹	265,000.87	92,204.51	25,894.51	24,274.34	10,357.80
		Sept. 30, 1945 ¹	298,895.44	92,204.51	25,894.51	24,599.79	10,357.80
Lower Manhattan: Hofer Tobacco Corp., 99 Wall St., New York, N. Y.	Wholesale tobacco.....	Dec. 31, 1942 ¹	32,979.69	33,520.31	12,145.31	14,170.78	8,328.77
		Dec. 31, 1943 ¹	35,098.46	31,401.54	10,026.54	9,023.85	5,297.82
		Dec. 31, 1944 ¹	37,802.40	28,097.60	7,322.60	6,956.47	3,214.73
		Dec. 31, 1945 ¹	41,071.38	25,428.62	4,053.62	3,850.94	1,621.45
Milwaukee: Allen-Bradley Co., 136 West Greenfield Ave., Milwaukee, Wis.	Manufacture and sale of electrical control apparatus and radio parts.	Dec. 31, 1940	196,514.48	148,216.34	17,445.21	7,850.34	None
		Jan. 1, 1941 to	262,364.33	146,868.97	20,799.00	11,419.51	3,540.04
		Nov. 30, 1941 to	262,248.43	146,984.87	20,914.90	10,795.48	5,053.31

See footnotes at end of table.

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE OF 1939 BY THE COMMISSIONER OF INTERNAL REVENUE—Continued
 SUPPLEMENTARY LIST FOR FISCAL YEAR ENDED JUNE 30, 1956—continued

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (sub-c), E) tax resulting from the operation of sec. 722	Gross increase in the income (ch. 1) tax resulting from the operation of sec. 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Newark: Boonton Molding Co., 326 Myrtle Ave., Boonton, N. J.	Molders of plastics-----	Dec. 31, 1941 ¹ Dec. 31, 1942 ² Dec. 31, 1943 ³ Dec. 31, 1944 ³ Dec. 31, 1945 ³	\$36,011.34 39,841.46 40,151.82 40,151.82 35,534.88	\$210,697.00 269,544.12 377,024.43 377,024.43 377,024.43	\$72,200.00 72,200.00 72,200.00 72,200.00 72,200.00	\$31,861.47 59,070.01 54,071.07 64,364.78 68,590.00	\$9,877.06 29,550.61 29,510.32 28,880.00 29,460.47
Cliffside Dyeing Corp., 99 Cliff St., Paterson, N. J.	Textile dyeing and finishing of rayons, acetates, and mix- tures.	May 31, 1943 ¹	1,646.87	104,729.13	40,153.13	27,809.49	16,609.34
John Simmons Co., 152 Mulberry St., Newark, N. J.	Jobbers of pipe, fittings, plumbing supplies.	Dec. 31, 1943 ¹ Dec. 31, 1944 Dec. 31, 1945 ³	5,142.65 6,317.39 40,241.19	234,368.20 233,193.46 190,269.66	38,092.12 36,917.38 2,993.58	29,294.17 35,071.51 1,203.90	16,433.27 14,791.42 1,203.55
Omaha: General Tobacco and Candy Co., 1036 L St., Lincoln, Nebr.	Wholesale tobacco, candy, and sundries.	Oct. 31, 1943 ¹ Oct. 31, 1944 ¹	988.92 1,356.24	11,844.06 11,476.74	2,336.08 1,968.76	2,102.47 1,853.92	630.74 531.57
Pittsburgh: Glenshaw Glass Co., Inc., Glenshaw, Pa.	Manufacturer of glass con- tainers.	Sept. 30, 1942 ¹ Sept. 30, 1944 ² Sept. 30, 1945 ³	139,806.35 159,234.43 159,234.43	89,931.07 70,562.99 70,562.99	45,383.65 26,015.57 26,015.57	27,942.85 24,387.82 24,714.80	9,708.57 10,406.22 10,406.23
St. Louis: Huttig Sash & Door Co., 1206 South Vandeventer Ave., St. Louis, Mo.	Manufacturers and jobbers of sash, doors, etc.	Dec. 31, 1941 ¹	193,214.97	168,460.48	2,332.40	5,456.48	1,691.30
San Francisco: Pacific Grape Products Co., 320 Grand St., Modesto, Calif.	Canning-----	Dec. 31, 1941 ¹ Dec. 31, 1942 ² Dec. 31, 1943 ³ Dec. 31, 1944 ³	\$7,459.72 46,824.65 46,824.65 46,824.65	68,940.28 59,575.35 59,575.35 59,575.35	30,940.28 21,575.35 21,575.35 21,575.35	42,078.08 19,417.82 38,836.63 15,701.79	13,323.20 8,630.14 17,260.28 8,630.14

¹ Allowance in accordance with decision of Tax Court of the United States based on agreed settlement of parties. No previous allowance by the Commissioner.

² Allowance made during fiscal year ended June 30, 1957, represents addition to relief previously allowed and published.

³ Allowance in accordance with decision of the Tax Court of the United States after hearing on the merits. No previous allowance by the Commissioner.

[F. R. Doc. 57-7172; Filed, Sept. 5, 1957; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document 162]

ARIZONA

SMALL TRACT CLASSIFICATION NO. 16; AMENDMENT

AUGUST 26, 1957.

Effective on date of this publication, paragraph 1 of Federal Register Document 49-5207 appearing in the issue for June 29, 1949, is hereby amended to read as follows:

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Phoenix, Arizona, land district embracing 320 acres:

ARIZONA SMALL TRACT CLASSIFICATION No. 16

For lease and sale for home and cabin sites only:

T. 4 N., R. 2 E., G. & S. R. B. & M., Arizona,
Sec. 33, NW $\frac{1}{4}$.

T. 3 N., R. 2 E., G. & S. R. B. & M., Arizona,
Sec. 3, SE $\frac{1}{4}$.

except for the W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33
which is classified for recreation only.

E. I. ROWLAND,
State Supervisor.

[F. R. Doc. 57-7291; Filed, Sept. 5, 1957;
8:46 a. m.]

CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

AUGUST 27, 1957.

The U. S. Department of Agriculture, has filed an application, Serial No. Sacramento 047050, for the withdrawal of the lands described below, from location and entry under the general mining laws, subject to existing valid claims.

The applicant desires the land for use as roadside zone, administrative sites, campground areas or for other public purposes as set forth specifically with regard to each area described.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, California Fruit Building, 8th Floor, 4th and J Streets, Sacramento 14, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

MENDOCINO PASS ROAD, FOREST HIGHWAY 7 (3), ROADSIDE ZONE

A strip of land 200 feet on each side of the center line of the pass road through the following legal subdivisions:

T. 21 N., R. 7 W.,

Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 23, N $\frac{1}{2}$;

Sec. 24, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 21 N., R. 8 W.,

Sec. 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 24, NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 22 N., R. 8 W.,

Sec. 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 31, E $\frac{1}{2}$ W $\frac{1}{2}$.

T. 22 N., R. 9 W.,

Sec. 17, Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 21, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;

Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 27, NE $\frac{1}{4}$.

T. 22 N., R. 10 W.,

Sec. 1, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 2, Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 12, NW $\frac{1}{4}$, SE $\frac{1}{4}$;

Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 23 N., R. 10 W.,

Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 31, Lot 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 32, NW $\frac{1}{4}$.

T. 23 N., R. 11 W.,

Sec. 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 36, NE $\frac{1}{4}$.

Campground Areas

Old Mill:

T. 17 N., R. 7 W.,

Sec. 21, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Red Bridge:

T. 18 N., R. 7 W.,

Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$.

Mud Flat:
T. 23 N., R. 7 W.,
Sec. 28, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Whitlock:
T. 24 N., R. 7 W.,
Sec. 19, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Cedar:
T. 16 N., R. 8 W.,
Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Lower Nye:
T. 18 N., R. 8 W.,
Sec. 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Board Tree:
T. 21 N., R. 9 W.,
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$.

Telephone Camp:
T. 22 N., R. 9 W.,
Sec. 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Plaskett:
T. 22 N., R. 9 W.,
Sec. 25, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Pogle Point:
T. 18 N., R. 10 W.,
Sec. 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Seven Troughs:
T. 22 N., R. 10 W.,
Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Wells Cabin:
T. 23 N., R. 10 W.,
Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Leechlake:
T. 24 N., R. 11 W.,
Sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Asa Bean:
T. 25 N., R. 11 W.,
Sec. 32, Lot 3.

Administrative Sites

Pacific Point:
T. 16 N., R. 7 W.,
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Mill Creek:
T. 17 N., R. 7 W.,
Sec. 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Black Diamond:
T. 18 N., R. 7 W.,
Sec. 15, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Valley View:
T. 22 N., R. 7 W.,
Sec. 7, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Red Mountain:
T. 22 N., R. 7 W.,
Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Patton Mill:
T. 24 N., R. 7 W.,
Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Franklin Point:
T. 25 N., R. 7 W.,
Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Pinnacle Rock:
T. 15 N., R. 8 W.,
Sec. 17, SE $\frac{1}{4}$.

Goat Mountain:
T. 16 N., R. 8 W.,
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Potato Hill:
T. 17 N., R. 8 W.,
Sec. 6, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Letts Valley:
T. 17 N., R. 8 W.,
Sec. 24, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Signal Peak:
T. 18 N., R. 8 W.,
Sec. 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$;
Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sheetron:
T. 19 N., R. 8 W.,
Sec. 22, NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Long Point:
T. 21 N., R. 8 W.,
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Alder Springs:
T. 21 N., R. 8 W.,
Sec. 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Log Spring:
T. 23 N., R. 8 W.,
Sec. 29, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Ball Mountain:
T. 24 N., R. 8 W.,
Sec. 17, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

High Glade:
T. 16 N., R. 9 W.,
Sec. 25, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Plaskett:
T. 22 N., R. 9 W.,
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Elk Mountain:
T. 16 N., R. 10 W.,
Sec. 1, Lot 1.

Hunter Point:
T. 16 N., R. 10 W.,
Sec. 27, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Garrett Mountain:
T. 17 N., R. 10 W.,
Sec. 17, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Soda Creek:
T. 18 N., R. 10 W.,
Sec. 10, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Pine Mountain:
T. 18 N., R. 10 W.,
Sec. 32, Lot 4.

Hull Mountain:
T. 19 N., R. 10 W.,
Sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Gravelly Valley (Airport):
T. 19 N., R. 10 W.,
Sec. 34, SW $\frac{1}{4}$.

Low Gap:
T. 22 N., R. 10 W.,
Sec. 2, Lot 3.

Anthony Peak:
T. 23 N., R. 10 W.,
Sec. 15, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Tantrum:
T. 24 N., R. 10 W.,
Sec. 12, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$.

Beaver Glade:
T. 24 N., R. 10 W.,
Sec. 17, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Osborne:
T. 24 N., R. 10 W.,
Sec. 29, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, SE $\frac{1}{4}$.

Hammerhorn:
T. 25 N., R. 11 W.,
Sec. 22, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$.

Frying Pan:
T. 26 N., R. 10 W.,
Sec. 22, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Big Signal:
T. 19 N., R. 11 W.,
Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

John Day:
T. 19 N., R. 11 W.,
Sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Montague:
T. 23 N., R. 11 W.,
Sec. 11, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Indian Dick:
T. 25 N., R. 11 W.,
Sec. 22, S $\frac{1}{2}$ of Lots 9 and 10, Lots 15
and 16.

Sulphur Camp:
T. 26 N., R. 11 W.,
Sec. 16, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Within the area described are 4,173.35 acres of public land in the Mendocino National Forest.

R. R. Best,
State Supervisor.

[F. R. Doc. 57-7292; Filed, Sept. 5, 1957;
8:46 a. m.]

CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

AUGUST 29, 1957.

The Forest Service, United States Department of Agriculture, has filed an application, Serial No. Sacramento 047402 for the withdrawal from location and entry under the general mining laws, subject to existing valid claims, of the lands described below.

The applicant desires the land for administrative sites, public service sites, recreation areas, or for other public purposes as set forth specifically with regard to each area or description.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, California Fruit Building, Room 801 4th and J Streets, Sacramento 14, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

FOLSOM LOOKOUT ADMINISTRATIVE SITE

T. 7 N., R. 15 E.,
Sec. 29, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Sand Flat Recreation Area:
T. 6 N., R. 17 E.,
Sec. 2, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 3, NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$.

T. 7 N., R. 17 E.,
Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, S $\frac{1}{2}$ SW $\frac{1}{4}$.

Cherry Reservoir Recreation Area:
T. 2 N., R. 19 E.,
Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Arnot Creek Recreation Area:
T. 7 N., R. 20 E.,
Sec. 32, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Falls Organization Camp Area:
T. 1 S., R. 18 E.,
Sec. 22, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described totals 1,200 acres of public land in Stanislaus National Forest.

R. R. Best,
State Supervisor.

[F. R. Doc. 57-7293; Filed, Sept. 5, 1957;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DELAWARE AND MARYLAND

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in the State of

Delaware and in the following counties in the State of Maryland a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MARYLAND

Allegany.	Howard.
Anne Arundel.	Kent.
Baltimore.	Montgomery.
Calvert.	Prince Georges.
Caroline.	Queen Annes.
Carroll.	St. Marys.
Cecil.	Somerset.
Charles.	Talbot.
Dorchester.	Washington.
Frederick.	Wicomico.
Harford.	Worcester.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named State of Delaware and counties of Maryland after June 30, 1958, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 30th day of August 1957.

[SEAL] MARVIN L. MCLAIN,
Acting Secretary.

[F. R. Doc. 57-7288; Filed, Sept. 5, 1957;
8:45 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-69]

GENERAL ELECTRIC CO.

NOTICE OF PROPOSED ISSUANCE OF
CONSTRUCTION PERMIT

Please take notice that the Atomic Energy Commission proposes to issue a construction permit to General Electric Company substantially in the form set forth in Annex "A" below unless within fifteen (15) days after filing of this notice with the Federal Register Division a request for a formal hearing is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2). There is attached as Annex "B" a memorandum submitted by the Division of Civilian Application which summarizes the principal factors considered in reviewing the application for license. For further details see the application for a license at the Commission's Public Document Room, 1717 H Street, NW., Washington, D. C.

Notice is also hereby given that if the Commission issues the construction permit the Commission may without further prior public notice convert the construction permit to a Class 104 license authorizing operation of the reactor at the proposed site if it is found that the reactor has been constructed in accordance with the specifications contained in the terms and conditions of the construction permit, and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission that the granting of such license would not be in accordance with the provisions of the act.

Dated at Washington, D. C. this 30th day of August 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director.

Division of Civilian Application.

ANNEX "A"

CONSTRUCTION PERMIT

No. CPCX-

General Electric Company (hereinafter "General Electric") on June 14, 1957, filed its application for Class 104 license, defined in § 50.21 of Part 50, "Licensing of Production and Utilization Facilities", Title 10, Chapter I, CFR, to construct and operate a Nuclear Checkout Test (Spanish Swimming Pool Reactor) (hereinafter "the facility").

The Atomic Energy Commission (hereinafter "the Commission") has found that:

A. The facility will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter I, CFR, Part 50, "Licensing of Production and Utilization Facilities."

B. General Electric proposes to utilize the facility in the conduct of research and development activities of the types specified in Section 31 of the Atomic Energy Act of 1954.

C. General Electric is financially qualified to construct and operate the facility in accordance with the regulations contained in Title 10, Chapter I, CFR; to assume financial responsibility for the payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time.

D. General Electric is technically qualified to design and construct the facility.

E. General Electric has submitted sufficient information to provide reasonable assurance that the facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

F. The issuance of a construction permit to General Electric will not be inimical to the common defense and security or to the health and safety of the public.

Pursuant to the Atomic Energy Act of 1954, and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities", the Atomic Energy Commission hereby issues a construction permit to General Electric to construct the facility as a utilization facility. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Atomic Energy Act of 1954 and rules, regulations and orders of the Atomic Energy Commission now or hereafter in effect; and is subject to any additional conditions specified or incorporated below:

A. The earliest date for the completion of the facility is September 20, 1957. The latest date for completion of the facility is November 15, 1957. The term "completion date" as used herein means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The site proposed for the location of the facility is the Vallecitos Atomic Laboratory located in Alameda County, California.

C. The facility authorized for construction is a pool-type facility utilizing fuel elements containing 20 percent enriched uranium in light water with graphite as reflector and designed to operate at a power level of up to 50 watts, as described in the application.

Upon completion (as defined in Paragraph "A" above) of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of any addi-

tional information needed to bring the original application up to date, and upon finding that the facility authorized has been constructed in conformity with the application as amended and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue a Class 104 license to General Electric pursuant to section 104c of the act, which license shall expire eight (8) months after the date of this construction permit.

Date of Issuance:

For the Atomic Energy Commission.

Director,
Division of Civilian Application.

ANNEX "B"

MEMORANDUM

Introduction. The General Electric Company filed on May 22, 1957, an application for a facility export license for a 3 Mw swimming pool reactor. On July 29, 1957, Export License XR-10 was issued to General Electric Company for the export of the reactor to the Junta de Energia Nuclear, Serrano, 121 Madrid, Spain, a Department of the Spanish Ministry of Industry.

On November 23, 1956, the Junta de Energia Nuclear and General Electric Company submitted to the AEC a report entitled "Spanish Swimming Pool Reactor Safeguards Report." The Commission advised Spain with regard to the hazards of reactors of this type and as a result, an addendum to the safeguards report was submitted on February 8, 1957.

The General Electric Company submitted on June 14, 1957, a license application for a construction permit and facility license for a nuclear checkout test on the Spanish swimming pool reactor. The license application included a second addendum to the Spanish Swimming Pool Reactor Safeguards Report dated May 8, 1957. This document describes the experiments to be conducted and the hazards involved in the proposed nuclear checkout test.

Description of the facility. The Spanish research reactor is to be of the swimming pool type, operated at a maximum power of 3 Mw. Each fuel element will contain 10 plates, each 0.099 inch in overall thickness. Uranium-aluminum alloy will be clad with 0.015 inch of aluminum. The core will also contain graphite reflector elements, clad in aluminum, to form a reflector 3 inches thick and 30 inches high surrounding the fuel elements. The control elements in the reactor will comprise four 10.25-inch wide vertical blades and one 2.5-inch square vertical servo control rod. It is proposed to operate two control blades in gang, but the speed of withdrawal will be limited to that corresponding to 0.02 percent reactivity insertion per second. The control rods will be attached to the rod drives by means of electromagnets which are deactivated in the event of a scram, resulting in the rods falling by gravity into the core.

The General Electric Company proposes to install the actual reactor core components of the Spanish swimming pool reactor at the Company's Vallecitos Laboratory. Minor and inconsequential modifications will be made in order that the reactor components can be accommodated in the laboratory pool. The purpose of the nuclear checkout test is to determine low power characteristics at a power not to exceed 50 watts. Various characteristics of the reactor will be determined, including the critical mass, mass required for 4.5 percent excess reactivity, reactivity values of control blades and servo

control element, void and temperature coefficients of reactivity, reactivity of simulated beam ports and fuel position reactivity evaluation. In addition to the 50-watt limitation on power, the excess reactivity will be limited to 4.5 percent by poison material firmly attached to the fuel elements. The control instrumentation of the Spanish swimming pool reactor will be employed and, in addition, other instruments will be provided for safety and control at low power. The core components will be supported on I-beams resting on the bottom of a pool filled to a depth of 11½ feet of water. For convenience in determining the temperature coefficient of reactivity, the core will be surrounded by a 4-foot square, open-topped plywood box. This plywood box will permit the water content of the entire pit to be used for shielding, while minimizing test time required to heat water for temperature coefficient determination. Cooling water is removed from and returned to the plywood box by means of a recirculating pump so that both water purity and temperature will be controlled. A 2-3 curie Po-Be neutron source will be used to start the reactor. The only experimental facilities to be used are radiation baskets located in the pool outside of the graphite reflector elements. Provision will be made for simulating beam ports.

The applicant has calculated that the temperature coefficient will be -2.1×10^{-4} fraction reactivity per °C., and that the void coefficient will be -2.9×10^{-3} fraction reactivity per % void.

The reactor operating organization and operating procedure described in the safeguard report are judged to be appropriate for carrying out an experimental program of this type.

Hazards evaluation. Various possible accidents are described by the applicant, including power failure, fuel element failure, binding of control blades, startup accident and refueling accident. These accidents and those related to environmental factors, such as fire and flood, apparently introduce no unacceptable nuclear risk since any such accidents would result in reactivity insertions of less than 0.5 percent. The applicant has stated that the core will be loaded, that operating conditions will be restricted and that experiments will be limited, to such extent that not more than 0.5 percent reactivity can be introduced rapidly in any credible accident. For such insertion, the temperature of the water would rise, the negative temperature coefficient of the reactor would offset the inserted reactivity, no violence would be done and no release of fission products would occur.

We believe it to be reasonable, on the basis of described arrangements and procedures to be followed, that large reactivity insertions will not occur, and that, if the temperature and void coefficients are negative as calculated, inherent stability will thereby be provided and no damage will result. It is not clear how confidently the calculations can be trusted in their indication of negative values for these coefficients, since the core design is somewhat different from those on which measurements have been made. We believe, however, that initial experiments can be performed safely by the procedure outlined, and that accurate measurements of these parameters in this core can be made. If positive values should be found, contrary to expectations, more extended operations should not be attempted without further study and evaluation.

Conclusion. Based upon our review of the equipment design, operating organization and operating procedures, and based on our evaluation of the hazard analysis made by the applicant, we concluded that there is reasonable assurance that the nuclear check-

out test described by the applicant can be conducted at the Vallecitos Atomic Laboratory without undue hazard to the health and safety of the public.

Dated: August 30, 1957.

For the Division of Civilian Application.

H. L. PRICE,
Director.

[F. R. Doc. 57-7335; Filed, Sept. 4, 1957;
12:30 p. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

FRONTIER FREIGHT FORWARDERS, INC. AND
MAHER & Co.

NOTICE OF AGREEMENT FILED FOR APPROVAL

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

Agreement No. 8234 between Frontier Freight Forwarders, Inc., Miami, Florida and Maher & Co., New Orleans, Louisiana, is a cooperative working arrangement between the parties under which they will perform freight forwarding services for each other.

Interested parties may inspect this agreement 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 the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 3, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 57-7320; Filed, Sept. 5, 1957;
8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12069; FCC 57M-807]

FLORENCE BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re application of Florence Broadcasting Company, Inc., Brownsville, Tennessee, Docket No. 12068, File No. BP-10850; for construction permit.

The Hearing Examiner having under consideration a petition for continuance filed by the Chief of the Commission's Broadcast Bureau on August 21, 1957;

It appearing that the date for the exchange of the applicant's affirmative case and the date for hearing should be continued indefinitely, pending the processing and designation of the application of Triangle Broadcasting Company (File No. BP-11192) for hearing consolidated with the application of Florence Broadcasting Company, Inc., in view of the fact that the Triangle application has

been pending since March 25, 1957 and is mutually exclusive with the Florence application;

It further appearing that the time has expired within which an opposition may be filed to the above petition, and that no opposition has been received;

It is ordered, This 28th day of August 1957, that the petition is granted, and the date for the exchange of the applicant's affirmative case and the date for hearing, presently scheduled for September 3 and 23, 1957, respectively, are continued indefinitely, pending the processing and designation of the application of Triangle Broadcasting Company for hearing consolidated with the application of Florence Broadcasting Company, Inc.

Released: August 29, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7329; Filed, Sept. 5, 1957;
8:52 a. m.]

[Docket No. 12117; FCC 57M-809]

BEST CABS, INC.

NOTICE OF PREHEARING CONFERENCE

In the matter of application of Best Cabs, Inc., 203 West 9th Street, Wichita, Kansas, Docket No. 12117; for radio station authorization in the Taxicab Radio Service.

On the oral request of counsel for the Commission's Safety and Special Radio Services Bureau, a prehearing conference is scheduled for Friday, September 13, 1957, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

Dated: August 29, 1957.

Released: August 30, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7330; Filed, Sept. 5, 1957;
8:52 a. m.]

[Docket Nos. 12124, 12125; FCC 57M-808]

GEOFFREY A. LAPPING AND PHOENIX
BROADCASTING CO.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Geoffrey A. Lapping, Phoenix, Arizona, Docket No. 12124, File No. BP-10963; Harold Lampel and Dawkins Espy, d/b as Phoenix Broadcasting Company, Phoenix, Arizona, Docket No. 12125, File No. BP-10964; for construction permits.

It is ordered, This 29th day of August 1957, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a pre-hearing conference pursuant to the provisions of § 1.813 of the Commission's rules, at the offices of the Commission in Washington,

D. C., at 10 o'clock a. m., September 24, 1957.

Released: August 30, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] EVELYN F. EPPLEY,
Acting Secretary.

[F. R. Doc. 57-7331; Filed, Sept. 5, 1957;
8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-13187]

STANDARD OIL CO. OF TEXAS

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

Standard Oil Company of Texas (Standard Oil), on August 1, 1957,¹ tendered for filing a proposed change in its 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: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 5 to Standard Oil's FPC Gas Rate Schedule No. 22.

Effective date: ² September 1, 1957.

In support of the proposed favored-nations rate increase,³ Standard Oil quotes the pertinent pricing provision of its rate schedule.

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. 5 to Standard Oil's FPC Gas Rate Schedule No. 22 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, Chapter 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. 5 to Standard Oil's FPC Gas Rate Schedule No. 22.

¹Filing not completed until August 21, 1957.

²The stated effective date is the first day after expiration of the required 30 days' notice.

³The proposed rate increase has been triggered by the spiral escalation rate increases of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso Natural Gas Company, which increases were suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1958, 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.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7296; Filed, Sept. 5, 1957;
8:47 a. m.]

[Docket No. G-13190]

TEXAS CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

The Texas Company (Texas), on August 6, 1957,¹ tendered for filing a proposed change in its 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: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 5 to Texas' FPC Gas Rate Schedule No. 24.
Effective date: ² September 6, 1957.

In support of the proposed favored-nations rate increase,³ Texas states that El Paso Natural Gas Company (El Paso) notified it that Phillips Petroleum Company's (Phillips) rate to El Paso increased 15.05 percent; that Texas is advised that the rates paid Phillips prior to the increase equal the rates currently paid Texas considering variations in delivery conditions; that the contract resulted from arm's-length bargaining; and that the increase is justified on a continuing basis because of increased operating, replacement, drilling and exploration costs.

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

¹Filing reconciled August 15, 1957.

²The stated effective date is the first day after expiration of the required 30 days' notice.

³The proposed increase has been triggered by the spiral escalation rate increase of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso, which increases were suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.

of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 5 to Texas' FPC Gas Rate Schedule No. 24 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, Chapter 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. 5 to Texas' FPC Gas Rate Schedule No. 24.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 6, 1958, 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.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 57-7297; Filed, Sept. 5, 1957;
8:47 a. m.]

[Docket No. G-13191]

HUNT OIL Co.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

AUGUST 30, 1957.

Hunt Oil Company (Hunt), on August 5, 1957, tendered for filing a proposed change in its 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: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Hunt's FPC Gas Rate Schedule No. 31.
Effective date: ¹ September 5, 1957.

In support of the proposed favored-nations rate increase,² Hunt states that

¹The stated effective date is the first day after expiration of the required 30 days' notice.

²The proposed rate increase has been triggered by the spiral escalation rate increases of 15.05 percent of Phillips Petroleum Company for gas sales in the Permian Basin to El Paso Natural Gas Company, which increases were suspended in Docket No. G-11217, and made effective subject to refund on March 11, 1957.